

TANA Nominations and Elections Procedures 2023

Nominations and Elections procedures for TANA for 2023 shall be governed by the TANA Articles of Incorporation and the TANA Bylaws in operation on April 30, 2023. Article XIV of the Bylaws specifically addresses nominations and elections. Following procedures and code of conduct are approved by the TANA Board of Directors.

Section 1: Committee Responsibilities

1. TANA Nominations and Elections Committee, referred here after as N/E Committee, is responsible for conducting TANA Elections as per TANA bylaws.
2. Members of N/E Committee must abide by TANA Bylaws and Elections Procedures approved by TANA Board of Directors (BOD).
3. Members of N/E Committee shall not contest in TANA elections.
4. N/E Committee shall submit details on all expenses incurred with proper receipts to TANA Treasurer within 30 days of completing the election.
5. All official election related correspondence with N/E Committee shall be in writing and copied to elections@tana.org. Any oral communications with N/E Committee are discouraged and are not considered part of official communication.

Section 2: Election Process

Voters list:

1. The list submitted by Executive Vice President to the N/E Committee chairman before October 31, 2022, shall be considered as preliminary eligible voter list for the purpose of nominations and further modified according to any applicable legal or TANA BOD actions. Any modifications approved by the BOD are communicated by the Secretary of the TANA BOD to the Chairman of the N/E Committee.
2. Ballots will only be mailed to addresses in North America (USA, Canada, and Mexico). Ballots will not be mailed to any members residing outside of North America.
3. The addresses of approved eligible voters may be corrected until the deadline specified by the Board of Directors.
4. The Final Address Corrected Voters List shall be reviewed by the N/E Committee to ensure that the members are allocated to appropriate regions, before mailing the ballot instructions.

Record Keeping:

5. Following information must be recorded:
 - a. Approved list of eligible members to participate in the election and the final mailing list used by the N/E Committee.
 - b. Number of members given voting instructions through e-mail and postal mail.

Nomination fee:

6. As approved by TANA Executive Committee, for the 2023 election, the fee structure shall be as follows:

Name of Position	Fees(in USD)
Executive Vice-President	5000
All National Positions in the Executive Committee	2500
Regional Coordinators	1500
All Board of Director positions (Donor or Non-Donor)	2500
All Foundation Trustee positions (Donor or Non-Donor)	2500

7. All nominations must be accompanied by the nomination fee in the form a cashier’s check or money order.
8. Nominations without the appropriate nomination fee, invalid checks or checks with insufficient funds shall be rejected and voided.
9. All checks or money orders received by the N/E Committee shall be deposited within one week of the last day for receiving the nominations.
10. If a nomination is rejected by the N/E Committee, the nomination fee will be refunded.
11. In case of withdrawal of a nomination before the deadline, only 50% nomination fee will be refunded.
12. Refund will be mailed by TANA Treasurer to the nominee’s address on the nomination form within 30days after the election process is complete, and results are announced.

Mailing / Receiving ballots:

13. Balloting will be through electronic means and the exact procedures are provided in Attachment 1, BOD Guidelines for Electronic Voting Process.

Counting ballots:

14. Counting of ballots will be done electronically as provided in Attachment 1, BOD Guidelines for Electronic Voting Process.
15. If the vote separation for the winning candidate is less than 25 votes, ballots must be recounted before announcing the results.
16. In the case of a tie, a coin flip by the N/E Committee chairperson in front of two witnesses physically present, with the candidates being there in person or thru virtual means, will decide the winner. The candidate with the earlier Date of Birth will get to call heads or tails.
17. The N/E Committee Chairperson shall informally announce the election results as soon as the counting process is completed and communicate the results by electronic mail to the TANA Board of Directors.
18. The N/E Committee Chairperson shall submit results along with the information recorded to the TANA Executive Committee and the TANA Board of Directors.

Section 3: Notification

1. The N/E Committee shall publish a schedule for the following in TANA *Patrika* and/or TANA website.
 - a) Announcement inviting nominations.
 - b) Last date for receipt of nominations.
 - c) Approval of nominations and notifications to contestants.
 - d) Last date for withdrawal of nominations.
 - e) Announcing the final list of candidates.
 - f) Mailing of ballots to eligible voters
 - g) Deadline for electronic voting to be completed
 - h) Counting of ballots and announcing election results.

Section 4: Nomination Process

1. A nominee shall be eligible to contest for one position only.
2. Each nominee shall have one nominator and two seconders.
3. The nominee, nominator and seconders shall each be a Life Member of TANA in good standing as per Bylaws and meet the eligibility guidelines specified in Article XIV, Section 8 of Bylaws.
4. Nominations shall be filed in the format prescribed by N/E Committee.
5. The nomination form should conform to Article XIV, Section 11.e. of Bylaws. It shall include the full name, address, telephone number and email of the candidate. It shall also contain a sworn statement with signature of the nominee, nominator, and seconders that the information provided is true.
6. The nomination form shall include a sworn statement by the nominee that he/she will strictly comply with the Articles of Incorporation and Bylaws of TANA and by the decisions of the Executive Committee and Board of Directors. Copy of the current TANA Bylaws is available on TANA website.
7. The N/E Committee shall reject and void the nomination, if the candidate is ineligible or the nomination form is received with incomplete and/or false information or is received after the deadline. In case of ineligibility, the candidate's nomination fee will be returned.
8. The nomination form along with nomination fees shall be sent to reach the N/E Committee at "TANA 2023 Elections, 2515 Hampton Park Ln, Sugarland, TX 77479" on or before the last date for receipt of nominations.
9. All nominations must be sent in via USPS or similar mail service provider with return receipt attached.
10. The N/E Committee shall verify the nominations and notify the nominees of its decision to accept or reject the nominations with reasons for its action.
11. The N/E Committee shall accept withdrawals, compile the final list of nominations, and notify nominees and the BOD.

Section 5: Withdrawal Process

1. Any nominee can request to withdraw from the elections by submitting in writing through e-mail to the Chairman of N/E Committee.
2. Chairman of N/E Committee will confirm the withdrawal by asking for acknowledgment from the registered e-mail address of the nominee.
3. Only 50% of the nomination fee will be refunded in case of a voluntary withdrawal by the nominee.

Section 6: Campaigning

1. As per Article XIV, Section 14 of the Bylaws, the addresses, e-mails, and phone numbers of TANA members will not be provided to candidates or agents.
2. Information about candidates, provided in a prescribed format within the guidelines and the deadline determined by N/E Committee, would be posted on the TANA Web site, and disseminated through e-mails to members.
3. If the candidates obtain phone numbers through any other means, all campaign phone calls must be restricted to 6:00 PM to 10:00 PM on weekdays and 9:00 AM to 8:00 PM on Saturdays and Sundays in the voter's time zone.
4. Pre-recorded machine generated calls (Robo calls) are not allowed at any time.
5. N/E Committee may provide to the candidates, upon receiving a written request, a list of voters' names and membership numbers.

Section 7: Ballot Process

1. Balloting shall be through electronic means and the exact procedures are provided in Attachment 1, BOD Guidelines for Electronic Voting Process.
2. N/E Committee shall select, with the approval of the Chairman of BOD, and President, and contract with a third party, referred to as the Election Management Company, for printing, mailing instructions and counting the ballots, under the supervision of the N/E Committee.
3. N/E Committee is responsible for designing the format of the ballots.
4. Names of contestants must be listed for each position in alphabetical order of the last name.
5. Envelopes with voting instructions sent through the US Postal Service shall be clearly labeled as **TANA 2023 Election Electronic Voting Instructions - Confidential**. Emails with voting instructions should also have **TANA 2023 Election Electronic Voting Instructions – Confidential** as the subject line.
6. The ballot records shall be preserved by the election management company for one year after the publication of election results on TANA web site.
7. Any candidate on the ballot may challenge an election within forty-eight hours of the publication of the election results on the TANA web site by paying a non-refundable fee of \$500 and submitting the challenge via electronic mail to the Chairperson of the N/E Committee with a copy to the Chairperson of the Board of Directors.
8. Any candidate can request for a recount for the position that he/she contested within forty-eight hours of the publication of the election results if the margin of victory for that contest is less than 100 total votes for that contest by submitting the request via electronic mail to the Chairperson of the N/E Committee with a copy to the Chairperson of the Board of Directors.
 - a. The candidate must also submit a non-refundable fee of \$5,000 paid by Cashier check to TANA.
 - b. No additional recounts are allowed after the first recount.
9. The recount will be done through electronic means only.
10. If any of the challenges or recounts changes the outcome of the previously announced results, the final results, upon approval of the Board of Directors, will be posted on the TANA web site and communicated to the members.

Section 8: Unfilled positions

1. All vacancies, including positions without valid nominations at election time, in elected bodies of TANA shall be nominated by the Board of Directors per Article VIII, Section 6 of the Bylaws.

Section 9: Disputes

1. Responsibility to resolve any disputes or challenges with regards to the nominations and elections process rests with the TANA Board of Directors as per Article XIV, Section 5. The Board of Directors may seek the input of the Chairman of the Nominations and Elections Committee during its deliberations.
2. A simple majority decision of TANA Board of Directors is final and conclusive on any dispute.
3. All disputes and grievances must be resolved within the framework of TANA bylaws & election guidelines. Candidates and their supporters are prohibited from taking grievances directly to media or doing mass e-mails without working towards resolving the issue through TANA Board of Directors.

Section 10: Amendments to election guidelines

1. N/E Committee can recommend emergency amendments to the Election Guidelines and Code of Conduct based on new discoveries during the Election process and shall communicate them to all the candidates and the Board of Directors. The Chairperson of Board of Directors will call for a meeting to take place within three (3) days of such notification and can accept the recommendation of the N/E Committee with at least two thirds of the eligible members present voting affirmatively. The amendments become effective immediately after the affirmative vote by the Board of Directors. The decision of the Board of Directors is final and conclusive.
2. Any sitting member of the EC, BOD or Foundation, who is a candidate or nominates or seconds a candidate for any office of TANA in the election will not be eligible to vote on any election related matters including but not limited to guidelines, amendments and appeals.

Section 11: Code of Conduct during the election

1. TANA election Code of Conduct for candidates shall be in place from the time of the announcement inviting the nominations to the time of acceptance of the elections results transmitted by the N/E Committee by the Board of Directors.
2. Candidates must act in a way to preserve and enhance the reputation of TANA in all public forums during the campaign.
3. All candidates must adhere to TANA bylaws and election guidelines. Any violation can result in disciplinary action, including cancellation of the nomination.
4. If the N/E Committee has a cause to believe that a candidate violated the bylaws or election guidelines, the N/E Committee shall give the candidate an opportunity to respond to the violation within twenty-four (24) hours of notification by the N/E Committee. The N/E Committee can recommend to the Board of Directors that a candidate be declared ineligible for violation of the Code of Conduct and notify the candidate of its recommendation. The candidate can present to the Board of Directors his/her response within twenty-four (24) hours of notification by the N/E Committee. The Chairperson of the Board of Directors will call for a meeting to take place within three (3) days of such notification and can accept the recommendation of the N/E Committee with at least two thirds of the eligible members present voting affirmatively. The decision of the Board of Directors is final and conclusive.
5. If a candidate is declared ineligible by the Board of Directors, any votes cast in favor of that candidate shall be considered null and void.

Attachment 1 - BOD Guidelines for Electronic Voting Process

1) **Election Management Company:**

- a) Prepare a unique-voter-secret-code, **ten character Alpha Numeric code (No Lower case)** for each voter. This unique-voter-secret-code is only known to Election Management Company and is not shared with anyone in TANA, or anyone outside Election Management Company.
- b) Election Management Company emails this unique-voter-secret-code, along with instructions, to the voter by email and in First class US mail. First name of the voter and not the complete address will be included in email. The postal instructions would not include the complete address but will include the first name on the side where the unique voter code is printed.
 1. Each voter gets a separate code.
 2. If there are two voters in the Family, there will be two separate emails and **one US postal envelope per family** with unique-voter-secret-codes.
 3. The emails and postal mails with secret code **should consist in bold letters that "This email is intended only for the person it is sent to and It is illegal to forward this email to others"**.
- c) Create an election website specific to TANA elections.
- d) This web link should be active on the scheduled dates only.
- e) There will be no paper ballots.
- f) Other than the original email and/or first class mail, the unique-voter-secret-codes are not mailed again and no requests for reissuance of codes will be entertained.
- g) Election Management Company sends reminder emails to the members that have not voted on a weekly basis and on the final day of voting.

2) **Member:**

- a) Opens the email/envelope.
- b) Goes to the election website referenced in the email/ envelope.
- c) Enter unique-voter-secret-code:
 - i) Member enters First Name, Last Name, Zip code & Unique-voter-secret-code or clicks on the link provided in the email.
 - ii) The system runs a check to see whether this code was already used before and the vote is recorded. If yes, the session will end with a note to the voter that the code is already used to vote.
 - iii) If all the information matches, voter is allowed to go to next step
 - iv) There should be only one login session at any time. If there are multiple login sessions at the same time, the member would not be allowed to vote.
- d) OTP Check:
 - i) Web site asks member to enter a US/Canada mobile number for OTP (Must be a phone number and not an email).
 - ii) Informs the member that there may be charges for texting and asks members to accept and submit OTP requests.
 - iii) System Records the OPT Phone Number for the voter (a unique phone number can be used by maximum of two (2) voters).
 - iv) System sends OTP. OTP would be valid for 10 minutes only.
 - v) Voter enters OTP on the web site. This should be from the same login session, from the same IP address and/or from the machine with same machine ID (mac-id). OTP will be voided if entered from different login session, from different IP address/ mac-id and that member should not be allowed to vote.
 - vi) If valid, voter is allowed to proceed.
- e) Self-Certification Affidavit:

- i) Web site presents the voter with an affidavit that he/she is the voter given the unique-voter-secret-code and it is illegal to use another voter's unique code and may have to face legal consequences.
 - ii) Voter electronically signs / accepts the affidavit.
 - iii) Voter is allowed to proceed.
 - f) System records the IP address, and/or the machine id (mac-id) of voter.
 - g) System presents the relevant ballot to voter with each voting category in separate screens. Saving option for these screens should not be allowed.
 - i) Voter makes selection on each screen
 - ii) Voter submits the vote
 - iii) System asks voter email address (if not already in the record) to send confirmation.
 - iv) sends the confirmation that vote was recorded along with IP address, and/or the machine id (mac-id) & OTP Phone no. (No vote detail). Only 4 eligible votes from same IP address and/or same machine ID (mac-id) are allowed.
 - v) If user stops in the middle, can restart later. But steps c through g (unique-voter-secret-code, OTP & Affidavit) must be completed again to continue. For each subsequent session, OTP should be sent to the same phone number that was submitted in the initial session.
 - vi) Once the vote is recorded, the unique code cannot be re-used to vote again or change the vote.
- 3) There should not be more than one vote recorded using the same unique-voter-secret-code sent to the voter. If there is more than one vote, then all the votes on that unique code will be invalidated.
 - 4) All the IP addresses or machine IDs (mac-id) recorded will be scrutinized and evaluated for their validity to make sure that no fraudulent activities happened with masking techniques etc. before certifying the results by Election Management company and Election committee. No More than 4 votes are allowed from same IP or mac address. If more than 4 votes are identified from same IP address and/or mac-id, all the votes recorded IP address and/or mac-id will be invalidated. All votes using masked IP addresses shall be invalidated. All votes submitted from IP addresses/machine IDs (mac-id) from out of countries other than USA and Canada will be invalidated.

Counting of Votes:

1. The Election Management Company will provide the Nominations and Election Committee, within 24 hours after the deadline for electronic voting is passed, with the following information for each of the contested elections.
 - a. Number of total votes.
 - b. Number of valid votes.
 - c. Number of invalid votes and reasons for invalidation.
 - d. Votes received by each candidate for that position.
2. The Election Management Committee will also provide the Nominations and Elections Committee with the following information.
 - a. Total number of voters contacted by email.
 - b. Total number of voters contacted through US postal mail.
 - c. Total number of valid votes received.
 - d. Any other statistical information required by the Nominations and Elections Committee and TANA Board of Directors.

Voter Education:

1. The Nominations and Elections Committee sends information to all members at least 2 weeks prior to mailing ballots, outlining the voting process. The information is repeated multiple times and also presented on the web site.
2. Include a message to members that allowing others to electronically vote on their behalf is election tampering. Anyone involved in election manipulation (including those who provided unique-voter-secret-code information) can be considered conspirators. In case of election fraud, all those involved can be criminally charged.

3. Members should be informed that that IP address, machine ID (mac-id) and OTP phone numbers will be recorded along with their vote.