

Telugu Fine Arts Society

Election Manual 2021

(For 2022 Elections)

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Version Control		
1 October 2021	Version R0	Issued for information
8 October 2021	Version R0.1	Term dates changed to June 2022 to May 2024

Telugu Fine Arts Society, Inc.
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1. Introduction

Telugu Fine Arts Society, Inc. (TFAS) conducts elections every two years for electing the President and up to eight (8) trustees. The Nominations/Elections Committee (N/EC) has the responsibility to conduct the elections in a fair and open democratic process. The election manual gives the details of the election process. Its objectives are: (1) to make the election process transparent and understandable to all the members, (2) to make it easy for the trustee candidates to comply with all the rules governing the elections, and (3) to enable the TFAS election process comply with the TFAS By Laws. See Articles 2, 7, 8, 9, 10, 11, 16 from April 30, 2020 version of the Bylaws. The manual provides clarifications and interpretations of the By Laws. When there is a conflict between the By Laws and the Election Manual – the By Laws

will override the Election Manual. Any clarifications required about the manual should be obtained from the By Laws committee.

Sample election forms in the appendices may be revised by N/EC as needed before sending to members.

Board Of Trustees (BOT) shall remain neutral in the election process. However, the cooperation of Treasurer, Secretary, Membership Committee, and IT is needed in conducting the elections. For example, the Membership Committee has to provide N/EC promptly with the addresses in the prescribed format to mail the Call for Nominations and election ballots.

2. Nomination Process

The Advisory Board, with recommendations from the Board of Trustees (BOT), forms the N/EC. The committee shall have a chair person and four members. N/EC members should be Life members of TFAS for at least 10 years, and are not from BOT or the Advisory board. See By-Laws Articles 10 and 16 for additional details on N/EC.

A master list in excel format of all TFAS members as of November 1st of the year preceding the elections will be provided to N/EC by Membership committee chair. The list includes the effective date of membership, home address, email address, and telephone number of each member. The master list shall be verified and certified by the Membership chair and Treasurer on an attestation form (signed by both trustees) included with the master list and sent to the N/EC chair by November 1st. The Master list should be an excel and also a PDF version.

As of November 1st of the year preceding the elections:

- a) Nominee shall meet a minimum of three years membership requirement.
- b) Proposer and Secunder shall meet a minimum of two years membership requirement.
- c) Voting members shall meet a minimum of two years membership requirement.

N/EC shall create eligible **voting** member list, membership as of November 1, 2019, *containing only the city and the state* to be provided to the final candidates during elections to identify the eligible voters. **NEW MEMBERS CANNOT BE ADDED TO THIS LIST AFTER NOVEMBER 1st FOR ELECTION/VOTING PUROPOSES.** All address changes shall be the responsibility of the Membership committee and must be certified by the Membership chair.

3. Budget

N/EC provides an itemized budget estimate to BOT for approval to conduct the elections, that includes vendor costs to print and mail Nomination Forms and ballots, if there are elections. If electronic balloting is implemented additional software and consulting costs may be included.

4. Election Schedule

N/EC prepares a schedule for the elections to be posted on TFAS website by November 1 of the year preceding the elections. A tentative schedule is shown in Appendix A. The schedule shows various activities, due dates, and responsible party. The schedule may be slightly revised, if necessary, by N/EC.

5. Membership Data Access

- a) Soon after the N/EC is formed, the N/EC chair shall get access to the entire Membership data.
- b) Address/email changes shall be requested by a member in an email sent to the Membership chair.
- c) N/EC chair shall be notified of all membership address/email changes as an ongoing process with a copy of the member's request included. When in doubt, the N/EC may contact the member and verify the address/email changes.
- d) N/EC chair shall be notified the membership data periodically to identify the changes being made. NEC may request verification of the address change. *Documents utilized to validate the address change are the recent utility bill or Driver's license or signed and notarized letter stating the address change or a bank statement with current address.* When any changes are made to the Salesforce database and access the N/EC chair shall be notified immediately in writing. Notifying the address changes with an email is acceptable. NEC chair approval is required for all address changes after November 1.
- e) N/EC shall obtain Non-Disclosure Agreement (NDA) from the nominees pertaining to the intellectual property of the Corporation. NDA shall state Membership list, email data, and such intellectual property of the Corporation shall not be used by the candidate during the election. When a candidate misuses membership addresses, e-mail database, telephone numbers or when election committee receives complaints from general members for excessive calling and/or emailing with campaign materials, such candidates may be disqualified. (Refer Article Bylaws 10)
- f) When the Membership committee chair or current trustee or any member with access to membership data- (postal address or email ids or telephone number) decide to contest in the upcoming elections, he/she shall notify the N/EC immediately of the intention. N/EC shall remind the potential candidate of the NDA referred above. Any deviation from the By-laws or NDA or usage of the TFAS membership data during elections shall be considered as breach of contract and disqualifies the candidates.

6. Eligibility to contest to be a Trustee

Eligibility requirements to contest to be a trustee in different categories are shown below. See By Laws Articles 7 and 8. Most requirements are mandatory (M) but some are categorized as Desirable (D).

The following requirements are applicable to contest as a President, a Senior Trustee, and a General Trustee. Additional requirements for the President and Senior Trustees are identified separately in the subsequent sections.

- a) Any person who is a general member of TFAS for not less than three (3) full years by November 1 prior to the election. (M)
- b) Valid legal US residency status. (M)
- c) Served as a volunteer in trustee committees for at least 2 years or a past trustee. (M) (D for 2021 elections only due to Covid.)
- d) Did not serve as a trustee for two successive terms immediately prior to the election. Serving for more than 365 days shall be considered as one full term. (Not applicable to President.) (M)
- e) Candidate shall be a permanent resident or citizen of the United States. (M)

- f) As individual, did not already serve as a trustee for 6 years or longer. (M)
- g) As husband and wife together, did not already serve as trustees for 8 years or longer. (M)
- h) A current or a previous trustee who attended less than 50% of the trustee meetings and TFAS programs in his trustee term may be disqualified. (M)
- i) A trustee who did not complete the term without a valid reason may be disqualified to contest as a trustee for another term. (M)
- j) Able to speak fluently and read Telugu, and exhibit interest in fine arts and Telugu literature. (D)
- k) Members of the same family (husband and wife, and children as independent general members) shall not serve as a trustee or a member of the Advisory board during the same period. (M)
- l) A candidate or a spouse during their tenure shall not hold any important position or participate in any capacity in another Telugu community-based organization which is promoting activities that conflict with the interests of the TFAS. NEC will make a judgement what organizations are considered to have conflict of interest. Candidate should have adequate time to devote to TFAS activities as the sole, main commitment. (M)
- m) Not affiliated with a political party in the United States or other countries. Not an office bearer of any sectarian organization. (M)
- n) Familiar with the objectives, structure and events of TFAS and legal issues related to non-profit organizations. (M)
- o) Did not serve or currently serving TFAS as an Advisor. (M)
- p) No proven misconduct (dishonesty, fraud, misappropriation of funds) at employment or serving other organizations. (M)
- q) Trustee candidates shall contest and campaign as individuals. Formation of groups or panels, canvassing to vote for groups in social media like Facebook/ Twitter are prohibited and may result in disqualification. N/EC has the authority to disqualify such candidates. (M)
- r) Trustees should be prepared to sign a Non-Disclosure Agreement (NDA) pertaining to the intellectual property of TFAS. (M)

Membership list, email data, and such intellectual property of TFAS shall not be used by the candidate during the election. When a candidate misuses membership addresses, e-mail database, telephone numbers or when election committee receives complaints from general members for excessive calling and/or emailing with marketing materials, such candidates may be disqualified. (M)

Since members are distributed all over New Jersey, equal opportunity shall be given to all members to become trustees. N/EC has designed the election process to elect trustees balancing the geographical spread and concentration of members in New Jersey. N/EC will review all the nominations received, and if more than 3 are from the same township, N/EC will use their discretion to select up to 3 nominees based on the selection criteria : (a) Previous TFAS experience, (b) Duration of TFAS membership, (c) Past contributions to TFAS service, (d) Service for TFAS as donor / volunteer, and (e) Diversity of the candidate exposure and experience.

7. Categories of Candidates and Additional Eligibility Requirements

- a) President: Presidential candidate must have served as a trustee for 4 years. Qualified candidates shall contest for the President position independently. The President also should not be identified as part of a team in the publicity material, such as flyer, email, etc. If there are no eligible nominations N/EC may identify suitable candidates and help getting them nominated. If this is not

feasible, the eligibility requirements may be reduced by NEC to one term and get new nominations in exceptional situations.

- b) **Trustee Senior Category:** Candidates who previously served as trustees for at least one term and who are permanent residents of the United States are grouped as the Senior Category, who shall qualify to contest for the position of Vice President, Secretary, Treasurer, or Annual Events Chair, if elected by the members. See Section 17 of the Election Manual on how to fill the positions when there are not enough candidates.
- c) **Trustee General Category:** The remaining candidates are grouped into general category from which four (4) candidates are elected by the members. Elected trustees from the general category will be filling the chair positions of Membership, IT, Community Services, and Youth Services committees.

8. Nominations and Requirements

The Election Manual shall be updated by the N/EC prior to November 1 with input from Advisory board and Bylaws Committee. The number of trustee positions in each category are posted on TFAS web by November 1.

Nomination forms for a trustee position are prepared by N/EC. The “Call for Nominations” are mailed to general membership. The candidate eligibility requirements per the current By Laws and Nomination Form, are posted on the TFAS website by the due date. A sample Call for Nominations is shown in Appendix B, and a sample Nomination Form is shown in Appendix C.

Nomination requirements are listed below:

- a) **The nomination form** should be completed, signed by a proposer and a seconder who are all members of TFAS for a minimum of 2 years as of November 1st. Only one general member from the same family (husband, wife, children as independent general members) is eligible to nominate or second a trustee candidate. A family member cannot propose or second a candidate from the same family.
 - i. Nominee shall sign in the box provided in the Nomination form that the information submitted is accurate.
 - ii. A current trustee / Advisor shall not be a proposer or seconder.
 - iii. The nominations may be filed electronically as a pdf file to meet the deadline, but the original paper copy with signatures has to be received by N/EC within three days of the deadline.
 - iv. N/EC may set up a Post Office Box to receive the Nomination Form, Ballot, and any other election related documents.
- b) **A Nominee statement** not exceeding 150 words in English (single spaced; Times New Roman font 10 text [not bold] and Font size 14 heading [bold]). The Nominee statement describes (a) past contributions and service to TFAS; (b) if elected, what special skills and organizational experience do you like to bring to TFAS during the next 2 years; (c) other relevant information including community service; (d) your general expertise (e.g., financial, accounting, legal, IT). Please note that the committee may request the candidate to revise the statement if it is too long.

- c) **A check for \$300, payable to Telugu Fine Arts Society, Inc.** to partially cover the cost of conducting the elections. The fee will be refunded if a candidate withdraws his/her nomination prior to the deadline or the nominee is disqualified to contest in the elections.
- d) **A passport size color** photograph (can be included in the electronic version). When the Nomination Form is accepted by N/EC, the photograph and the Nominee statement will be posted on the TFAS website for the benefit of the voting members.
- e) **A Personal email address** which shall be used throughout the election process. Each nominee shall use his or her own authentic email addresses for all election related communications. Multiple email addresses shall not be entertained.

It is important to note that Nomination shall be automatically rejected if the following are missing: personal email address, photograph, Nominee statement, check for \$300, and the signatures of proposer, seconder, and Nominee.

Nomination Form shall include a signed declaration by the candidate that the information submitted is accurate.

The nominations may be filed electronically as a pdf file to meet the deadline, but the original paper copy with signatures has to be received by N/EC within three calendar days of the deadline.

Trustee candidates or their spouses during their tenure shall not hold any position in another Telugu community-based organization. Any such positions held or commitments made for other organizations shall be disclosed in the Nomination Form and verified by the N/EC. The elected candidate shall not be sworn-in if he/she does not resign from the position in the other community-based organization. NEC will make a judgment to determine if the spouse's position has a conflict and the spouse also needs to resign.

9. Trustee Candidates Review/ Vetting Process

The N/EC and the Advisory board shall verify each candidate's background through a vetting process, arrange for a meeting with the candidate to finalize the eligibility. Refer to By Laws Articles 9 & 10.

- a) The N/EC posts the list of nominations received for trustee positions on TFAS website for 1 week. Members are requested to send any serious concern about any candidate to the N/EC (such member's identity shall be kept confidential). When a complaint includes significant and sensitive information which may require proof, more details may be obtained by further investigation by the N/EC to make any decision. If the concern is related to a candidate's misconduct or credibility, character, behavior, honesty or ethics, the N/EC in consultation with Advisory board may investigate such complaints.
- b) Nominee may be disqualified for any act of omission or unsubstantiated statements or any fraudulent information included in the nomination form; any relevant information obtained through research by N/EC before or after the elections may disqualify the candidate to be a trustee.
- c) N/EC in consultation with Advisory board interviews the trustee candidates in person or in a virtual meeting open to TFAS standing committees. Candidates shall present their background, expertise, vision and goals for TFAS when elected to serve as a trustee. Candidates may be requested to produce driver's license for address verification and other documents to substantiate their statement. Advisors and N/EC shall consider any other relevant factors deemed necessary like

conflicts of interest, ethical conduct and character. The burden shall rely on the nominee to prove his innocence to N/EC.

- d) After deliberations with Advisory board and By Laws committee, N/EC may disqualify a candidate who does not subscribe to the objectives of TFAS, who presents a potential harm to the organization, or who has conflict of interests.
- e) N/EC will try to get assurance from the candidate that he/she will serve in the assigned position in full capacity devoting adequate time and effort when he/she gets elected. The candidate will also assure that he/she will be present in New Jersey for a minimum of 75% time during their tenure and available to attend TFAS tasks.
- f) N/EC may disqualify a candidate who is an existing / past trustee based on meeting and program attendance, conduct, performance record obtained from the Secretary and any public complaints leading to disciplinary action.
- g) Trustee candidates or their spouses during their tenure shall not hold any position in another Telugu community-based organizations. Any such positions held or commitments made for other organizations shall be disclosed with the nomination form and verified by the N/EC.
- h) If a candidate is elected for the senior category (Vice President, Treasurer, Secretary and Annual Events), the candidate shall accept one of the four positions offered to them.

10. Withdrawal of the Nomination

Any person whose nomination is accepted can withdraw before the deadline for withdrawal. The N/EC shall be neutral and shall not attempt to convince any candidate to withdraw. Withdrawal can be done by email from the nominee's email address used in the Nomination Form or by U.S. mail to be received by the N/EC Chair by the date specified. A Nominee cannot withdraw after the deadline.

11. Ballot Preparation and Mailing

Before the ballots are prepared, the nominees may be given an opportunity to verify how their names will be listed on the ballot. Each person can request a slight variation of his/her name. However, the N/EC may or may not accept that request. The N/EC decision is final.

The candidate names and personal statements are listed alphabetically by last name on the ballot and attached information. Every "Active" general member in good standing for two (2) full years by November 1 of the year preceding the elections will receive a ballot for each member. "Active" general member is one with the current residential mailing address that is validated. Husband and wife of a family membership are considered as two general members who are eligible to vote. A member may inform the Membership committee any changes in the membership status that requires only one ballot to be mailed. A member may request the Membership committee that a separate ballot be mailed to the husband and wife in case of separation. It may not be possible to implement such special requests received after December 31.

Ballots are mailed only to the official mailing address as per TFAS records. In particular, updating addresses by December 31 of the year preceding the elections is critical to receive the election ballot.

The members are instructed to vote for the President, and only the number of trustee position specified to be elected in each category (4 in senior category and 4 in general category) and mail the ballot back only

in the envelope supplied by N/EC. A ballot will be disqualified if the member marked for more candidates than instructed or if not mailed in the envelope supplied. A sample ballot with the associated instructions is given in Appendix D. The N/EC adopts its own security measures to ensure fair election process.

12. Electronic Ballots and Voting (For future elections)

N/EC shall work with Membership chair to initiate a project to obtain and maintain valid email Ids for all eligible voters. Evaluate and select a company that provides the following:

- a) Branded Voting Website - The voting website should be able to brand with TFAS logo, is easy to use, works with all modern browsers, and looks professional.
- b) Authentication Methods - You provide passwords to voting system with your list of eligible voters, system generates passwords (and optionally emails out direct voting links), authenticates voters against an external website login, N/EC generates a single sign-on (SSO) link on your secure website.
- c) Flexible Ballot Questions – System should support attaching photos & descriptions to each candidate, allow for a single winner or multiple winners, control the minimum and maximum number of candidates voters are allowed to select, control whether voters are allowed to abstain from voting.
- d) Voter-Verified Audit Trail - Once the electronic ballot has been cast a printable receipt is provided to assure voters that their votes have been recorded as intended. Should you opt to publish the final results, anyone will be able to download a file containing votes and receipt codes. This serves as a Voter-Verified Audit Trail (VVAT) - an independent verification system for voting systems designed to allow voters to verify that their vote was cast correctly, to detect possible election fraud or malfunction, and to provide a means to audit the stored electronic results.
- e) Certified Results - With the security of an independently managed server and service, your voters can rest assured that their votes will be counted properly. The system should display a certified by software company seal on your published voting results. The company selected should also provide a Letter of Certification attesting to the validity of our results.

Here are a few examples of firms that provides above features: <https://www.simplyvoting.com>, <https://www.bigpulsevoting.com>, <https://www.associationvoting.com>, <https://www.opavote.com>.

13. Duplicate Ballots

Members who are eligible to vote and do not receive the ballot may request the N/EC in writing for a duplicate ballot informing the current address. The N/EC will assess the request and make the final decision to accept or reject the request. The request may be rejected if the address notified is identical to the address to which the ballot was mailed, or if the new address is not approved by the Membership committee. The request may also be rejected if the ballot due date is less than a week.

Note: Documents utilized to validate the address change are the recent utility bill or Driver's license or signed and notarized letter stating the address change or a bank statement with current address.

14. Ballot Counting

The ballot counting process is as described in the Election Manual. The nominees can send observers to the ballot counting as per the following guidelines:

- a) A candidate or his/her representative may be an observer at the ballot counting process. Only one person is allowed for each candidate.
- b) If a representative is sent, he/she should be a member of TFAS and bring a letter from the candidate, addressed to N/EC, indicating that he is an observer.
- c) Observers shall be present at the START TIME. No observers will be allowed afterwards.
- d) Observers shall stay quietly at the designated area and shall not touch the ballots or interfere with the ballot counting process. They shall follow the instructions of N/EC. If the observer refuses to cooperate, he/she will be asked to leave the venue.
- e) Observers should sign in when they arrive and sign out when they leave. They are encouraged to stay till the end and sign on the sealed box containing ballots for storage.

15. Ballot Recount

A candidate may request a recount of the ballots within one week of declaration of the results, if the margin of loss is two percent or less of the ballots returned. The request must be in writing and signed by the candidate and addressed to N/EC chair with a copy to the Chairman of the Advisory board.

16. Tie Vote

In case of a tie vote, ballot recount will automatically be done for the affected candidates. If the tie is confirmed for 2 candidates the affected candidates will share the trustee position by serving the two-year term divided equally. *The order of serving will be decided by a coin toss (or a similar method).*

If there is a tie among 3 or more candidates, the N/EC may decide to limit the candidates to 2 candidates based on these selection criteria: (a) Previous TFAS experience, (b) Duration of TFAS membership, (c) Past contributions to TFAS service, (d) Service for TFAS as donor / volunteer, (e) Diversity of the candidate exposure and experience, and (f) Geographical spread.

The above is applicable to each election category- See Section 7 in this manual.

17. Trustee Vacancies During Elections

At times all the 9 trustee positions may not be filled during elections due to insufficient number of eligible candidates. When the vacant positions are 3 or less, the vacant positions shall be filled with suitable candidates by the N/EC and the Advisory board with input from the newly elected President based on these selection criteria: (a) Previous TFAS experience, (b) Duration of TFAS membership, (c) Past contributions to TFAS service, (d) Service for TFAS as donor/volunteer, (e) Diversity of the candidate exposure and experience, and (f) Geographical spread.

When the vacant positions are more than 3 during elections, the general election will be reconducted within 3 months to fill **the vacant positions**.

18. Trustee Vacancies during the Term

When the President position falls vacant during a 2-year term, any eligible trustee or member or a current officer on the board, selected by the N/EC and Advisory board, shall fill the position.

When an officer position other than the President becomes vacant, the board of trustees in consultation with Advisory board promotes an existing member of the board of trustees as an officer. The N/EC in consultation with the Advisory board may select a qualified Life member of TFAS meeting the trustee criteria as a temporary replacement trustee until the next election.

These selection criteria may be used in the above process: (a) Previous TFAS experience, (b) Duration of TFAS membership, (c) Past contributions to TFAS service, (d) Service for TFAS as donor/volunteer, (e) Diversity of the candidate exposure and experience, and (f) Geographical spread.

After the ballot counting the candidates are ranked based on the total number of votes received. The first 9 candidates shall be considered to form the Board of Trustees. If one or more of the 9 candidates decide to withdraw for any reason, the candidates in succession will be considered.

Once the final BOT is formed officially, the succession rule is not applicable to fill the vacant trustee position during the 2-year term. These candidates shall not hold any special preference.

When more than 3 Trustee vacancies arise during the 2-year term (due to business transfer, sickness, or resignation) a general election shall be conducted by N/EC to fill the vacant positions. As a result, the prior trustee positions may be rearranged.

19. Certification of Election Results

N/EC will provide the TFAS Board of Trustees and Advisory Board with the Certification of Election results after ballots are counted, including any recounts as needed. The results shall be posted on the TFAS website after the Certification of Election results.

20. Preservation of Election Records

- a) Items to be stored:
 - a. Election Manual
 - b. Nominations
 - c. Returned envelopes/Ballots
 - d. Member's list
 - e. Certification of Election Process
- b) Storing procedure: The items will be stored in card board boxes and closed with tape. Available N/EC members, TFAS Trustees, and any observers will sign across the tape.
- c) Responsible officer: TFAS Secretary will be responsible for storing the ballot records.
- d) How long to be stored: 2 calendar years after the election year (example: 2022 election results will be stored until April 30, 2024).

- e) Opening the storage boxes: If there is a need such as by a court order, the boxes in which ballots are stored will be opened by the N/EC and any observers. After a review of the records, the boxes will be resealed and returned to the Secretary for storage.
- f) What to do at the end: At the end of the 2 years storage period, the contents of the boxes will be shredded by the Secretary in the presence of the representatives from the then N/EC and the Advisory board.

21. Election of Officers and Chairs

N/EC conducts the election of the officers of the BOT and chair persons for trustee committees in March or April following the elections. Election of the officers shall be by ballot. See TFAS Bylaws, Article 22 for duties of the officers. President is elected by the members directly. Vice President, Secretary, Treasurer, and the Annual Events chair will be elected by the newly elected trustees from the elected senior category of trustees. Membership, IT, Community Services, and Youth Services committee chairs will be elected by the newly elected trustees from the general category of trustees. If there are no eligible trustees or if eligible trustees decline to be elected as the officers, the N/EC in consultation with the Advisory board will elect members among the trustees with service experience in other nonprofit entities and the best available trustees for the officer positions. The Selection criteria given in section 6 may be used. N/EC shall obtain Non-Disclosure Agreement (NDA) from the applicants pertaining to the intellectual property of the Corporation.

See Section 16 for resolution of tie vote in officer and chair elections.

Following the elections, the elected trustees shall have the obligation to complete the term, irrespective of the assigned position. If they decide to resign following elections before the end of their term (for reasons other than that are not avoidable such as family catastrophe or change of job), they will lose a 2 years term of service to serve TFAS in the future.

New officers are introduced to the members by N/EC at the Ugadi function and the term starts on June 1 following the elections.

22. Election Disputes

All election related disputes and questions or concerns which may arise during or after election process which are otherwise not covered in By Laws or Election Manual, will be resolved by the N/EC in consultation with Advisory board. The Advisory board's recommended resolution will be final.