

Online Voting and Election Pitfalls

Taking a vote or casting a ballot is a powerful member experience. Although it is a simple gesture, it is a substantial statement by members making an impact on decision making. Unfortunately, electronic voting is not always the easiest way to arrive at a decision. Quite often the online voting process is time-constrained, expensive and has logistical restraints that makes it burdensome for an organization to implement. However, using online voting does not mean members lose their sense of importance when voting. Proper preparation and the right tools will allow your organization/association to successfully implement online voting.

Can you use Online Voting?

One of the first questions that needs to be answered is: “Can our association utilize online voting?” State statutes and other governing documents hold this answer. Consult with your legal counsel or check your articles of incorporation to determine your group’s legal status and which state’s laws apply. Then search the state’s applicable statutes for your kind of group and allowed actions that may be taken by “electronic means” or actions taken “outside of a meeting.”

This is the basic idea of online voting—the decision is not taking place in a physical meeting. So look in the “Meetings” section of the state statutes or check the “Voting” section, which may describe how to take a vote without a meeting, implying that doing so is fine.

For instance, if the statutes applicable to your not-for-profit association state:

All voting must be done in person and proxies may be used if authorized in the organization’s bylaws

then there isn’t much of an option for any kind of online voting. Here are some other examples that may present themselves:

<i>If the statutes say:</i>	<i>Online voting authorized if the Bylaws say:</i>
Nothing (are silent on online voting)	Electronic voting is allowed
Voting by electronic means is allowed unless prohibited by the bylaws	Nothing or specific types of electronic voting allowed
Voting by electronic means is allowed if provided for in the bylaws	specific types of electronic voting are allowed

So can your organization use online voting? Short answer: It depends. Read the governing statutes, executive orders and other governance documents, especially your bylaws. If in combination, they allow online voting, then you are free to use these methods; if a governance authorization is missing, regardless of the circumstances, then you cannot. If you want to make sure that you can vote electronically, amend your bylaws ahead of the time you need to vote – provided it is not prohibited by statute.

Procedures

Once you have decided to use an online voting platform, you should be able to easily adapt your existing voting methods to a digital platform. However, if you are just getting started with online voting, you’ll need to consider a few things:

Determine your voting Members. Create or export a list of all eligible voters. Make sure to include their name, email address, along with any other segmentation information such as committee or group. Just like verifying that you are eligible to vote in local, state and national elections, a well-maintained eligible voter list removes any questions about the security and accuracy of a vote. Your list can also be utilized in measuring how many voters participated in the decision.

Determine Your Timeframe. One of the biggest misconceptions that organizations have about online voting – and voting in general – is that a vote can be set up and executed at “the drop of a hat.” This isn’t further from the truth. Major decisions, even elections, need to be planned out and both the timeframe and potential outcomes analyzed to determine the proper voting method to be used. Practicing the vote ahead of time before it goes “live” many times alerts you to unanticipated pitfalls

A vote does not necessarily have to take place at a specific time or even during a particular meeting. Digital voting gives both voters and administrators the freedom to hold a vote how and when they want it, whether it is over several hours, days, or even weeks. Because of this flexibility, you can set the timing for your vote to match or even exceed the parameters of your event. Big decisions never are required to be made all at once, or at the spur of the moment.

Determine the proper voting method. Online voting can take several forms, just like voting in person. If everyone can be seen on one screen, a voice vote or show of hands on-screen may suffice. But if a majority ballot vote is required and there are three or more persons to elect, you need to be prepared for multiple ballots or use an alternative method, such as preferential voting or plurality to reduce the number of ballots required for election. Or you could establish special voting rules prior to the election, as long as they do not conflict with your governance documents.

Select the correct voting management platform. Online voting platforms have become increasingly popular over the past several years, primarily because of their quality and ease of use. Your voters will receive a link – through email, text or on-line – to either vote or login to access their ballot. They then can submit their votes electronically with their phones, tablet or computer for tabulation. This process is simpler than paper ballots both for accessing the ballot on the voter side and counting votes from the administrator side.

Depending on your requirements, some online voting platform providers can provide additional services, such as third-party election administrators, double-security to maintain secrecy, and ballot customizations. These services can reduce the stress of executing a large-scale vote as the voting specialists makes sure that everything runs smoothly, so you can focus on the results rather than on the voting process.

Train your voters. Depending on the specific needs of your organization, the implementation of online voting can be as simple as sending out an email or as complex as managing an online conference with hundreds of participants and multiple votes. Regardless of the complexity of the votes, the voting member need confidence in their decision-making ability. Training the membership is key to building that confidence. For simple voting scenarios, emailed or

downloaded instructions may be enough; for more complex methods, a full run-through using fictional candidates for the up-coming election. These and other meeting related matters should be brought up at a pre-meeting briefing or orientation. At the very least, a trial vote should be arranged early in the meeting/convention to ensure voting members have an opportunity to utilize the technology before the actual vote.

Provide Notice of the vote. To guarantee that hosting a digital event with online voting will not affect turnout, you'll need to change your approach to your vote promotion campaigns. Although you might get by sending out an email about the upcoming vote, you might consider working with your organization's communications, PR, or marketing groups to publicize the vote. They will have intimate knowledge of what works for your organization when it comes to outreach, whether internal or external. They also understand what else the members of your organization pay attention to (e.g. your social media accounts, an internal tool that you can create notifications on, etc.) And tap into your third-party online voting vendor; they can help you think through the best way to get the word out about your vote and maximize your turnout.

Analyze your results. With the features and flexibility provided by online voting solutions, you have many more options for analyzing voting results than you would if you were counting physical ballots. For example, it is much simpler to count the results of a ranked-choice vote with a software program than it is trying to keep track of voters' preferences on your own accord.

Before the voting takes place before/during your event, you'll want to focus on key data points important for your organization to collect. After the vote is completed, study the results and compare the results with your initial perceptions.

Voting software also allows you to easily keep track of other important information that may not traditionally appear on a ballot, like demographic information. This gives you a better sense of the differences and similarities of various subgroups within your organization.

Lastly, voting software will help you better manage voter security, as you can go back into the results and ensure that everyone's ballot was counted correctly.

Vote Necessary to Elect. You need to completely understand your governance documents, so you accurately interpret the requirements for an election once voting is completed, Knowing the difference between a majority and a plurality requirement and explaining that to members beforehand is important in establishing the goodwill of the assembly to the online voting process.

The AIP Standard Code of Parliamentary Procedure has a good summary of the requirements about determination of the results of a vote. AIPSCS states on page 116:

The vote necessary to elect should be fixed in the bylaws. Unless otherwise stated, the following rules govern:

- 1. A candidate who receives a majority of the legal votes cast for a single office is elected.*

2. A candidate who receives a plurality of the legal votes cast, but not a majority, is not elected unless there is a provision in the bylaws for election by plurality.

3. When election to an office requires a majority vote but no candidate receives a majority vote, the requirement for a majority vote cannot be waived, but the assembly may adopt motions to enable it to complete the election within a reasonable time

If there needs to be any modifications for online elections/voting by ballot, those modifications should be adopted well in advance of the vote, explained in detail and allowance for questions from the voters before the vote ever begins. The more transparent you can be about the voting, the more likely the election will be accepted by the members.

Types of Voting Methods

Private organizations, especially member-based groups (e.g. credit unions, co-operatives, associations, financial and educational institutions, HOAs), are enthusiastically embracing the opportunity to cast online votes. But fitting the correct voting method to the proper decision is important to ensure the most efficient decision-making process. Here are a few of the method of voting that can be adapted to online voting:

General Consent. Just like in-person meetings, general (or unanimous) consent can be used for non-controversial motions. Rules should be established so that a member who wishes to object can do so audibly (unmute and say “I object”) by electronic raised hand or “yes” response.

Voice Vote. Although it can be used for an online vote, there is no way to verify sound levels, and hence the voices in favor/opposed. Not recommended.

Show of Hands. Some online meeting/voting software allows a virtual raised hand or other indication; but if the assembly is large, this is not an effective way to display approval/opposition.

Counted Votes. This can be an effective way to quickly determine a vote. Online meeting platforms typically have polling or yes/no functions that can be used. But they must display a numerical count, rather than a percentage to ensure that a “large majority” of those present are voting. Many external audience response and online voting platforms also provide this voting method.

Roll Call. Roll call voting can be done via spreadsheet or certain voting platforms, Roll calls take a significant investment of time

Ballot Whether for a single vote, preferential, cumulative, weighted vote, or proxy. secrecy is key to ballot voting. Whether run by a third party or blocked by the voting platform, you have to insure that a ballot vote is secret and secure.

The following table lays out the characteristics and considerations for online voting:

Type	Secured	Anonymous	Controls	Special Matters	Voting platforms*
General Consent	No	No	None	None	Meeting Platform
Voice Vote	No	No	None	Loudness control	Meeting Platform
Show of Hands	No	No	Voting Members	Percentage good enough? email v. direct	Meeting Platform/ Voting Platforms
Counted Votes	Yes	Maybe	Voting Members	Count v. percentage, email v. direct	Meeting Platform/ Voting Platforms
Roll Call	Yes	No	Voting Members	Preparation	Meeting Platform/ Spreadsheet
Ballot					
Single Vote or Slate	Yes	Yes	Voting Members	Secure Voting Link, email	eBallot, electionBuddy, ProxyVote,
Preferential	Yes	Yes	Voting Members	Secure Voting Link, email	eBallo, electonBuddyt
Cumulative	Yes	Yes	Voting Members	Secure Voting Link, email	electionBuddy
Weighted/ Proxy	Yes	Yes	Specific Voting Members	Specific Voting Link, email	eBallot, ProxyVote,

Other voting platforms of note*

Association Voting	ezVote	Simply Voting
Balloteer	Getelectd	SurveyLegend
Choice Voting	NemoVote	VoxVote
Election Runner	Poll Gateway	

***No endorsement of any voting platform is offered or intended. Each association must evaluate their needs and the cost of each platform’s abilities**

Conclusion

There is a lot involved in making decisions that affect organizations. From organizing the people and resources required for a vote to educating them about your upcoming decision, you want to be sure that you cover everything needed for a successful outcome.

The good news is that switching from a live voting event to an online vote has never been easier or more convenient. With the right tools and preparation, you can run a similar event online without sacrificing turnout or effectiveness. Being capable of making important decisions effectively and efficiently is a critical part of a successful organization. Investing in online voting capability with adequate time and resources will pay off now and in the future.

Additionally, when you partner with an online voting vendor, you gain access to valuable security measures that protect you, your data, and your organization against risk. This accomplishes the following:

- **Safeguards organizational data** – Professional cybersecurity measures protect sensitive data
- **Eliminates the risk of double voting and voter fraud** – Controlled votes provide trustworthy decision-making
- **Integrity of votes** – Built-in auditing tools provide an accountable voting process
- **Updated Voting Information** – With media outreach on blogs, website, social media and other sources, most vendors can be a thought-leader and provide fair and accurate information regarding online voting methods
- **Leverages Technology** – As technology improves, modern and robust solutions will be developed updated the voting platforms
- **Innovation and Improvement** – Feedback from voters and organizations promote growth and continue to implement new ways to allow users to receive voting platform improvements