

# Protocols for Conducting Elections in Divisions and Local Sections

## **Background:**

Changes to the ACS Constitution and Bylaws made in 2004 allow national ACS elections to use electronic balloting, via the internet, as well as by using traditional paper ballots. ACS Bylaw V, Sec. 11, c, was amended to remove references to paper ballots, requiring instead that balloting procedures be (1) fair and open to eligible members, (2) anonymous, (3) protected against fraudulent balloting, (4) archivable and (5) reported in a timely way. It is important that every balloting system employed by local sections and divisions, whether paper, electronic, or hybrid paper/electronic, meet these requirements. Divisions and local section bylaws may also govern the conduct of elections for officers. Divisions and local sections may need to make changes to their bylaws to permit electronic elections. This guidance document was prepared by the Committee on Nominations and Elections to help ACS divisions and local sections implement electronic balloting for their election of officers, including councilors.

## **Requirements:**

### ***1. Fair and open balloting***

Voting procedures must not disenfranchise members who do not have ready access to the Internet. National ACS elections currently meet this requirement by using hybrid paper/electronic balloting. Before converting to completely electronic balloting divisions and local sections should determine that all of the affected members have access to the Internet.

### ***2. Anonymity and Confidentiality***

All ACS elections for national office, including those for Division and Local Section councilors, must be conducted both anonymously and confidentially.

**Anonymous** – the Society / local section / division does not know which members voted in the election.

**Confidential** – the Society / local section / division does not know how an individual member voted in the election.

In the traditional mail balloting procedure, ACS members were required to seal their completed ballot in a signed envelope. The returned ballot was separated from the signature envelope after the signature requirement was validated by the on-site Election Committee prior to counting the ballots. This separation ensured that the ballot was confidential. No record was retained of the members who returned ballots, which ensured that the voting (or non-voting) member's name was anonymous.

Electronic balloting procedures should likewise not allow the association of vote with voter by the division or local section running the election.

### **3. Protection against fraudulent balloting**

Balloting procedures must ensure that eligible members vote only once. In national ACS elections, a PIN number is used that links paper and e-ballots. One division that uses only e-ballots has an authorized e-mail address for each of its members. During an election only one vote from each authorized address is counted, no PINs are needed.

### **4. Archiving ballots and election results**

Submitted ballots must be archived for one year in the event of a contested election, so that the election results can be reviewed, if requested, by N&E, DAC and/or LSAC. The hosting site for an electronic ballot should retain the electron records.

### **5. Timely reporting**

The election results must be made available in a timely manner as required in Division and Local Section bylaws.

#### **Other Concerns:**

##### **Security**

Any Internet voting site should be “https” compliant, *i.e.*, transactions are encrypted.

##### **Voting bias**

Ballots should be designed to remove bias in voting preferentially for one candidate over another. Many electronic voting sites can randomly order the candidates for each voter alternatively, as is done for paper ballots, a fixed order can be determined by random drawing.

##### **Locating a vendor for an electronic election**

Check with your local college or university, many have electronic balloting systems for their own use to which they may be willing to give you access. They may also be able to point you to affordable Internet resources. A Google search can be helpful in the regard. Consult with divisions or local sections who have run electronic elections for their recommendations.

##### **Bylaws**

Local Sections, Divisions, and International Chemical Sciences Chapters need to check their bylaws to ensure that they may conduct elections electronically. If not, you will need to change your bylaws. Contact [bylaws@acs.org](mailto:bylaws@acs.org) for assistance from the Committee on Constitution and Bylaws.

## **Appendix**

Below are the current procedures adopted by the Society in conducting a hybrid election for the ACS National Elections. Divisions and local sections using a hybrid process should adopt similar procedures to ensure that the balloting procedure provides anonymity and confidentiality for their members.

1. The ACS National Election uses an outside vendor to manage all aspects of the election. The vendor mails the ballots out to all of the voting membership, receives the ballots back at their office, and tallies the votes. The vendor is required, by contract, not to reveal the progress of the election or any details about the voting members to the Society.
2. Immediately prior to the election period, the Society sends the vendor the list of all current ACS members. This list qualifies which members are eligible to vote in the election. The member list contains the member's name and mail address as well as their membership number. The list may, in the future, contain the member's email address, when and if it is decided to make use of emails to correspond with the voting membership.
3. The vendor uses the list of member numbers to generate Personal Identification Numbers (PINs) for each ACS member. These PINs are unique, randomly generated, and improbable to guess.
4. The vendor tracks which PINs are used in voting online and by mail in order to reconcile the situation in which a member were to vote by both methods.
5. There are several solutions to resolving double voting:
  - a. First ballot received takes precedence
  - b. Mail ballots takes precedence
  - c. Internet ballot takes precedence
  - d. Both ballots denied

The procedure used in the ACS National Election is that the first ballot received (either by Internet or by mail) takes precedence and automatically prohibits the second ballot from being counted. This procedure further ensures anonymity and confidentiality, because it is the PIN that is rejected, not the ACS Member Number.

6. The PINs are encoded as a bar code, which allows the vendor to accurately scan and reconcile each returned (mailed) ballot. By contract with the vendor, the Society does not have access to the PINs or their association with the membership numbers, which ensures anonymity for the ACS member.
7. After the ballots have been reconciled, any record of the association of the ACS member numbers with the PINs will be destroyed, which ensures confidentiality for the ACS member.

8. During the election period, the vendor is required to set aside all paper ballots where the intent of the voter was not clear. After the close of the election period, and in the presence of candidate representatives and ACS staff, members of the Nominations and Elections Committee (N&E) resolve the questionable ballots (if possible) in terms of voter intent.