

In accordance with RCA Constitution Article VII, Section 4

“2. The Elections Committee shall have overall responsibility for administering the election, deciding all election-related matters, and tabulating election results, in accordance with the provisions of this Constitution and with other rules that may be adopted by the Executive Committee from time to time.”

at its meeting of March 8, 2016, the RCA Executive Committee approved the following

RCA Election Procedures for 2016 & ff.

The Elections Committee

1) RCA Constitution Article VII, Section 4 states:

“1. At least three months prior to the annual meeting, the President shall submit to the Executive Committee for approval the names of a proposed chairman and at least two other members to serve on an Elections Committee. In case of a rejection, the President shall nominate another person to serve on the committee. The President may not serve on the Elections Committee.”

2) The president shall seek chaverim for this committee who are interested in process-related issues.

3) A chaver may not serve on this committee if he presently serves as an RCA officer.

4) When presenting to the Executive Committee the nomination of a candidate to serve on this committee, the President must present the following letter from each such candidate: “I, [first and last name], am willing to serve on the Elections Committee [and to serve as its chairman]. If the Executive Committee approves me to serve on the Elections Committee, I understand that from the time of my approval until the announcement of the results of this year's Election, I may neither be nominated nor run for any RCA office, nor advocate in any way for any candidate.”

5) A chaver may not serve on both the Nominations and Elections Committee in the same year.

6) The Elections Committee shall consult with RCA office staff (presently: Barry Kornblau) regarding each of its decisions. RCA office staff does not have a vote on the committee.

7) If either the RCA office staff or the Elections Committee Chairman determines that these or other relevant RCA rules are not clear enough to permit the Elections Committee to decide how to proceed in a given circumstance, then they shall consult with an outside attorney (at present, Marcia Eisenberg of the Jewish Community Relations Council) for input before it determines how to proceed.

The Nominations Committee

1) RCA Constitution Article VII, Section 4 states:

“3. At least three months prior to the annual meeting, the President shall submit to the Executive Committee for approval the names of a proposed chairman and at least four other members to serve on a Nominations Committee. In case of a rejection, the President shall nominate another person to serve on the committee. The President may not serve on the Nominations Committee.

“4. The Nominations Committee shall submit to the Elections Committee its recommendations for candidates for officer positions and the Executive Committee.”

Additionally, RCA Constitution Article V, Section 5 states that the RCA President does not serve ex-officio on the Nominations Committee.

2) The Nominations Committee shall include at least one past RCA President.

3) Each Nominations Committee member must serve, or have previously served, on the Executive Committee.

4) When nominating a candidate for approval by the Executive Committee to serve on the Nominations Committee, the President must present to the Executive Committee the following letter from each such candidate: “I, [first and last name], am willing to serve on the Nominations Committee [and to serve as its chairman]. If the Executive Committee approves me to serve on the Nominations Committee, I understand that from the time of my approval until the announcement of the results of this year's Election, I may neither be nominated nor run for any RCA office.”

Elections Procedures

As per above, the Elections Committee shall decide and administer all matters related to RCA elections:

- 1) Smooth running of the elections overall, including deciding how to handle any unanticipated developments.
- 2) Announcing to RCA membership an exact election schedule and all related deadlines.
 - A) There will be a five business day voting period.
 - B) The deadline for submitting a nomination by petition shall be at least 14 days after the day on which the list of the Nomination Committee's nominees is distributed to the RCA membership.
- 3) On or before the deadline specified by the Elections Committee, the Nominations Committee shall submit, by email or in writing, to the Elections Committee the following acceptance letter from each of its candidates for all open RCA officer and Executive Committee positions: "I, [first and last name], accept my nomination to serve a [in the case of an RCA officer :] "one-year term as [name of office]. [in the case of an Executive Committee member:] "three-year term as an RCA Executive Committee member. "I understand that each year there are five regularly scheduled RCA Executive Committee meetings which are presently scheduled for Tuesdays at 12:30 PM (NY time), and a sixth meeting on the first day of the RCA Annual Convention. **I agree to participate in Executive Committee meetings on a regular basis during my entire tenure of service."**
- 4) If extraordinary and unforeseeable circumstances prevent the Nominations Committee from submitting acceptance letters by nominees for any open position by the deadline announced by the Elections Committee, then the Nominations Committee Chairman may, no less than one week prior to that deadline, instruct the President to schedule a special meeting of the Executive Committee on a day prior to that deadline, at which the Nominations Committee Chairman will request that the Executive Committee approve an extension of its deadline in light of those extraordinary and unforeseeable circumstances. If a deadline extension is approved, the Elections Committee shall announce a new elections schedule to the RCA membership in which it has made all previously announced election dates later by at least the number of days of the deadline extension.
- 5) If the Nominations Committee fails to submit an acceptance letter for a given open position by the announced (or, if granted, extended) deadline, it may no longer do so.
- 6) In accordance with RCA Constitution Article VII, Section 4

"5. Any eligible member may become a candidate upon the submission of a nominating petition signed by at least 25 members and submitted to the national office of the Rabbinical Council of America, according to procedures to be adopted by the Elections Committee and announced to the membership at least 60 days before the election.",

 - A) Announcing to RCA membership the following requirements for submitting a nominating petition:

A chaver wishing to support a given petition candidate must submit the following text to office@rabbis.org: "I support the nomination of [nominee's first and last name] to run for [position] of the Rabbinical Council of America. Sincerely yours, [supporting chaver's first and last name]" either by sending an email sent directly from the supporting chaver's email address or by including an image of the supporting chaver's personal signature and printed first and last name underneath the above text of support.
 - B) Confirming that each petition received complies with announced requirements.
- 7) Confirming that each nominee (from Nominations Committee or by petition) is eligible, according to the RCA Constitution, to hold the office for which he has been nominated and informing him if he is not.
- 8) In the event no approved nominee has been nominated by petition for an Officer or an Executive Board position, arranging for an electronic vote to approve the uncontested nominees of the Nominations Committee, and announcing their election to the entire RCA membership.

Contested Election Procedures

- 9) Otherwise, soliciting and verifying receipt of the nomination acceptance letter described above at 3), from all petition candidates.
- 10) Soliciting and verifying receipt of the following letter from every candidate (whether nominated by petition or by the Nominations Committee) for every officer or Executive Committee position:

"I agree to the following rules relating to campaigning: I will have at least one week to submit to the Elections Committee a written, audio, or video statement of any length presenting myself and my views to the RCA membership. The Elections Committee will vet my statement for compliance with Sections C and D of the [Rabbinic Contemporary Issues Forum Regulations](#), a copy of which I have received. Before the election begins,

the Elections Committee will email my and others' statements to the entire RCA membership, encouraging it to consider them carefully before voting.

"I understand that my posts to both RCA Rabbinic Discussion Forums will be monitored until the election's conclusion in order to prevent any posting of mine relating to the election, the RCA, or any election-related issue from being distributed on the Forum. If I am uncertain whether material I would like to post to a Rabbinic Discussion Forum is permitted, I understand that I may submit it to the Elections Committee for its pre-approval. I understand that the Elections Committee may, by unanimous vote, terminate my candidacy if I attempt to post an email to either RCA Rabbinic Discussion Forum which the Elections Committee deems to contain election-related material."

11) In accordance with RCA Constitution Article VII, Section 4

"6. According to procedures to be adopted by the Executive Committee, one additional person may be appointed to the Elections Committee as a representative of petition candidates."

notifying all petition candidates that they have the right as a group to nominate one chaver (interested in process-related matters) to serve as an additional member of the Elections Committee. This nominee must have the support of more than half of all petition candidates. No later than seven calendar days after having been so informed, the petition candidates may submit to the Elections Committee 1) the names of the more than half of them who support their nominee and 2) the following letter from the nominee: "I, [first and last name], am willing to serve on the Elections Committee. I understand that from the time of my approval until the announcement of the results of this year's Election, I may neither be nominated nor run for any RCA office, nor advocate in any way for any candidate." Failure to submit these items by the date and time specified by the Elections Committee terminates the petition nominees' right to nominate an additional member of the Elections Committee. Upon receipt of such letter, the Elections Committee shall quickly confirm that each named candidate therein approves of the nominee and that this nominee is qualified to serve on the Elections Committee and if so, add him to its ranks for the remainder of its work.

12) Implementing the campaigning rules, above, to which each candidate agreed.

13) Submitting to RCA office staff a complete list of candidates for inclusion on the electronic ballot.

14) Determining which outside elections company shall administer the election in compliance with relevant New York State proxy voting laws (at present: <http://associationvoting.com/>), and instructing RCA staff to hire it. (Those laws require that only members present at the annual meeting, or their proxy, may vote. Therefore, when a member will "vote" electronically, he is actually appointing a designated proxy to cast his votes according to his instructions at the RCA annual meeting. In 2015, the designated proxy was RCA staffer Shaul Hen.) It will distribute voter IDs and passwords directly to RCA chaverim, send follow-up emails, and provide any needed technical assistance for voting.

15) Ensuring that the 'cover letter' instructing members how to vote

- A) indicates, for each candidate, whether he is nominated by the Nominations Committee or by petition
- B) includes links to all candidate statements
- C) includes a complete list of all current Officers and Executive Committee members whose terms will continue after the conclusion of the present election.

16) Confirming that the ballot

- A) is as accurate, fair, and clear as possible given technical constraints of the outside elections company
- B) lists candidates for each position alphabetically by last name without indicating whether they were nominated by the Nominations Committee or by petition
- C) permits a chaver to
 - i. omit his vote for each position
 - ii. cast an 'abstain' vote only for contested officer positions.

17) Ensuring that an RCA staff member who is not in a leadership position sends a letter to chaverim who do not have an e-mail listed in the RCA database, providing them with voter IDs and passwords and instructing them how to vote electronically by using a friend, neighbor, relative, etc., to assist them.

18) As soon as possible upon the close of polling,

- A) verifying the vote counts received from the outside elections company
- B) requesting the annual membership meeting at which the designated proxy will vote as directed by members
- C) determining the winners of the elections based upon the votes thus cast, following rules below in case of ties

- D) sending the RCA membership the names of who won each position, the tallies of votes and abstentions for each position, and a statement noting that vote tallies may not be shared with anyone who is not an RCA member.
- 19) As soon as possible after elections results are announced, proposing to the Executive Committee any changes in these election rules that it believes will improve the running of future elections.

Rules in Case of Ties

- 20) In accordance of RCA Constitution Article VII, Section 4

“7. The Executive Committee shall adopt rules to determine the outcomes of elections that result in a tie. Any changes in these rules shall apply only to future elections.”,

- A) If there is a tied vote for an Executive Committee seat (i.e., two or more candidates receive the same number of votes for the 16th slot), then each tied candidate will receive a one-year term on the Executive Committee. The resulting incoming Executive Committee class will have fifteen three-year members and two or more one-year members. Upon expiration of these one-year terms, an election will be held for one, two-year position. Those who held one-year slots will be eligible to be nominated by the Nominations Committee or by petition to run for the two-year Executive Committee position, for a three-year Executive Committee position, or for an RCA officer position.
- B) If there is a tied membership vote for President, then all those eligible to vote on the Executive Committee – including its newly elected members, excluding those whose terms have just expired, and excluding the incoming First Vice-President – shall vote to determine which of the tied candidates for President shall assume that office. If this Executive Committee vote is tied, then the incoming First Vice-President’s vote shall break the tie and elect the President.
- C) If there is a tied membership vote for First Vice-President, then all those eligible to vote on the Executive Committee – including its newly elected members, excluding those whose terms have just expired, and excluding the incoming President – shall vote to determine which of the tied candidates for First Vice-President shall assume that office. If this Executive Committee vote is tied, then the incoming President’s vote shall break the tie and elect the First Vice-President.
- D) If there is a tied membership vote for both President and First Vice-President, then all those eligible to vote on the Executive Committee – including its newly elected members and excluding those whose terms have just expired and excluding the person who was Honorary President immediately prior to the present election – shall vote to determine which of the tied candidates for President shall assume that office. If that vote is tied, then the aforementioned Honorary President’s vote shall break the tie and elect the President. Then, the procedure of paragraph 3), above, shall determine the First Vice-President.
- E) If there is a tied membership vote for an officer position other than President or First Vice-President, then all those tied shall become officers until the next election of officers, with one filling the office for which they are tied and with the others serving as Officers Without Portfolio. Officers Without Portfolio shall be accorded identical privileges to other officers. If for whatever reason those tied cannot unanimously agree which of them shall occupy the office for which they are tied and which shall serve as Officers Without Portfolio, the President shall decide.