

POLICY ON ELECTION OF DISTRICT POSITIONS CANDIDATES FOR TRUSTEE POSITIONS, NOMINATING COMMITTEE FOR THE OFFICERS OF THE ACADEMY AND NOMINATING COMMITTEE FOR THE AMERICAN BOARD OF PERIODONTOLOGY¹

I. INTRODUCTION

A. GENERAL

1. There shall each year be an election for open positions as district trustees and for the Nominating Committees for the officers of the Academy and the American Board of Periodontology. The election shall take place in accordance with this Policy.
2. The purpose of this Policy is to encourage fair and open campaigning in a manner that enables voters to make an informed choice among candidates while maintaining the spirit of honesty, courtesy, and professionalism that the Academy seeks to foster.
3. Any questions about this Policy should be addressed to the Executive Director of the Academy.

B. THE ELECTION OVERSIGHT COMMITTEE

1. No later than the meeting of the Board of Trustees ("BOT") prior to the Annual Session of the General Assembly, the President shall appoint an Election Oversight Committee ("EOC") to supervise the upcoming election in accordance with the bylaws of the Academy and with this Policy. The EOC shall designate one of the members of the EOC to serve as Chair.
2. Except as otherwise provided in this subparagraph, the EOC shall consist of the senior trustee from each district. Trustees running for Academy elected office shall not be eligible to serve on the EOC. In the years that the senior district trustee is a candidate for a position in the Academy the President shall appoint, subject to BOT approval, another trustee from that district who is not running for office. If the district has no eligible EOC member candidate, the President shall appoint a trustee from another district to represent that district. Members of the EOC shall be eligible for reappointment each year.

3. Any vacancy in the EOC shall be filled by appointment by the President, subject to BOT, or if time sensitive, Executive Committee approval.

II. NOMINATION OF CANDIDATES

A. NOMINATIONS BY THE DISTRICT NOMINATING COMMITTEE

1. A District Nominating Committee (DNC) will convene when there is an election to be contested the following year in a district. The committee shall be nominated and elected during the District Forum at the Academy's annual meeting the year prior to the election. The DNC will be comprised of a minimum of three (3) voting members of the district who shall serve a one (1) year term. The DNC shall designate one of the members of the DNC to serve as its Chair.
2. No member of the DNC may run for or hold an officer position or a position on the BOT while serving on the DNC.
3. The District Nominating Committee will select two (2) or more candidates and an alternate for each district vacancy that occurs on the Board of Trustees and Nominating Committees for AAP officers and the American Board of Periodontology
4. The chair of the District Nominating Committee shall:
 - Conduct the District Nominating Committee meeting at the District Forum to select candidates for open positions
 - Review the position descriptions and qualifications with District Nominating Committee members
 - Solicit and disseminate to the committee any biographical or other supporting data for nominees, if such data are desired by the committee
 - Communicate position qualification and election guidelines to the nominees and request written confirmation of the nominees' willingness to run for office and intention to serve if elected. The election guidelines will be provided to the DNC at the time of the District Forum so that they may be given to candidates.
5. The chair of the District Nominating Committee shall communicate the names of nominees and forward acceptance letters to the Executive Director or his/her designee via a written report no later than ten (10) business days following the Annual Meeting.

If a list of nominees is not received by that date, the Senior District Trustee will be required to reconvene and Chair a meeting of the District Nominating Committee in order to develop a slate of candidates. In this situation, the Senior District Trustee will be responsible to provide the

names and supporting materials of proposed candidates to the Executive Director or his/her designee to later than three (3) days following the completion of the Annual Meeting.

6. The name of each member who is included on the list of nominated candidates shall be placed on the ballot -- together with the designation, "Nominated by the District Nominating Committee."

B. NOMINATION BY PETITION

1. Any candidate not nominated by the District Nominating Committee who wishes to run for a district position may have their name included on the ballot by submitting a petition, signed by at least twenty-five (25) Active and Life Active members from that district, to the Executive Director no later than December 15.
2. The Executive Director shall verify the authenticity and validity of the signatures on the petition as of the above December 15 deadline. If ineligible members have signed a candidate's petition causing him or her to fall below required twenty-five (25) signatures, the candidate will be notified by the Executive Director. The candidate will be provided one (1) opportunity and ten (10) business days to submit enough new signatures, signed by eligible members, to substitute for those found to be ineligible. The decision of the Executive Director shall, if adverse to the member submitting the petition, be subject to review by the EOC. An adverse decision of the EOC is reviewable by the BOT, or the EC if time sensitive. The decision of the BOT shall be final.
3. The name of any member who has satisfied the requirements of this paragraph II(B) shall be placed on the ballot -- together with the designation, "Nominated by Petition."

III. THE ELECTION

A. SCHEDULE FOR THE ELECTION

1. No later than the second Friday of January, candidates nominated for election or candidates who have activated petitions shall complete and submit to the AAP Central Office the following paperwork:
 - a. Ballot Acceptance Letter
 - b. Election Campaign Policy
 - c. Election Declaration Form
 - d. Duties of Academy Leaders Agreement
 - e. Disclosure of Dual Commitment Statement
 - f. Conflict of Interest Statement

Candidates who do not meet the second Friday of January deadline shall not be eligible to participate in the election.

2. No later than February 1, the Academy will post on its website, and disseminate by such other media as the BOT may determine, the names of all candidates for district officers who have been nominated by the District Nominating Committee or by petition. The announcement will note that campaigning will occur from January 1 through June 30.
3. No candidate or any other member of the Academy may, directly or indirectly, engage in any campaigning prior to January 1 or after June 30.
4. No later than May 31, each voting member of the Academy will be sent a ballot with the name of each candidate and a designation of the method of nomination of such candidate. The voting period will extend from June 1 through June 30.

B. COUNTING OF BALLOTS AND ANNOUNCEMENT OF RESULTS

1. The Executive Director will arrange for an independent election vendor to assist with the conduct of the election, including the tally of the results of the ballots cast during the June voting period.
2. No later than July 15, the independent election vendor will report the results of the June balloting to the candidates, the President, and the Executive Director. The President and the Executive Director shall hold the results in strict confidence. The vendor shall not disclose vote totals to the individual candidates.
3. The candidate with the highest number of total votes for each office shall be elected to that office. A majority is not required.
4. The President will announce the winner of each election. The number of votes cast for each candidate shall not be announced. No announcement will be made until the President receives confirmation from the EOC that there are no unresolved election matters before the EOC.
5. The winner of each election shall be promptly posted on the Academy website. The number of votes cast for each candidate shall not be announced.

IV. CONDUCT OF THE CAMPAIGN

A. PROTOCOL FOR CANDIDATES

1. Any statement by a candidate about a staff member, another candidate, a member of the Board of Trustees, any Academy policy, or other matter relating to the election shall be made in good faith and shall not be demonstrably false or misleading.
2. All communications by a candidate will be professional in tone and substance. They should be limited to discussing the candidate's qualifications, the issues confronting the Academy and its members, and/or reasons that voters should vote for the candidate. Mass communication of endorsement of candidates by other individuals or organizations is not permitted and cannot be referenced in any communications with members. Mass communications must be authored by the candidate alone.
3. Subject to subparagraphs 4 and 5, each candidate is entitled to have a candidate page on the AAP website that promotes his or her candidacy and to send no more than three mass communications to Academy members -- one each in April, May, and June. No mass communication shall exceed 250 words in length. The April communication shall be due to the EOC no later than March 15; the May communication shall be due to the EOC no later than April 15; and the June communication shall be due to the EOC no later than May 15.
4. For the purposes of this Policy, the term "mass communication" means a communication that is sent simultaneously or nearly simultaneously to five or more members of the Academy.
5. No statement may be placed on a candidate page on the AAP website, and no mass communication may be sent to Academy members, unless the statement or communication has been approved by the EOC. During this approval process the EOC may work with the candidate to point out any potential violations in the campaign materials. The EOC may give the candidate an opportunity to explain their point of view and also allow for corrections prior to the materials being transmitted to the voting membership. Any proposed statement or communication not disapproved or modified by the EOC within seven (7) days of its submission deadline shall be deemed approved. Once approved, a statement or mass communication may not be altered except to correct typographical errors.

If a communication is not approved, the candidate shall be allowed to submit for approval a modified communication within five (5) days of the date he or she received notice that the preceding communication was not approved.

6. Each mass communication by a candidate will include the option for the recipient to be removed from that candidate's list of recipients.
7. Mailing labels for up to three (3) mass communications that have been approved by the EOC will be provided by the Academy to each candidate upon request.
8. District Trustee e-mails may not be used to support or oppose specific candidates.
9. Fundraising by candidates is not permitted. Candidates may not organize campaign committees or enter into agreements to campaign together. Candidates may not use telemarketers or other paid advisers.
10. A candidate who is invited to speak at any educational program shall refrain from campaigning except to note that he or she is a candidate for a specific Academy office. Candidates who are invited to speak at a regional or state society business meeting or forum may mention their candidacy, discuss issues confronting the Academy and its members, and set forth the candidate's position on those issues.
11. Candidates, during the campaign period of January 1 through June 30, may not post on the AAP Open Forum, nor comment on posts on the AAP Open Forum. This provision does not restrict candidates from responding via private message to a particular AAP Open Forum post.
12. No activity prohibited by this Part IV(A) may be undertaken by family members of the candidates, by any AAP members or by other third parties on behalf of the candidates.

B. PROTOCOL FOR OTHER MEMBERS OF THE ACADEMY

1. Current officers, Trustees, and members of the NC may not campaign for or against specific candidates. They may not solicit petitions for candidates. However, they may offer advice privately to candidates. If asked, they may advise individual Academy members of their opinions regarding specific candidates.
2. Members of the EOC may not campaign for or against any specific candidate, may not express any opinion on any candidate, and if not in connection with his/her duties in connection with his or her service on the EOC, may not advise any candidate.
3. Other members of the Academy may support or oppose specific candidates but may not send any mass communication relating to the election.

Likewise, no state or regional society may send any mass communication supporting or opposing any candidate.

V. ENFORCEMENT

A. GENERAL PROCEDURE

1. Any Academy member may complain of an alleged violation of this Policy regarding campaign activities by or materials for a candidate or other Academy member to the Executive Director. The Executive Director will promptly transmit the complaint to the EOC. All complaints of alleged violations must be submitted by June 30. They must be acted upon by the EOC and reviewed by the BOT, or if time sensitive, by the Executive Committee, prior to the announcement of the election results.
2. Within ten (10) days after receiving a complaint of an alleged violation, the EOC will, subject to subparagraph 3, meet by conference call, evaluate the allegation, and determine whether a violation has occurred.
3. The Executive Director will schedule the time of the conference call and will invite the alleged violator to participate in the call for purposes of explaining his or her position to the EOC. After the explanation has been given, the alleged violator will be excused from the call. The EOC will then make its decision.
4. The decision of the EOC is reviewable by the BOT, or the Executive Committee, if time sensitive. The decision of the BOT will be final and non-reviewable. Actions by the EC will be reviewed for ratification by the BOT at its next meeting. It will be promptly conveyed to the President -- who will report it to the complainant and to the member who is the subject of the complaint.
5. If the EOC determines that a violation has occurred, it will cause to be placed in an e-mail to Academy membership and on the candidate's page of the Academy's website a statement that includes the name of the member found to have violated the Policy, the nature of the violation, and the name of the candidate on whose behalf the violation was committed (if different from the violator).
6. If the EOC determines that a violation has occurred, it will, in addition, direct the violator not to engage in such violation or similar violation again.
7. In lieu of finding a violation, the EOC may, in its discretion, direct the violator not to engage again in the action at issue or to take such steps as the EOC deems necessary to cure any deception that may have occurred.

B. EGREGIOUS VIOLATIONS

1. If the EOC determines that a violation (a) has occurred in contravention of a previous directive not to engage in the violative conduct or similar conduct, (b) was willful and deliberate, or (c) was egregious, the EOC may, in addition to the remedies provided in Part V(A) refer the matter to the BOT.
2. If the BOT receives a referral pursuant to subparagraph 1, it will consider whether to censure, suspend, or expel the member in accordance with Chapter XII of the Bylaws. In such situations, the normal procedures for member discipline shall apply.
3. In no event may the BOT, the EOC, or any other body within the Academy overturn the results of an election or strike a duly nominated candidate from the ballot based on a finding of a violation of this Policy.

CANDIDATE OBLIGATIONS

1. Candidates must submit in writing a statement declaring their willingness to serve if elected.
2. Candidates must complete and sign a form provided by the Academy that provides a statement of qualifications for the position for which they have been nominated.
3. Candidates must certify in writing that the information provided is accurate.
2. Candidates determined to have provided inaccurate information are subject to removal from the ballot by action of the EC.
3. Candidates must be accessible by electronic communication (e-mail).
4. Candidates for officer positions are encouraged to be Board-certified.
5. Candidates for officer positions must be able to commit the required time (approximately 80-100 days each year for office of the President).
6. Candidates for officer positions or district trustees cannot simultaneously serve on the Nominating Committee for the American Board of Periodontology, the American Board of Periodontology, or the American Academy of Periodontology Foundation.
7. Candidates must complete the Disclosure Statement Regarding Dual Commitment and Duties of Academy Leaders forms.
Appendix E Disclosure Statement Regarding Dual Commitment
Appendix F Duties of Academy Leaders

8. Candidates will be informed of the Conflict of Interest Policy. See next section.
9. Trustee candidates must be willing to put aside personal philosophies and biases when function as a trustee of the Board.

Conflict of Interest

Officer and Trustee Speaking Engagements: Representation of AAP

1. Officers and trustees may speak at professional meetings, society meetings, office educational meetings and at study clubs.
2. Officers and trustees may not speak at AAP Corporate Forums, since that may give the appearance of AAP endorsement of a product.
3. Officers and trustees are required to disclose in writing offers for speaking engagements at industry-sponsored educational events, including Corporate Forums held at organizational meetings other than the AAP's meetings, to the AAP President and President Elect. The AAP President and President Elect will determine further review is needed by the EC or legal counsel.
4. When speaking or lecturing, officers and trustees must identify that they are not speaking as officers or trustees or the AAP, and their opinions do not necessarily reflect those of the AAP. If slides are used, there must be a slide indicating that "the opinions expressed are that of the speaker and do not necessarily represent the opinions of the American Academy of Periodontology." For officers speaking as representatives of the AAP, disclosures are not required.

This policy will be provided to all candidates for AAP office.

See Appendix Q Conflict of Interest Policy.

Strategic Plan

All candidates for elected positions will be provided with a copy of the current Strategic Plan.

¹ Adopted at August 2015 Board meeting - Report of the Election Oversight Committee (9.2); amended February 2016