

**Ethics and Elections Committee
July 2017 - ARRL Board Meeting**

The first half of 2017 has been busy for the Ethics and Elections Committee. Items discussed have included:

1) Minute 36 from January Board meeting asked for a review of our rules involving social media and election publicity.

The motion read:

36. Mr. Allen moved, seconded my Mr. Norris that:

WHEREAS, The ARRL may hold elections regularly for Directors, Vice-Directors and Section Managers; and

WHEREAS, The Rules and Regulations Concerning American Radio Relay League Division and Section Manager Elections were last updated January 2013; and

WHEREAS, These rules and regulations do not address Social Media platforms such as but not limited to Facebook, Twitter, Snap Chat, Linked In or any other similar platform present or future; and

WHEREAS: Many ARRL Sections and Divisions have a Social Media presence using the ARRL logo and other ARRL associated writings that could possibly be mistaken for actual ARRL controlled sites; and

WHEREAS: The ARRL may have little or no control over these Social Media platforms;

THEREFORE, be it moved: The Elections and Ethics Committee be tasked to study and consider possible changes to The Rules and Regulations Concerning American Radio Relay League Division and Section Manager Elections. Recommendations for these changes will be presented to the ARRL Board of Directors at the July 2017 ARRL Board of Directors meeting for possible updates to include ethical guidelines for using Division and Section Social Media.

After discussion the motion was ADOPTED.

The current Rules and Regulations Concerning American Radio Relay League Division and Section Manager Elections (revised January 2013) say:

"No candidate or person on behalf of a candidate shall distribute campaign literature on official ARRL stationery, except that ARRL member or club stationery may be used. "Campaign literature" is any item in support of a specific person for the office of Director, Vice Director or Section Manager."

Candidates for office are also sent a 4-page document titled, “An Information Pamphlet for ARRL Director and Vice Director Candidates.” See Appendix A.

Part of it cautions candidates and other League officials on basic issues to avoid to minimize misuse of ARRL resources. For example, don’t use callsign@arrl.org e-mail addresses in campaigning.

The section titled, Mass Communications at League Expense, the following text applies:

In any contested Director, Vice Director or Section Manager elections, during the campaign period no mass communication at League expense in whole or in part, dealing with any candidate in any way or issued by a candidate, League or section official in the Division of the candidate, shall contain election campaign material. Campaign material is any material that might reasonably be expected to affect the outcome of such election. The campaign period is defined as the period from the deadline for receipt of nominating petitions for Director, Vice Director or Section Manager until the day ballots are due in the election. Mass communication is defined as communications by mail, electronic distribution, posting to a web site, email, hand delivery or by any other means of distribution to League members in the particular Division or Section involved in the contested election.

This has been interpreted in the past to include web and other social media postings. It could be modified to include the words “social media” but it wouldn’t change how the E&E Committee already reviews potential issues.

2) Multiple recall petitions in one Division, and issues involving recalls in general

There was a recall petition notice received from one Division. Recalls do not happen often so there is little historical information. We dealt with a number of issues. The petitioner needed to know how many signatures needed to be collected, what information about each signer was required (name, call, address, date signed), and what the deadline was for submitting the required petitions with signatures.

During that process we determined that the draft petition being circulated had some incorrect or misleading information and had to be corrected. Our rules currently do not require any reason to be given for a recall.

We decided it would be best to have an official recall petition template that could be used so that the correct information is collected. We also have been working with the Assistant Secretary to document the process to be used for any future recall petitions.

3) Off cycle election process for the Vice Director seat in the Southwest Division

The ballots were counted on May 19th. Ned Stearns, AA7A, was declared elected.

4) Section Manager Elections

We fielded questions and complaints involving Section Manager elections in Kentucky, North Texas and Utah, and took no action.

5) Fall Board Elections

In late June petitions for the fall Board election cycle (five Divisions) were made available, at least one completed petition has been received, and the deadline for completed petitions is August 18th.

Thanks to Jim Pace, K7CEX, and Kermit Carlson, W9XA, for their contributions to the extensive discussions we have had over the issues.

A handwritten signature in black ink that reads "Tom Frenaye". The signature is written in a cursive, flowing style.

Tom Frenaye, K1KI, Chairman
Jim Pace, K7CEX
Kermit Carlson, W9XA

12 July 2017

An Information Pamphlet for ARRL DIRECTOR and VICE DIRECTOR CANDIDATES

This pamphlet is to acquaint candidates, in general terms, with the various duties and responsibilities of the two elective offices of director and vice director. Some of the material in this pamphlet consists of references to the League's Articles of Association and By-Laws, to which reference should also be made.

Each successful candidate will, shortly after the election, receive a letter from the Executive Vice President describing in greater detail the duties of the office. Successful candidates also are provided with a Directors' Workbook, which explains in detail many of the routine items involved in serving as a director.

In early January of each year the newly-elected directors will be invited to an orientation session at ARRL HQ, where they may hear a series of presentations by the officers and staff. This orientation session is for the purpose of providing as much material as possible early in the administration of each new director, so that he or she will have a more complete understanding of how the League operates and what support is provided to the Board by the staff.

One point which certainly deserves attention is the amount of time involved in serving as a director. It is difficult to specify precisely how much time it takes, because that depends to a great extent upon the enthusiasm and dedication of the individual. Some of the League's more dedicated leaders make it almost a full-time job, while others manage with only a few hours per week. However, the responsibilities of serving as an elected official of the League can put heavy demands on your personal time, including the handling of considerable correspondence and in traveling to hamfests and conventions where you will be the representative of the League.

General Provisions as to Officers and Directors

Please refer to the current edition of the Articles of Association and By-Laws. Article 4 specifies that the affairs of the League shall be

governed by a Board consisting of 15 directors, elected for a three-year term on a geographical basis by the membership and meeting twice a year. Article 5 specifies that there shall be elected at the same time a vice director who shall have the power of succession in accordance with other provisions in the Articles of Association and By-Laws. Article 8 defines the officers of the League and their method of election. By-Law 11 specifies that each officer, director and vice director shall serve and continue in office until his successor has been elected and qualified. By-Law 12 specifies that all officers and directors serve without compensation in any form (although they can be reimbursed for authorized travel and administrative expenses).

By-Law 45 is the conflict of interest policy that is binding on all members of the Board.

Duties of the Officers

By-Law 15 spells out the rights and duties of the president, the vice presidents and the treasurer, while By-Law 31 gives additional specifications of the duties of the president. By-Law 32 defines the responsibility of the first vice president and other vice presidents to act in lieu of the president. Of course, the President and/or the Board can (and do) frequently assign the officers specific tasks.

Duties of Directors

Article 7 spells out the conditions under which the duties of the director shall be assumed by the vice director. It further states that should the office of vice director be vacant, the president shall appoint someone to fill that vacancy. By-Law 14 defines the members of the Board of Directors and By-Law 24 describes the procedure by which the members of a division may petition for the recall of their director.

A careful reading and understanding of all of the Articles of Association and By-Laws is strongly urged, because they provide the framework for the operation of the American Radio Relay League. They may be changed only

by appropriate vote of the Board, in accordance with Article 10.

Director Expenses

Within the limits of a budget which is set by the Board at each Annual Meeting, the League reimburses directors for approved travel and administrative expenses within their divisions upon the submission of standard expense forms. Meals, hotel accommodations, and train and coach air fare are reimbursed at cost while automobile mileage is reimbursed at a rate which is reviewed periodically. Administrative expenses such as postage, stationery, and telephone charges are reimbursable. To conform with IRS regulations, a receipt or other documentation is required for most items of expense. Some out-of-division expenses are also authorized for directors, such as attendance at national conventions, and attendance at one Executive Committee meeting each year. Expenses for attendance at Board meetings or Committee meetings are paid from separate accounts, not from the division budget. A vice-director may attend Board meetings while in office at League expense.

In the Directors' Workbook which is issued to each newly elected director and vice-director will be found explanations of expense reimbursement policies, along with sample copies of the standard forms used.

ARRL Accident Insurance

ARRL carries travel accident insurance on its elected officials, covering them while they are traveling on League business, provided the travel takes them outside the corporate limits of the town of usual employment or residence and provided the individual is not piloting his own private aircraft. The policy provides for payment of up to \$100,000 in case of death or loss of limb.

Lines of Special Communication

Electronic mail remailers are maintained for officers/directors/vice directors, officers/directors, and each committee. In addition, there is the IN-Newsletter (Inside Newington), which includes written reports made by department managers to the Chief Executive Officer each week. The IN-

Newsletter contains a considerable amount of informative material to give officers, directors and vice directors a comprehensive picture of on-going operations at the headquarters.

Officers, directors and vice directors are also automatically sent each new or revised League publication. The Annual Report is sent to all elected officials of the League and is available on the ARRL Web site.

Directors, in addition to all of the above, receive copies of letters from headquarters to members of their respective divisions on matters of general interest. Directors may request, as necessary, copies of the initial letters from the members, where the subjects are not entirely clear.

Upon election, new directors and vice directors are added to the ARRL electronic mail address system. As a practical matter, it is not possible to function as an ARRL officer, director or vice director without electronic mail. Connection charges for ARRL business are paid by ARRL but equipment costs are not.

Assistant Directors

Although there are no specific provisions in the Articles of Association and By-Laws, it has become customary for directors to appoint certain amateurs within their respective divisions as assistant directors. These amateurs must be Full members of the League, and customarily serve at the pleasure of the director until the end of the year in which they are appointed or reappointed. The ARRL Letter is sent out automatically to the assistant directors who have provided e-mail addresses.

Advisory Committees

Each director is entitled to appoint members of the division to be its representatives to the ARRL Advisory Committees. Advisory Committee appointments are for terms concurrent with that of the director, but each appointee serves at the pleasure of the director and may be replaced at any time. Advisory Committee members are accorded the privileges of an assistant director.

Campaigning

The rules governing campaigning for elective office in the ARRL apply to all candidates including incumbents, as well as to other League officials who may be supporting or opposing candidates for office or who may be seeking another office themselves. The rules are not intended to prevent ARRL officials from performing their regular duties during campaign periods.

The use of "arrl.org" email addresses in campaign material is not appropriate since this might be misinterpreted as an organizational endorsement of the candidate. The use of <callsign>@arrl.net addresses is permitted, since this facility is available equally to all ARRL members.

Mailing Lists

It is important that you understand clearly the basis on which a list of ARRL members or a list of affiliated clubs will be provided. It is particularly important that you understand the policies governing the use of such lists and labels as regards to campaign for election. Those policies have been spelled out in order to avoid any inadvertent abuse.

"Campaign" labels are furnished upon request, to any election candidate whose eligibility has been properly certified for the purpose of campaigning for office in the League. All requests shall be made in writing on a form to be provided by the Hq. (No telephone requests will be honored.) The form will require that the purpose for requesting the list be stated and will require a signed statement that the list is being used only for the purpose requested. Lists are furnished at the cost of production. Two copies of material mailed using address labels provided by Hq. shall be sent to Hq., and a copy shall be sent to each director concerned, via first class mail, at the time of the first mailing.

Any postal mailing permit issued in the name of, or relying in any way on the status of, the League may not be used to mail any campaign material either for a candidate or incumbent. A candidate may, of course, use mailing permits issued to an organization other than the League so long as the use is in

accordance with regulations of the U.S. Postal Service.

Campaign Statements

Each candidate for Director, Vice Director or Section Manager may submit a 300-word statement for inclusion with the ballot. The submission of this statement shall be filed as elsewhere required, and must be truthful and not misleading, which matters will be conclusively determined by the Ethics and Elections Committee. With this statement, the candidate may submit his or her black and white photograph not larger than 3 inches high and 2 inches wide to likewise be included with the ballot. The standard of truth applies to all mailings by a candidate.

Mass Communications at League Expense

In any contested Director, Vice Director or Section Manager elections, during the campaign period no mass communication at League expense in whole or in part, dealing with any candidate in any way or issued by a candidate, League or section official in the Division of the candidate, shall contain election campaign material. Campaign material is any material that might reasonably be expected to affect the outcome of such election. The campaign period is defined as the period from the deadline for receipt of nominating petitions for Director, Vice Director or Section Manager until the day ballots are due in the election. Mass communication is defined as communications by mail, electronic distribution, posting to a web site, email, hand delivery or by any other means of distribution to League members in the particular Division or Section involved in the contested election.

Ethics

Over the years the League has indeed been fortunate that the overwhelming majority who have sought to serve in a volunteer capacity have been persons of the highest personal ethical standards.

There are certain standards of ethical conduct which directors and vice directors, as well as candidates for those positions, should adhere to. In general, it may be said that such

standards of ethical conduct are dictated by common sense. The paragraphs to follow outline a few of the areas that past experience has shown should be emphasized. This is only an overview, not an exhaustive dissertation on what is, or what is not, ethical behavior on the part of an elected official of the League.

There are a number of aspects to travel that bear on the ethics of campaigning. The League does not wish to discourage an incumbent director from properly discharging his responsibilities to the membership simply because an election is in progress. At the same time, it must be clearly understood that a director must take special care to avoid impropriety or the appearance of impropriety in League-related travel. If the purpose of a trip is to campaign for office, the traveler is not eligible for reimbursement for the trip from League funds. If the purpose is a legitimate appearance in his role as a director, at an ARRL forum, club meeting, or the like, the director may receive reimbursement provided that a discussion of the election is not the purpose of the meeting. If a director is invited to appear at a meeting solely because he is a candidate, no reimbursement may be claimed from the League.

Whenever officers, directors or any other persons attend an Amateur Radio gathering and expenses are reimbursed by the League, the individual should not permit his name or registration ticket to be entered into a prize drawing.

It may not be appropriate for candidates to conduct on-the-air campaigning for elected office in the League. The ARRL does not, therefore, sanction such on-the-air activity. Because incumbent directors are in a policy-making role in a corporation, it is better if their campaign activities are conducted in some fashion other than via Amateur Radio.

Articles by or about an incumbent director, or a candidate, (or photos of same) will not be published in an issue of *QST* that will appear during the period of the election process.

No candidate or person on behalf of a candidate shall distribute campaign literature on official ARRL stationery, except that ARRL member or club stationery may be used. "Campaign literature" is any item in support of a specific

person for the office of Director, Vice Director or Section Manager.

In Conclusion

If a candidate has any question about any aspect of the material presented herein, or about the election process, or about any aspect of serving as a director, he is urged to contact the CEO Office, American Radio Relay League, 225 Main Street, Newington, CT 06111 by mail or email (dhenderson@arrl.org) or (860)594-0245 by telephone.