

TAHOE DONNER ASSOCIATION

[Proposed] Fair Campaign Guidelines

(Final 12.30.2020)



TAHOE DONNER ASSOCIATION
BOARD OF DIRECTOR ELECTION
FAIR CAMPAIGN GUIDELINES

Recitals

- A. Tahoe Donner is a community, first and foremost. As a community association, we elect members of our community to serve on our all-volunteer Board of Directors and represent our interests. Directors put in a substantial amount of time and effort in their service and we are lucky to attract experienced and knowledgeable members willing to volunteer their time and talents for the community.
- B. Each year we hold an election for open positions on the Board. During election campaigns there may be instances in which passionate candidates, or their supporters may resort to behavior or tactics that some find an annoyance or believe are misleading or improper.
- C. The election process is governed by the Association's Governing Documents and California Law, and specifically the Davis Stirling Act (the DSA"). The DSA includes mandatory election processes that are intended to further democratic principles in Association elections, encourage free speech, and to ensure that the election process managed by the Association is fair. The Tahoe Donner Association Election and Voting Rules ("Election Rules") provide detail on the election and voting process.
- D. Every candidate and their supporters have certain fundamental free speech rights during an election to express their views. Most campaign advocacy occurs outside of Association channels, e.g., mailers or emails to members or postings on social media platforms such as NextDoor or Facebook. It is not the role of the Association or its standing Elections Committee to monitor communications outside of Association channels or to review or investigate the content of those communications. However, there may be situations in which campaign-related advocacy, or purported campaign-related advocacy, is so extreme that action by the Association or the Elections Committee during that election cycle may be considered; however, those instances should be rare and will be dealt with on a case by case basis, after consultation with counsel.
- E. Despite the Association's limited role in monitoring and investigating campaign communications and advocacy, it is important to establish best practices and community expectations regarding campaign-related advocacy and conduct.

Therefore, the following Fair Campaign Guidelines are adopted:



Fair Campaign Guidelines

1. Candidates and their supporters are expected to abide by basic principles of decency, fair play, and honesty, and shall not make statements known to be false about other candidates, their backgrounds, affiliations, or positions.
2. The right of candidates and their supporters to engage in campaign activities must be balanced by the right of the members to privacy and the peaceful enjoyment of all Tahoe Donner Association property and facilities. Thus, candidates and their supporters and others advocating a point of view during a campaign are urged to be respectful of members and to honor their privacy.
3. Candidates and their supporters shall abide by all applicable Town of Truckee ordinances and any other laws and Association restrictions and rules, including the Election Rules, which among other things, set forth rules relating to campaign signs on private property (each member's Lot), when such signs may be posted and removed, and the use of Association Media (bulletin boards, website, newsletter, etc.) and common areas.
4. The Tahoe Donner Association and its Election Committee does not have control over or responsibility for content distributed by candidates or their supporters using channels outside of the Association's Media. Candidates and their supporters are encouraged to exercise common sense and good judgment and should at all times refrain from knowingly distributing or disseminating information to the members which they know to be false or materially misleading. When using social media platforms, the rules of such sites must be followed.
5. Individual members have the right to personally endorse any candidate of their choice. However, when such endorsements are made in writing, individuals who hold an official position with the association (e.g. board member, committee member, task force member, club leader, members who are Tahoe Donner employees) should prominently display a disclaimer dissociating their private endorsement from any official Tahoe Donner groups or bodies with which they are affiliated. The Elections Committee provides the following disclaimer language as a model:

This endorsement does not represent the views or opinions of Tahoe Donner or any official Tahoe Donner groups or bodies.
6. The use of the membership list, personal bulk email or contact lists, or other publicly available member contact information cannot be controlled by the Tahoe Donner Association. To avoid unwanted communications, communications delivered via any bulk electronic method (e.g., emails or text messages) from candidates or candidates' supporters or others advocating a position on a matter submitted to the members for a vote, should display a prominent OPT OUT link. If a member OPTS OUT, the member's address should be removed from the distribution list and that member must no longer be contacted.



7. Members are entitled to request the official Membership List for communications reasonably related to the requestor’s interests as a member, including elections or votes of the membership. Candidates and their supporters or others advocating a position on a matter submitted or to be submitted for a vote of the members may request and use the Membership List for communication purposes. Once received the membership list should not be shared with others.

8. The Tahoe Donner Association has pledged, along with the Town of Truckee, to abide by the “Speak Your Peace Campaign”, which is intended to promote civility in public discourse. There is no more important time than during an election to focus once again on treating our neighbors, our family, ourselves, and strangers with respect and honor. The Speak Your Peace Campaign does not seek to eliminate disagreements but reminds us how to conduct a civil discourse about those disagreements. By seeking to understand one another, we create a cohesive and healthy community in which all of our members’ needs are met. During an election, these elements of the Speak Your Peace campaign should be kept in mind by all candidates and their supporters:

- **Listen.** Genuinely focus on and seek to understand others so that you may better understand their perspectives.
- **Be Inclusive.** Welcome all points of view, every individual, and all members of the Tahoe Donner community, who are working toward what they consider to be the greater good.
- **Be Truthful.** Do not spread or encourage others to spread rumors or unsubstantiated information about candidates or their supporters.
- **Show Respect.** Honor other people and their opinions, especially in the midst of disagreement. Communicate with consideration and respect. Focus on policies, not personalities. Do not resort to personal attacks.

9. It is the expectation of the Tahoe Donner Association that all candidates for the Board of Directors and their supporters, and all members advocating a position during an election or other vote of the membership, will pledge to abide by these Fair Campaign Guidelines. A failure to do so may reflect poorly on a candidate and/or their supporters, and the voting members may take that into account in casting their votes. Candidates agree to abide and follow the Fair Campaign Guidelines by signing below.

Dated:

Dated:

Dated:

End