

**Rules and Call for the Arlington County Democrats
2021 School Board Endorsement
Including an Unassembled Caucus to be held
on two days in May 2021**

The Arlington County Democratic Committee (“ArlDems”) hereby authorizes the endorsement of one candidate for Arlington County School Board in the November 2, 2021 election, calls for an unassembled caucus of Arlington Democrats, and provides these Rules for the determination of the endorsement.

1. Candidate Filing Requirements:

- a. **Candidate filing format.** In order to be eligible for endorsement by the participants in the unassembled Caucus, candidates for Arlington County School Board who wish to seek the Democratic endorsement must file a letter of intent with the Chair of the Arlington County Democratic Committee (“Chair”), or his/her designated representative, after January 1, 2021, and before 7:30 p.m. Eastern Time (ET) on Monday, March 1, 2021. Each letter of intent (“Filing”) must include:
- i. An affirmation that the candidate:
 1. is legally eligible to run for Arlington County School Board;
 2. is a Democrat;
 3. is a resident of and registered to vote in Arlington County, Virginia;
 4. does not intend to run against – or support, endorse or assist any candidate who is opposed to – a Democratic nominee or endorsee in the general election;
 5. is not a member of any other political party;
 6. has not participated and will not participate in the nomination or endorsement process of any other political party for the general election; and
 7. has read, understood and agrees to abide by these Rules.
 - ii. An original signature of the candidate making the affirmation;
 - iii. Campaign contact information including a physical delivery address, postal mail address, e-mail address, and telephone number where the candidate or the candidate’s representative can be reached for purposes of formal notification; and,
 - iv. The name format the candidate intends or expects to use on the general election ballot, which format must comply with Virginia Department of Elections (“VDE”) rules for ballot name format (e.g., as found on the VDE Certificate of Candidate Qualification).
- b. **Mandatory fee.** A non-refundable fee of four hundred and thirty-two dollars and 16 cents (\$432.16) (two percent of the starting salary of a School Board member) made payable to the Arlington County Democratic Committee must

accompany the Filing. The fee may be paid to ArlDems by check or online contribution at <https://www.arlingtondemocrats.org/donate>.

- c. **Deadline and means of filing.** Candidate Filings must be received by not later than 7:30 p.m. ET on Monday, March 1, 2021. The Filing may be submitted either in person to the Chair or his or her designee (including a Fee check or online payment confirmation page printout) or by email to chair@arlingtondemocrats.org and execdir@arlingtondemocrats.org (including a pdf copy of the Fee check or online payment confirmation page printout). For Filings submitted by email, Fee checks may subsequently be sent to Arlington Democrats, P.O. Box 7132, Arlington, VA 22207. If the Chair or his or her designee identifies errors or omissions in a candidate Filing, they will promptly notify the candidate. A candidate whose Filing contains errors or omissions may supplement or amend the Filing any time before the deadline. Candidates may file through a designated agent, but such action in no way alters the responsibility of the candidate nor extends the deadline for receipt. A candidate may request a receipt from the Chair confirming acceptance of a valid Filing.
- d. **Mandatory meeting and ballot order drawing.** Each candidate or a representative for each candidate must be present via teleconference at 7:30 p.m. on Monday, March 8, 2021 to draw lots for choice of ballot placement, select their placement, and participate in a candidate briefing. The Chair may deny party services to any candidate not present or represented for the briefing (until the candidate attends a subsequently scheduled briefing), and will allocate unclaimed ballot order slots to any such candidates on March 8, 2021, as needed, determined by lot in random order.
- e. **Disqualification as a candidate.** Only those candidates who have properly filed by 7:30 p.m. ET on Monday, March 1, 2021, will be listed on the official ballot and be eligible for endorsement. The Chair must reject a Filing with material errors or omissions; however the Chair, in his or her sole and final discretion, may accept a promptly re-submitted and corrected Filing to supplement a substantially-completed Filing that was submitted prior to the deadline. At any time before 5:00 p.m. Monday, April 26, 2021, the Chair may rule ineligible for endorsement any candidate for making false or misleading statements on his or her Filing, or failing to honor or satisfy the fee detailed in Rule 1.b. Such a determination becomes effective upon announcement by the Chair, who must take reasonable efforts to promptly notify the candidate and the public. The candidate may file an appeal to overrule the Chair to the ArlDems Steering Committee (“Steering Committee”) as provided in Rule 7. In the event a candidate is declared ineligible, the caucus process will proceed in accordance with the provisions of Rule 2.b. for candidates who have withdrawn.

- f. **No contest.** In the event that only one candidate has made a valid Filing by the Monday, March 1, 2021, deadline, the Caucus will be canceled. In such an event, the candidate who has filed will be considered proposed for the ArlDems endorsement for School Board. At the April 7, 2021, ArlDems meeting, ArlDems will vote to determine whether the proposed candidate would effectively represent the principles of the Democratic Party. A motion to endorse the proposed candidate (without extraneous elements) will automatically be considered in order, and not subject to amendment by less than a 2/3 vote of ArlDems; and a majority vote in favor of the motion to endorse the candidate will be necessary for that motion to endorse to pass. The failure of an endorsing motion to be made or to pass will result in the application of Rule **1.g.** as if that candidate had not filed.
- g. **Insufficient candidates.** In the event that no candidate has made a valid Filing, the Steering Committee will have the sole power to determine when and/or whether a motion to endorse a School Board candidate will be in order at a subsequent meeting of ArlDems. The Steering Committee may also issue special rules for debate of such motion.
- h. **Caucus dates, times, and locations.** The final Caucus dates, times, and locations for the two days of Caucus voting will be presented to the candidates no sooner than the March 8, 2021 meeting to draw ballot order. The Caucus Officers will make every effort to find a suitable and safe location for each Caucus day, and should find geographically different locations to allow for equitable access to caucus voters. Specifically, one location should be in South Arlington and the other location should be in North Arlington. The Caucus Officers also will make every effort to provide a total of 12 hours of voting, split evenly between the two Caucus dates. Should circumstances prevent the guidance in this **Rule 1.h** from being followed, Caucus Officials will provide justification for the final location and time decisions to the candidates.

2. Ballots and Method of Voting

- a. **Ballot form.** A ballot will be prepared that lists the names of all qualified candidates in an order determined according to Rule **1.d.** Candidates' names will appear as they are intended or expected to appear on the General Election ballot in accordance with State regulations for such name-forms.
- b. **Candidate withdrawal.** If a candidate wishes to withdraw from consideration by the Caucus participants, he or she must notify the Chair in writing by 5:00 p.m. ET on Friday, April 30, 2021. If enough candidates withdraw before 5:00 p.m. ET on Friday, April 30, 2021, such that there is only one candidate remaining, the Caucus will be cancelled and the provisions of Rule **1.f.**, or **1.g.** will apply, with the May 5, 2021 ArlDems meeting replacing the April 7, 2021 meeting. Names of candidates who withdraw prior to 5:00 p.m. ET on April 16,

2021, will not appear on the ballot. Otherwise, withdrawn candidates will remain on the ballot, but a list of those candidates who have withdrawn will be posted on the ArlDems and School Board Caucus websites.

- c. **Election method.** The instant-runoff (preference voting) method of election will be used to determine the endorsee. Each voter will indicate on his or her ballot a preference order for candidates. Voters must indicate a first choice and may indicate preference order for some or all other candidates. The winning candidate must (except in the case of a tie) receive a majority of votes allocated during the final preference vote counting round, as described in Rule 5.
- d. **Method of marking ballots.** Voters will be instructed on the ballot to indicate preference order by bubbling in their chosen rank next to the candidate name. The failure of a ballot to mark a rank for all candidates under the instant-runoff system will not invalidate the ballot for purposes of counting it toward candidates whose preference order is clearly marked and capable of only one reasonable disposition in a given voting round. If only one candidate is selected on a ballot (for example, with a “/”), the ballot will be counted as if the selected candidate had been marked as “1”. Ballots otherwise not marked in the prescribed manner need not be automatically disqualified – and may be counted in any round of voting – if there is only one reasonable interpretation of the effect of the vote as applied to that round of voting (for example, if the voter marks a ballot by bubbling in a “1”, “2”, “3” and two “4”s, then the ballot may be counted so long as any of the first three indicated candidates remain active in that round of voting).

3. **Caucus Officers, Officials, and Other Authorized Persons and Activities**

a. **Officers of the Caucus**

- i. The Chair of the Arlington County Democratic Committee will serve as Chair of the Caucus.
- ii. The Secretary of the Arlington County Democratic Committee or a Caucus Deputy Director will serve as the Secretary of the Caucus.
- iii. The Sergeant-at-Arms of the Arlington County Democratic Committee will serve as the Sergeant-at-Arms of the Caucus.
- iv. The Parliamentarian of the Arlington County Democratic Committee will serve as the Parliamentarian of the Caucus.

- b. **Director and subordinate officials.** The Chair, in consultation with the Sergeant-at-Arms, will appoint, and the Steering Committee will approve, a Caucus Director (“Director”) to manage the Caucus event. The Chair may also exercise all duties of the Director in the absence of the Director. The Director will appoint (and may remove) all Caucus officials (other than the Caucus officers designated in Rule 3.a.), in consultation with the Chair, and may

appoint substitutes for the Caucus officers if the individuals designated for those positions are not present and willing to serve.

- i. A Deputy Director will be responsible for overseeing volunteer recruitment, outreach to the Young Democrats, and other duties as needed.
 - ii. A Disability Services Voting Manager and his or her assistants will be responsible for supervising the process of accepting disability services ballots from mobility-impaired voters.
 - iii. A Caucus Technology Director will be responsible for obtaining a registered voter list and for supervising the checking of all Caucus voters against that list.
 - iv. A Public Health & Safety Manager will be responsible for overseeing social distancing procedures and other relevant measures to protect voters and volunteers during the Caucus.
 - v. There will be as many additional Caucus officials as the Director deems necessary for the operation of the Caucus.
- c. **Conduct of Caucus officials.** All Caucus officials must wear credentials identifying them by their caucus role and/or ensure their Zoom name identifies their official Caucus role. No Caucus official may engage in partisan activity (i.e., activity supporting or opposing a particular candidate) while performing the duties of a Caucus official, or while wearing credentials as a Caucus official.
- d. **Campaign poll watchers.** Each candidate (or campaign) may designate up to two (2) poll watchers. At any time, but with the permission of the Director or the Director's designee, a campaign may "swap out" an individual serving as a poll watcher for another such individual. Each poll watcher must wear credentials or adjust Zoom name settings identifying him or her as such. All provisions apply to poll watching activities whether in person (if social distancing guidelines can be honored) or virtually. No person will be allowed to serve as a poll watcher and a Caucus official at the same time. No individual may engage in partisan activity while performing the duties of a poll watcher, or while wearing official credentials. No poll watcher may initiate a conversation with any participant (although he or she may assist a participant who requests it by directing the participant to a Caucus official) without the permission of the Director.
- e. **Media.** Representatives from the press and other media outlets must be issued credentials as observers, to observe aspects of the process either in-person (if social distancing guidelines can be respected), or virtually. Media representatives may be required to participate in a briefing in order to obtain credentials.

- f. **Enforcement of good conduct.** The Director may request that the Sergeant-at-Arms restrict the ability of any person from participating in or observing Caucus activities whose behavior is disruptive to the good order, conduct, fairness, effectiveness, security and/or decorum of the Caucus. Such request will result in the immediate and automatic loss of whatever rights, privileges or actions to which the person and any affiliated organization might otherwise have thereafter been entitled (e.g., to apply for a ballot, cast a ballot, or observe the election). Readmission to the Caucus (if at all) of the person or affiliated organization, and/or restoration of any lost right, privilege or entitled action will thereafter be at the discretion of the Director. For purposes of this Rule, “the Caucus” includes all Caucus-related activities, either virtual or in-person.

- g. **Review of election operations.** Any and all decisions by any Caucus official (including those of the Director, but excluding certifications by the Teller, Expediting, and Provisional Teller Committees) may be appealed to the Director, and then to the Chair. Except as otherwise provided in Rule 7, the decision of the Chair will be final.

- h. **Neutrality.** The following individuals may not publicly endorse or support any candidate seeking the School Board endorsement:
 - i. Party Chair
 - ii. Party Deputy Chair
 - iii. Caucus Director
 - iv. Caucus Deputy Director
 - v. Caucus Disability Services Voting Manager
 - vi. Caucus Technology Director
 - vii. Head Teller
 - viii. Tellers (other than campaign-designated)
 - ix. The Chair may publicly oppose a candidate only in extraordinary circumstances where the Chair together with a 2/3 vote of the ArIDems Steering Committee determines that a candidate is not a Democrat or that a candidate’s behavior violates the tenets of the Arlington County Democratic Committee.

4. **Caucus Procedures**

- a. **Ballot container preparation.** The Director will, in the presence of the Chair and any candidate (or designated candidate representative) who wishes to observe, either virtually, or in person if social distancing and gathering guidelines are followed, open a ballot container to ensure that it is empty prior to placing any ballots inside. During the course of the Caucus, if a second or subsequent ballot container is required, it will be opened and inspected using the same procedure, with notice to any candidate (or representative) who may wish to observe.

- b. **Commencement of the Caucus.** On the first day of the Caucus, the Director will declare that the Caucus has begun; no participant may enter the Caucus area before that time. The Caucus Director will declare the caucus voting closed for that day when the last person in line to vote by the established closing time has cast his or her ballot.
- c. **Sealing and storage of the ballot container.** After the last eligible person has voted on the first day of the Caucus, the Director will, in the presence of the Chair and any candidate (or designated candidate representative) who wishes to observe, seal the ballot box and secure it in a tamper-evident manner until the resumption of voting on the second day of the Caucus. The Director will be responsible for ballot security during this interval and will store the sealed ballot box(es) in such a manner as to reasonably ensure that they will not be subject to tampering.
- d. **Resumption of the Caucus.** At commencement of the second day of the Caucus, the Director will open the doors to the Caucus and declare that the Caucus has resumed. The Caucus Director will declare the caucus voting closed when the last person in line to vote by the established closing time has cast his or her ballot.
- e. **Records.** The Secretary will maintain a formal record of the proceedings, including the certifications indicated in Rule 5.
- f. **Limits on campaigning.** No campaigning or other partisan activities on behalf of or opposed to a Caucus candidate are permitted during any Caucus activities, whether virtually or in-person.
- g. **Required declaration form.** At the site of the Caucus, participants will receive the Democratic Party declaration form, which will require each participant's full name and address and include a place for the participant to sign the following pledge:

I certify that I am a resident of and registered to vote in Arlington County, Virginia; I am a Democrat; I believe in the principles of the Democratic Party; and I do not intend to support, endorse or assist any candidate who is opposed to a Democratic nominee or endorsee in the ensuing election.

No participant will be permitted to vote in the Caucus unless he or she completes the declaration form

- h. **Use of information.** The list of voters who participate in the Caucus is the property of ArlDems, and ArlDems has the right to disclose to any person the fact that a person has participated in the Caucus. However, if a participant specifically asks to limit future communications unrelated to the ensuing

election from ArlDems or its affiliates by mail, phone and/or e-mail, ArlDems will take reasonable steps to honor that request.

- i. **Review of declaration.** After each participant has completed and signed the declaration form, he or she will submit the form to a Caucus official who will ensure that the form is completed in full and without alterations, including signature, after which a Caucus official will check the information against the registered voter list (“RVL”). A declaration form identified by a Caucus official as not having been completed accurately and in full, as not including a signature, or as containing any alteration(s) to the pledge, will be rejected, although the participant will be eligible to submit an unaltered or complete declaration form.
- j. **Monitoring participant validation.** The candidate poll watchers may observe, but not interfere with, the participant validation process. Any question regarding the eligibility of a participant should be taken immediately to the Caucus Technology Director or the Director.
- k. **Standards for participant verification.** A participant fulfilling the requirements of Rule 4.g. above is eligible to vote if he or she is validly registered as a voter in Arlington County at the time he or she seeks to participate in the Caucus. When a participant presents a properly completed declaration form, a Caucus official will check the information from the form against the Caucus copy of the RVL to ascertain the participant’s voting eligibility. If a participant is not listed on the Caucus copy of the RVL, he or she may offer a certificate of voting eligibility issued by the Arlington Voter Registrar (i.e., a voter registration card or receipt) on or after April 1, 2021 or demonstrate his or her registration via the VDE website, in which case the participant will be eligible to vote in the ordinary fashion. DMV receipts will not constitute evidence of registration. A participant who is deemed eligible to participate in the Caucus by the Caucus official will be given a vote ticket and instructed to proceed toward the area where the ballots are located.
- l. **Provisional voting.** If a participant believes that he or she is registered to vote in Arlington, but cannot demonstrate registration via the foregoing methods, the Director will instruct a Caucus official to provide the participant with a ballot to cast provisionally. Provisional ballots must be marked and returned to the Director, who will seal the provisional ballot in an envelope, mark it as provisional, affix to the sealed envelope the participant’s declaration form, and hold the provisional ballot in the sealed envelope without casting it. ArlDems will seek to have the Arlington Registrar of Voters verify on the Monday following the last day of the Caucus, whether those individuals who cast provisional ballots were registered voters as of the above deadlines. Those verified as registered voters of Arlington County as of the time specified

in this Rule will have their provisional ballot included in the official count (also see Rule 6 below).

- m. **Distribution of ballots.** When a participant with a vote ticket arrives at the location where ballots are located, a pair of Caucus officials will hand the participant one official paper ballot in exchange for the vote ticket, with a procedure ensuring that only one ballot is given to each participant.
- n. **Marking and casting of ballots.** Caucus officials will direct each voter to make his or her ballot selection, and may provide voting instructions as needed. Voters will mark their ballots in a setting that permits observation by Caucus officials, but also permits voter privacy and confidentiality of voter choice. Upon marking his or her ballot, each voter must place the ballot into the ballot box. A vote is not considered cast until it has been placed into the ballot box. If a voter spoils a ballot before casting it, the voter may request a replacement ballot; however, only the Director may exchange such a ballot for a fresh ballot.
- o. **Disability Services.** A participant with a physical disability may request the physical assistance of one or more Caucus officials to execute any of the tasks listed in this section (e.g., to read and/or mark any form and/or place a ballot in the ballot box) (“Disability Services Voting”). Disability Services Voting is permitted with the permission of either the Disability Services Voting Official or the Director if necessary to accommodate a disabled participant. When a designated Caucus official determines that a participant should be permitted to cast his or her vote through Disability Services Voting, a Caucus official must deliver a declaration form to the participant, transmit the complete declaration form for registration verification, obtain a ballot ticket (if the participant is eligible to vote), exchange the ballot ticket for a ballot, deliver the ballot to the participant, seal the marked ballot in an envelope to ensure voter privacy, and return the marked ballot to the Disability Services Voting Official or to the Director. Declaration forms for Disability Services Voting will be so marked and will be segregated from other pledge forms for purposes of reconciliation with the number of Disability Services Voting ballots when cast pursuant to Rule 4.q. The Disability Services Voting Official or the Director must place each completed Disability Services Voting ballot into a special receptacle designated for that purpose next to the ballot box and publicly announce his or her action in the presence of the person(s) watching the ballot box.
- p. **End of the Caucus.** Approximately five minutes before the appointed end time of each day, the Director or his designee will announce that the Caucus voting will end at the appointed time and at that time the doors to the Caucus will be closed. All persons in line at the appointed end time will be allowed to vote. Any person not in line or in the voting area by the appointed time will not be allowed to vote.

- q. **Accounting of Disability Services Votes.** After the last person has voted on each day, the Director will gather the Disability Services Voting Official, the candidate representatives, and the Caucus Technology Director to observe the casting of the Disability Services Voting ballots. The Disability Services Voting ballots will be counted and compared to the number of Disability Services Voting declaration forms, with any discrepancies noted. The Director will then place all the Disability Services Voting ballots (including envelopes) into the ballot box.

- r. **Release of participation information.** On the day following the first day of the Caucus, for not less than a two-hour period, the declaration forms submitted by voters on the first day of the Caucus, will be made available for inspection by any candidate representative. The Director will determine the location, mechanism, and time slot for this inspection. As a substitute for this inspection, the Director may choose to release to each candidate, no later than 4:00 p.m. the day following the first day of the Caucus, the names of those who voted on the first day of the Caucus, by sending such list to the email address provided by each candidate in his or her letter of intent or by sharing a link to a secure document.

- s. **Adjustment of procedures and methods.** The Director may, in consultation with the Chair, and with reasonable notice to the candidates, make reasonable adjustments to the procedures in this Rule for reasons including public safety, force majeure, unavailability of necessary resources or facilities or other unforeseen events. Furthermore, the Chair may, in consultation with the Director, and with reasonable notice to the candidates, determine that unforeseen events preclude the safe and effective operation of the Caucus, and in such a case direct that the Caucus or any of its ancillary functions be re-convened at another suitable time and place, or in a format, such as vote-by-mail, consistent with health, safety, or other overriding priorities for the well-being of Arlington voters. Any cancellation, postponement or rescheduling of the Caucus or ancillary functions will be done with prompt notification to the candidates, the Steering Committee, and the public, including notice of any revisions to any other dates, times, places, or format for requesting a ballot, demonstrating eligibility, voting, sorting, or counting that the Chair determines to be necessitated by the unforeseen events.

- t. **Democratic Party participation.** All persons participating in facilitating a Caucus activity – aside from credentialed media and facility employees – must sign a pledge indicating that they are Democrats, believe in the principles of the Democratic Party, and do not intend to support, endorse or assist any candidate who is opposed to a Democratic nominee or endorsee in the ensuing election. Signing the participant’s declaration form discussed in

Rule **4.g.** fulfills this requirement, and the Director may issue an alternate form for non-voting volunteers.

5. Determination of Endorsee: Counting of Votes, Announcement of Results

- a. **Ballot collection and preservation.** No ballots will be counted until all eligible voters have cast their votes on the second day of the Caucus. The Head Teller may instruct the Teller Committee to begin pre-processing (e.g., unfolding, inspecting, and sorting) starting no earlier than 12:00 pm on the second day of the Caucus.
- b. **Teller Committee.** The Director will appoint a Teller Committee to count the votes. The Teller Committee will be comprised of a Head Teller and an equal number of tellers to represent each campaign and to represent the Director. Tellers who are campaign representatives will be proposed by each campaign but subject to approval by the Director. Tellers must fulfill the pledge requirements of Rule **4.g.**, except that tellers do not need to reside and vote in Arlington County. In the event an insufficient number of qualified tellers can be found to complete the Teller Committee, the Director may appoint replacements. If deemed necessary, the Director may also appoint an Assistant Head Teller.
- c. **Sequestration of tellers.** The Teller Committee will conduct its activities in a segregated area of the room in which voting occurred or in a separate room that meets criteria for confidentiality of vote counts until completed and certified yet with space for authorized observers. All members of the Teller Committee must agree to be sequestered in this area, abide by social distancing and public safety protocols, and not communicate with the outside world from the time the first ballot box is unsealed until the time that the results are certified, and must surrender electronic communications devices during this period to the Sergeant-at- Arms. The Director will make suitable arrangements for escorting tellers incommunicado outside the sequestration area for reasons of acute personal need. The segregated area will be designed to allow other Caucus participants to generally observe the Teller Committee's activities without interfering with them.
- d. **Ballot container delivery.** Prior to counting votes therein, each ballot container will be examined by candidate representatives and the Director. Video-conferencing will be provided to ensure social distancing measures are observed.
- e. **No interference with tellers.** Only the Director, Caucus Deputy Directors, Chair, Technology Director, Sergeant-at-Arms, and Secretary may communicate with tellers about the Caucus results.

- f. **Conduct of Teller Committee.** The Teller Committee will count, record, and verify the results of the Caucus voting. At the conclusion of their activities, the Teller Committee must agree upon their tabulations and provide their written certification of the results. All activities of the Teller Committee will occur under the direction of the Head Teller. The Head Teller will draft Teller Committee procedures in consultation with the Caucus Officials and deliver the final procedures to the candidates no earlier than March 8, 2021. After consultation with the campaign representatives and the Head Teller, the Director may approve modifications to the Teller Committee procedures if those modifications will, under the conditions then existing, improve the fairness, accuracy, and/or confidence in the result of balloting and do not violate Rule 2.c. The Teller Committee procedures will reflect these requirements:
- i. *Majority requirement.* To be declared the endorsee of the Democratic Party, a candidate must win a majority of the vote (50%+1 ballots). If a candidate receives a majority of the active ballots on the first voting round, they will be designated the endorsee. If no candidate has received a majority of active ballots on the first round, then one or more instant runoff voting rounds will occur using the preference voting system, except as described in Rule 6.a (ties). An active ballot is a ballot that has been allocated in that round to a candidate or remains a questionable ballot, and an inactive ballot is one that has been allocated in that round to no candidate.
 - ii. *Elimination and redistribution rounds.* In the second and subsequent voting rounds, if any, the candidate with the lowest number of votes in the previous round will be eliminated and ballots previously allocated to that candidate will be re-allocated to other candidates according to the next highest preference indicated on the ballot. Those ballots will be redistributed in the manner described in this Rule. If a ballot does not indicate a next higher preference, it will be set aside and will not be an active ballot in any further round. If no candidate has a majority, another voting round will commence (again eliminating the candidate with the fewest votes in the current round and re-allocating the ballots accordingly).
 - iii. *Calculations and close cases.* For purposes of calculating achievement of a majority, only active ballots will be considered in accordance with Rule 5.f.i. In the event that one or more questionable ballots could determine the identity of the lowest-placed candidate or could determine whether a candidate has a majority of active ballots, the Head Teller will notify the Director and Chair and the Chair will immediately convene the Expediting Committee (constituted as described under Rule 5.g) to allocate the questionable ballot(s). Ties will be resolved according to Rule 6.a.
- g. **Disposition of questionable ballots.** If the dispositive determination of the election could depend on the disposition of questionable ballots (i.e. ballots as

to which any teller does not agree as to the disposition in that round) an Expediting Committee will immediately convene. The Expediting Committee will consist of the Chair and up to four additional elected officers of ArlDems identified by the Chair. The Expediting Committee will review any questionable ballots, and will determine whether to allocate the ballot to one particular candidate or to no candidate, with the Chair being permitted to cast an additional vote if needed to break a tie. If the Expediting Committee is convened to determine the outcome of a particular round, it will disband upon disposing of the ballots. If the Expediting Committee is convened for any purpose, the Teller Certification will note in the appropriate section in the certification of results that the matter was referred to the Expediting Committee, and the Chair will certify the Expediting Committee's determination. If the Expediting Committee allocated ballots to determine a majority for endorsement, then the candidate with the highest vote total will be declared the Democratic endorsee and Rule 5.h be applied accordingly.

- h. **Determination of endorsee.** If, in any round of counting votes, the margin of victory (see Rule 5.f.i regarding the relevant calculation) is greater than the number of questionable ballots (or after disposition of questionable ballots according to Rule 5.g) then the candidate with the highest certified vote total will be declared the Democratic endorsee for School Board. In such a case, uncounted questionable ballots will not be reported in the official total.
- i. **Certification of results.** Immediately upon the conclusion of all vote counting, the Secretary will ensure that each member of the Teller Committee certifies the tabulation for each round of counting in writing (including noting without endorsement the number of any unresolved questionable ballots and/or determinations of the Expediting Committee); no announcement of the results will be made until all reasonable efforts at this certification have been undertaken. (If, in the course of sorting or counting the ballots, the Teller Committee incidentally assembles additional data about voter choices that are not outcome-determinative, the Head Teller will also provide that information to the Chair.)
- j. **Announcement of results.** Following the certification of the results, the Director will announce the certified result, and whether this has resulted in a Democratic endorsee. If so, results will also be posted on the ArlDems website in a timely manner.
- k. **Preservation of ballots.** After the Director has announced the results, all electronic ballot files and all physical ballots will either be electronically preserved or be taken up, sealed, and held by the Director or her designee in a secure manner until the end of the appeals period or, if there is an appeal, until the conclusion of the appeal.

6. Ties

- a. **Breaking of ties.** In the event two candidates are tied in a round for last place, the Chair will flip a coin to determine the candidate to be dropped for the next round (if one is needed). In the event three or more candidates in a round are tied for last place (even if they are also tied for first place), the candidate that will continue to the next round will be determined by drawing lots.

7. Appeals

- a. **Scope of appeals.** Any person having concerns regarding the conduct of the Caucus should contact the Director and Chair for an expeditious informal resolution of the matter in accordance with Rule 3.g. The appeals process in this Rule 7 applies solely to ultimate disposition, i.e.: **1)** declaration of candidate ineligibility under Rule 1.e., or **2)** declaration of the endorsee.
- b. **Method of filing.** All notices of appeal specified in these rules must be filed in writing with the Chair or her designee within 24 hours of the announced results, and must bear the signature of a candidate. All filings and notices under this rule may be transmitted electronically via the e-mail addresses provided by each candidate under Rule 1.a.iii. The Chair must announce the filing and disposition of appeals in the same manner as election results specified in Rule 5.j.
- c. **Steering Committee meeting.** In general, the Steering Committee will hear appeals. If the Chair calls a special meeting of the Steering Committee for the purpose of resolving an appeal, he or she must give reasonable notice of the meeting to all candidates.
- d. **Participation of campaigns.** Candidates and up to two additional representatives from each campaign may observe meetings of the Steering Committee when it is deliberating on an appeal. Candidates or their representatives may (through the Chair or her designee) submit materials in writing to the Steering Committee, will (on request) receive copies of and/or access to all materials submitted to the Steering Committee by other candidates, and may (with the permission of the Steering Committee) be heard by the Steering Committee and answer questions.
- e. **Appeal schedule for disqualification.** For purposes of appealing the decision of the Chair under Rule 1.e., the appeal must be submitted within 24 hours after the Chair announces such a decision. The Steering Committee must hear the appeal no later than its next scheduled meeting, or within one week of the filing of the appeal, whichever is later. The decision of the Steering Committee on an appeal arising out of Rule 1.e. will be final.

- f. **Appeal schedule for Caucus outcome.** For purposes of appealing the outcome of the Caucus vote, the appeal must be filed with the Chair and Secretary in writing (this may be done by e-mail) within 24 hours after the Chair announces the names of the Caucus' choice for endorsee. The Steering Committee must hear and dispose of the appeal no later than its next regularly scheduled meeting, or within one week of the filing of the appeal, whichever is later, or else the appeal will be considered granted (which outcome may be appealed pursuant to Rule 7.g.). The Steering Committee will have the option to organize a recount of the ballots prior to determining a disposition of the appeal. Any recount does not extend the time limits set by this Rule for disposition of the appeal.
- g. **Final review.** A candidate may appeal to ArlDems a determination of the Steering Committee with respect to the outcome of the Caucus, and ArlDems' decision will be final. Appeals of the Steering Committee determination must be made in writing to the Chair and Secretary (and may be done by e-mail) within 36 hours after the Steering Committee's determination is made (including by lapse of the time limit specified in Rule 7.f.). Appeals will be heard at the next regularly scheduled ArlDems meeting, or at another time determined by the ArlDems Chair. Candidates may, through the ArlDems Chair, submit written materials to ArlDems, and receive copies of written materials submitted by other candidates. Special rules of debate for such an appeal may be determined by the Steering Committee and – unless otherwise determined by the Steering Committee (or amended by a 2/3 vote of ArlDems) – debate will be limited to one hour, including a presentation from each candidate limited to 5 minutes, and other speakers limited to 2 minutes per turn.

8. Rules of Order, Adoption

- a. **Applicable rules.** The rules contained in *Robert's Rules of Order, Newly Revised*, will govern the conduct of the unassembled Caucus, except where those rules are inconsistent with these Rules of the 2021 School Board Endorsement by the Arlington County Democratic Committee, the Bylaws of the Arlington County Democratic Committee, or the Virginia Democratic Party Plan, which govern the proceedings with increasing precedence, respectively.
- b. **Adoption of rules.** These Rules of the 2021 School Board Endorsement by the Arlington County Democrat Committee will be in effect when adopted by a majority vote of the voting members of ArlDems at its January 6, 2021, meeting and may subsequently be amended only by a 2/3 vote of ArlDems.