



West Virginia Democratic Party

WEST VIRGINIA DELEGATE SELECTION PLAN

FOR THE 2020
DEMOCRATIC NATIONAL CONVENTION

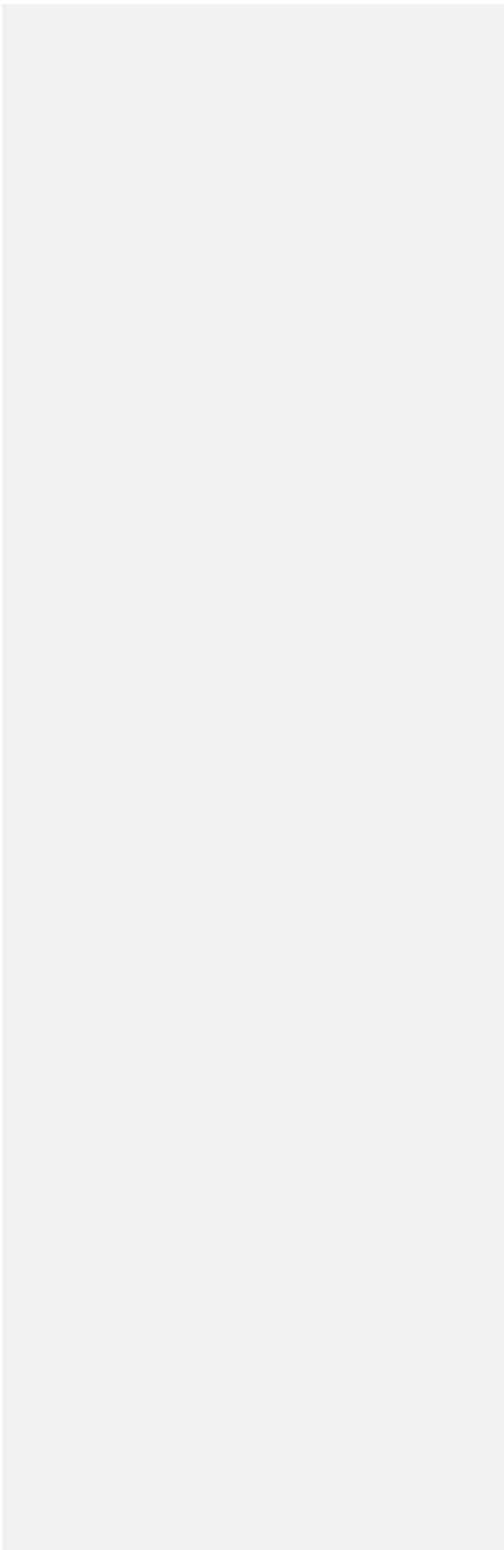
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SECTION I

INTRODUCTION & DESCRIPTION OF DELEGATE SELECTION PROCESS

A. INTRODUCTION

1. West Virginia has a total of 32 delegates and 2 alternates.
2. The delegate selection process is governed by the *Charter and Bylaws of the Democratic Party of the United States*, the *Delegate Selection Rules for the 2020 Democratic National Convention*, the *Call for the 2020 Democratic National Convention*, the *Regulations of the Rules and Bylaws Committee for the 2020 Democratic National Convention*, the *Rules of the Democratic Party of West Virginia*, the *West Virginia Election Code*, and this *Delegate Selection Plan*.
3. Following the adoption of this Delegate Selection Plan by the West Virginia Democratic Executive Committee, it shall be submitted for review and approval by the DNC Rules and Bylaws Committee (RBC). The State Party Chairman shall be empowered to make any technical revisions to this document as required by the RBC to correct any omissions and/or deficiencies as found by the RBC to ensure its full compliance with Party Rules. Such corrections shall be resubmitted to the RBC within 30 days of receipt of notice of the RBC's findings.
4. Once this Plan has been found in Compliance by the RBC, any amendment to the Plan by the West Virginia State Party will be submitted to and approved by the RBC before it becomes effective.

B. DESCRIPTION OF DELEGATE SELECTION PROCESS

5. West Virginia will use a proportional representation system based on the results of the Primary for apportioning delegates to the 2020 Democratic National Convention.
6. The first determining step of West Virginia's delegate selection process will occur on May 12, 2020, with the West Virginia Primary that will elect our nominees for Governor, Statewide officials, Federal, State Legislative offices, County officials and the Presidential Preference. This will be followed by a post-primary convention in June at the Civic Center in Charleston, where the delegates and alternates will be elected.

Delegates and alternates will be selected as summarized on the following chart:

Type	Delegates	Alternates	Date of Selection	Selecting Body
				Filing Requirements and Deadlines
District Level	16		June 12, 2020 State Convention	Elected at District Caucus at State Convention
				File with State Executive Committee by May 13, 2020
Un-pledged PLEO Delegates	5	NA	NA	Automatic
Pledged Party Leaders and Elected Officials (PLEOs)	3	0	June 13, 2020 State Executive Committee Meeting	Elected by WV State Executive Committee File with State Executive Committee by May 13, 2020
At-Large	5	2	June 13, 2020 State Executive Committee Meeting	File with WVSDEC by May 13, 2020
				Elected by WV State Executive Committee
Total	32	2		

Voter Participation

1. Voter Participation in Process

- a. The Deadline to register to vote in West Virginia for the Primary is April 23, 2020. Voter registration occurs at each County Clerks office or the voter can choose to register online via secure system maintained by the West Virginia Secretary of State. West Virginia allows for register by party. Voters in West Virginia are allowed to vote in the Democratic Primary if they are 1. Registered as a Democrat or 2. They don't belong to another recognized political party in West Virginia.
- b. At no stage of West Virginia's delegate selection process shall any person be required, directly or indirectly, to pay a cost or fee as a condition for participating. Voluntary contributions to the Party may be made, but under no circumstances shall a contribution be mandatory for participation.

- c. No persons shall participate or vote in the nominating process for the Democratic presidential candidate who also participates in the nominating process of any other party for the corresponding elections
- d. No person shall vote in more than one meeting, which is the first meeting in the delegate selection process.
- e. To encourage participation by youth in the delegate selection process, any individual who will have turned 18 by the date of the general election will be allowed to participate in the delegate selection process
- f. Voter shall not be taken by secret ballot at any stage of the delegate selection process, including processes leading up to the selection of DNC members or State Chairs, Vice Chairs, who serve as DNC members by virtue of their office, except that use of such voting by secret ballot may be used in a process that is the first determining stage of the delegate election process and in which all individual voters who wish to participate as Democrats are eligible to do so

West Virginia is participating in the state government-run presidential preference primary that will utilize government-run voting systems. West Virginia uses a variety of electronic voting systems, ranging from optical scan to the traditional paper ballot. However, in all cases where an electronic voting system is used, a paper trail is provided in all precincts.

- 2. The State Party will seek enactment of legislation, rules and policies at the state and local level to ensure that both optical scan and direct recording electronic systems include recognized security measures. These measures include automatic routine manual audits comparing paper records to electronic records following every election and prior to certification or results where possible; parallel testing on election day; physical and electronic security for equipment; banning use of wireless components and connections except where required to provide a voter with a disability a secure and approved means to access voting materials and exercise the right to vote; public disclosure of software design; use of transparent and random selection for all auditing procedures; and effective procedures for addressing evidence of fraud or error. Maintain secure and accurate state voter registration rolls, so that every eligible West Virginian who registers to vote has their personal information protected and secure, implement transparent and accurate voter registration list maintenance procedure that comply with federal requirements and ensure that every eligible voter stays on the rolls.
- 3. The State Party will enact a voter protection task force that will recommend ways to the educate the public on their rights as voters. This plan will include but not limited to establish a voter protection hotline. Creating informational literature with voter ID requirements, polling locations, early voting times, and absentee information. Targeting digital ads to constitute groups that are underrepresented in our primary process.
- 4. The State Party will seek enactment of legislation, rules, and polices and if necessary, litigation to expand access to voting, including expanding early voting, no excuse absentee, same day voter registration and to ensure that the automatic voter registration law passed in the 2016 legislative session is enacted. Ensure that voting locations are accessible, fairly place and adequate in number, and have a sufficient number of voting machines; speed up the voting process and minimize long lines; eliminate onerous and discriminatory voter identification

requirements; count and include the final total ballots from voters who are eligible to vote ballots in the wrong precinct, for office for which they eligible to vote; and facilitate military and overseas voting.

5. The dates, times and places for all official Party meetings and events related to the state's delegate selection process have been scheduled to encourage the participation of all Democrats. Such meetings will begin and end at reasonable hours. The state party is responsible for selecting the dates and times and providing facilities for all official meetings and events related to this process. In addition, the scheduling of meetings shall consider any religious observations that could significantly affect participation.
6. Deadlines for participation in the WV Primary
 - a. Early Voting Period April 30th-May 9th
 - b. Voter Registration Deadline April 23rd (including party, and address changes)
 - c. Absentee Ballot Request for non-overseas and military voters March 25- May 5th
 - d. Absentee Ballots Must be postmarked by Election Day.
 - e. Military and Overseas voters can start requesting ballots starting January 1, 2020.

SECTION II

PRESIDENTIAL CANDIDATES

- A. A presidential candidate gains access to the West Virginia presidential preference primary ballot by filing a certificate declaring himself or herself a candidate not earlier than January 8, 2020 and not later than midnight January 26, 2020 with the West Virginia Secretary of State (State Capitol Complex, Charleston, WV 25305). West Virginia Code, Chapter 3, Article 5, Section 78, prescribes the form for the certificate. To gain access to the ballot each such candidate shall either pay the filing fee of \$2500, or in accordance with West Virginia Code 3-5-8a, file a petition containing the signatures of 7,200 qualified voters. The January 26 deadline occurs 112 days before the Primary; therefore West Virginia will seek a waiver since the deadline falls outside the required 75 days.
- B. Each presidential candidate shall certify in writing to the State Democratic Chair, the name(s) of his or her authorized representative(s) by February 12, 2020.
- C. Each presidential candidate (including uncommitted status) shall use his or her best efforts to ensure that his or her respective delegation within the state delegation achieves the affirmative action goals established by this Plan and is equally divided between men and women.

SECTION III

SELECTION OF DELEGATES

- A. DISTRICT-LEVEL DELEGATES AND ALTERNATES
 1. West Virginia is allocated 16 district-level delegates.
 2. District-level delegates shall be elected at Post-Primary-District-Caucuses to be held at the State Convention on June 12, 2020, in Charleston, West Virginia.

3. Apportionment of District-Level Delegates and Alternates

- a. West Virginia district-level delegates are apportioned among the districts based on a formula giving equal weight to total population and to the average vote for the Democratic candidates in the 2008 and 2012 presidential elections. Turnout is the highest in presidential election years. The West Virginia Democratic State Party feels that this would give the most accurate picture of Democratic performance.
- b. West Virginia's total number of district-level delegates and the total number of delegates within each congressional district will be equally divided between men and women.
- c. West Virginia will elect the Alternate delegates at the At-large stage.
- d. The district-level delegates are apportioned to districts as indicated in the following chart:

District	Delegates		
	Males	Females	Total
#1	2	3	5
#2	3	3	6
#3	2	3	5
Total	7	9	16

- e. In a convention system, the apportionment of delegates to be elected from each tier to the next tier (e.g. precincts, counties, etc.) shall be based upon population and/or some measure of Democratic strength. A formula was used and is attached.
- f. County Conventions will be held in all 55 counties on April 11, 2020 at a time and place determined by the respective county's executive committee. The convention is open to all registered Democrats in that county. Delegates will be elected to the State Convention by those present at the county convention. The number of delegates per county is based on a formula using the Democratic vote for the governor in the 2016 election. Delegates will be elected with an equal number on male and females.

4. District-Level Delegate

- a. A district-level delegate and alternate candidate may run for election only within the district in which he or she is registered to vote.
- b. An individual can qualify as a candidate for district-level delegate to the 2020 Democratic National Convention by filing a statement of candidacy designating his or her singular presidential preference and a signed pledge of support for the presidential candidate with the West Virginia State Democratic Executive Committee (231 Capitol Street, Suite 107, Charleston, WV 25301) by 5:00 P.M., May 13, 2020. The Statement of Candidacy and pledge of support form shall be available from the West Virginia State Democratic Executive Committee at the above address. A delegate or alternate candidate

may modify his or her singular presidential preference by submitting an updated pledge of support no later than the filing deadline.

5. Presidential Candidate Right of Review for District-Level Delegates and Alternates.
 - a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than midnight, May 16, 2020, a list of all persons who have filed for district-delegate to that presidential candidate.
 - b. Each presidential candidate, or that candidate's authorized representative(s), must then file with the State Democratic Chair by May 20, 2020 via mail or email to wvparty@wvdemocrats.com or 231 Capitol., Ste. 107, Charleston, WV 25301, a list of all candidates he or she has approved, provided that approval be given to at least three (3) times the number of candidates for delegate men and three (3) times the number of candidates for delegate women.
 - c. Failure to respond will be deemed approval of all delegate candidates submitted to the presidential candidate unless the presidential candidate, or the authorized representative(s), signifies otherwise in writing to the State Democratic Chair not later than May 20, 2020.
 - d. National Convention delegate candidates removed from the list of bona fide supporters by a presidential candidate, or that candidate's authorized representative(s), may not be elected as a delegate at that level pledged to that presidential candidate (including uncommitted status).
 - e. The State Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether or not each presidential candidate has used his or her best efforts to ensure that his or her respective district-level delegate candidates meet the affirmative action and inclusion considerations and goals detailed in the Affirmative Action section of this Plan within 3 business days, of returning the list of approved district-level delegates candidates as indicated in section.
6. Fair Reflection of Presidential Preference
 - a. Presidential Primary Proportional Representation Plan

The West Virginia presidential primary election is a binding primary. Accordingly, delegate positions shall be allocated so as to fairly reflect the expressed presidential (or uncommitted) preference of the primary voters in each district. The National Convention delegates selected at the district level by the delegates to the State Convention from the respective Congressional District shall be allocated in proportion to the percentage of the primary vote won in that district by each preference, except that preferences falling below a 15 percent threshold shall not be awarded any delegates.
 - b. Within a district, if no presidential preference reaches a 15 percent threshold, the threshold shall be the percentage of the vote received in that district by the front-runner minus 10 percent.
 - c. District-level delegates will be selected at the district-level caucus held at the State Convention on June 12, 2020 at the Civic Center in Charleston. A list of those candidates for National Delegate who filed with the State Party as of May 13, 2020, and were approved by the presidential candidate they are pledged to will be placed on a ballot.

Ballots will be distributed to the official delegates from the district at the respective candidate's caucus. There will be a ballot to elect the women and a ballot to elect the men. To insure an open election, each ballot must be signed by the individual casting the ballot. The presidential candidates will receive his or her proportional delegates based on the results of the May 12 primary starting with the position of women delegate and alternating between man and woman until all delegates have been awarded.

7. Equal Division of District-Level Delegates

In order to ensure the district-level delegates are equally divided between men and women, delegate positions within each district will be designated by presidential preference beginning with the highest vote-getting presidential preference. This assignment of delegate positions, alternating by sex as mathematically practical, will continue with the next highest vote-getting preference in descending order until the general of each position has been assigned. The delegate positions shall be pre-designed so that the gender of the first position to be filled by the winning presidential candidate is female. Once the allocation of district delegates among presidential preference(s) has been calculated, the remaining delegate positions can be assigned to the presidential preference(s), in order of vote won, alternating by gender.

8. The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee (DNC) the election of West Virginia's district-level delegates to the Democratic National Convention within ten (10) days after their election.

B. Automatic

1. Automatic Delegates

- a. The following categories shall constitute the Pledged Party Leaders and Elected Official delegate positions:
- (1) Members of the Democratic National Committee who legally reside in the state;
 - (2) All of West Virginia's Democratic Members of the U.S. House of Representatives and the U.S. Senate;
 - (3) A Democratic Governor
 - (4) Distinguished Party Leader delegates who legally reside in the state.
- b. The certification process for the Automatic Delegates is as follows:
- (1) Not later than March 6, 2020, the Secretary of the Democratic National Committee shall officially confirm to the State Democratic Chair the names of the Automatic delegates who legally reside in West Virginia; and
 - (2) Official confirmation by the Secretary shall constitute verification of the Automatic delegates from the categories indicated above.

- (3) The State Democratic Chair shall certify in writing to the Secretary of the DNC the presidential preference of the state's Automatic delegates 10 days after the completion of the State's Delegate Selection Process.
2. For purposes of achieving equal division between delegate men and delegate women and alternate men and alternate women within the state's entire convention delegation, the entire delegation includes all pledged and Automatic delegates.

C. PLEDGED PARTY LEADER AND ELECTED OFFICIAL (PLEO) DELEGATES

1. West Virginia is allotted 3 pledged Party Leader and Elected Official (PLEO) delegates.
2. Pledged PLEO Delegate Filing Requirements
 - a. Individuals shall be eligible for the pledged Party Leader and Elected Official delegate positions according to the following priority: big city mayors and state-wide elected officials (to be given equal consideration); state legislative leaders, state legislators, and other state, county and local elected officials; and party leaders.
 - b. An individual can qualify as a candidate for a position as a pledged PLEO delegate by filing a statement of candidacy by May 13, 2020, with the State Democratic Executive Committee office, located at 231 Capitol Street, Suite 107 Charleston, WV 25301. Pledged PLEO delegate candidates must be identified as to singular presidential preference. However, the individual may file as a pledged PLEO at the same time he or she files for a district level delegate. A delegate or alternate candidate may modify his or her singular presidential preference by submitting an updated pledge of support no later than the filing deadline.
3. Presidential Candidate Right of Review
 - a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than 5:00 p.m. May 13, 2020, a list of all persons who have filed for a party and elected official delegate pledged to that presidential candidate.
 - b. Each presidential candidate, or that candidate's authorized representative(s), must file with the State Democratic Chair, by Noon on June 12, 2020, a list of all such candidates he or she has approved, as long as approval is given to at least one name for every position to which the presidential candidate is entitled.
 - c. Failure to respond will be deemed approval of all delegate candidates submitted to the presidential candidate unless the presidential candidate or the authorized representative(s) signifies otherwise in writing, by mail or email to wvparty@wvdemocrats.com or 231 Capitol Street Ste.107 Charleston, WV 25301, to the State Democratic Chair not later than Noon p.m. June 12
 - d. The State Chair shall certify in writing to the Co-Chairs of the DNC RBC whether each presidential candidate (including uncommitted status) has used their best efforts to ensure that their respective pledged PLEO delegate candidates meet the affirmative action and

inclusion considerations and goals detailed in the Affirmative Action section of this plan within three business day of returning the list of approved pledged PLEO candidates as indicated in section III.C.3.b of this Plan.

4. Selection of Pledged Party Leader and Elected Official Delegates
 - a. The pledged PLEO slots shall be allocated among presidential preferences on the same basis as the at-large delegates.
 - b. Selection of the pledged PLEO delegates will occur June 13, 2020, in Charleston, WV, which is after the election of district-level delegates and alternates and prior to the selection of at-large delegates and alternates.
 - c. These delegates will be selected by West Virginia State Democratic Executive Committee. Members of the State Executive Committee were elected on the 2014 Democratic Primary ballot for a four year term. Four members, two women and two men, from each of the 17 state senatorial districts are elected by the Democratic voters in their respective districts.
 - d. Alternates are not selected at the pledged PLEO level. These alternates are combined with the at-large alternates and selected as one unit.
5. The State Democratic Chairman shall certify in writing to the Secretary of the Democratic National Committee the election of the state's pledged Party Leader and Elected Official delegates to the Democratic National Convention within 10 days after their election. The Chair will also state whether the presidential candidate has used his or her best efforts to meet the affirmative action and inclusion considerations and goals detailed in the Affirmative Action section of this Plan.

D. AT-LARGE DELEGATES AND ALTERNATES

1. The state of West Virginia is allotted 5 (5) at-large delegates.
2. The State of West Virginia will choose its 2 alternates at the at-large level.
3. At-Large Delegates Filing Requirements
 - a. Persons desiring to seek at-large delegate positions may file a statement of candidacy designating their singular presidential or uncommitted preference and a signed pledge of support for the presidential candidates (including uncommitted status) with the State Party by 5:00 P.M., May 13, 2020. Forms may be mailed or emailed, wvparty@wvdemocrats.com or 231 Capitol., Ste. 107 Charleston, WV 25301. A delegate or alternate candidate may modify his or her singular presidential preference by submitting an updated pledge of support no later than the filing deadline.
 - b. The statement of candidacy for at-large delegates and alternates will be the same. After the at-large delegates are elected by West Virginia State Democratic State Convention, those persons not chosen will then be considered candidates for at-large alternate positions unless they specify otherwise when filing.

4. Alternate Filing Requirements

- a. Person desiring to seek alternate delegate position will need to file to run as either a district, at-large, or PLEO delegate first.
- b. Once all delegate positions are filled on June 13th, 2020, the State Executive Committee will compile a list of names of those not selected as a district level, at-large, or PLEO delegate. The State Executive Committee will then create a ballot and follow the voting procedures to fill the at-large alternate positions.

5. Presidential Candidate Right of Review

- a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than midnight, May 16, 2020, a list of all persons who have filed for delegate or alternate pledged to that presidential candidate.
- b. Each presidential candidate, or that candidate's authorized representative(s), must then file with the State Democratic Chair, by June 12 2020, following the selection of PLEO candidates, a list of all at-large delegate candidates he or she has approved, provided that, at a minimum, one (1) name remains for every national convention delegate position to which the presidential candidate is entitled.
- c. Failure to respond will be deemed approval of all delegate candidates submitted to the presidential candidate unless the presidential candidate or the authorized representative(s) signifies otherwise in writing to the State Democratic Chair not later than June 12, 2020, following the election of the PLEO delegates.
- d. The State Chair shall certify in writing to the Co-Chairs of the DNC RBC whether each presidential candidate (including uncommitted status) has used their best efforts to ensure that their respective pledged at-large delegate candidates meet the affirmative action and inclusion considerations and goals detailed in the Affirmative Action section of this plan within three business day of returning the list of approved at-large delegate and alternate candidates as indicated in section III.C.3.b of this Plan.

6. Fair Reflection of Presidential Preference

At-large delegate positions shall be allocated among presidential preferences according to the presidential primary-Proportional Representation Plan: The West Virginia presidential primary election is a "binding" primary. Accordingly, delegate positions shall be allocated so as to fairly reflect the expressed presidential preference of the primary voters in each district. The National Convention delegates and alternates selected at the district level shall be allocated in proportion to the percentage of the primary vote won in that district by each preference, except that preferences falling below a 15 percent threshold shall not be awarded any delegates or alternates.

- a. Preferences which have not attained a 15 percent threshold on a state-wide basis shall not be entitled to any at-large delegates.

- b. If no presidential preference reaches a 15 percent threshold, the threshold shall be the percentage of the statewide vote received by the front-runner, minus 10 percent.
- c. If a presidential candidate is no longer a candidate at the time of selection of the at-large and alternate delegates, then those at-large slots that would have been allocated to the candidate will be proportionally divided among the remaining preferences entitled to an allocation.
- d. If a given presidential preference is entitled to one or more delegate positions, but would not otherwise be entitled to an alternate position, then that preference shall be allotted one at-large alternate position.

7. Selection of At-Large Delegates

- a. The selection of the at-large delegates will occur June 13, 2020, at the State Executive Committee meeting in Charleston, WV, which is after all pledged Party Leader and Elected Official delegates have been selected.
- b. These delegates will be selected by the WV State Democratic Executive Committee.
 - (1) Membership in the WV State Democratic Executive Committee is apportioned on the basis of State Senatorial Districts, which is population based.
 - (2) Members of the WV State Executive Democratic Committee were elected from their districts at the State Primary in 2018.
- c. Priority of Consideration. The State Chair will submit a list of approved at-large candidates to the Executive Committee based on the following:
 - (1) In the selection of the at-large delegation priority of consideration shall be given to African Americans, Hispanics, Native Americans, Asian/Pacific Americans, LGBT, youth, and women.
 - (2) In order to continue the Democratic Party's ongoing efforts to include groups historically under-represented in the Democratic Party's affairs and to assist in the achievement of full participation by these groups, priority of consideration shall be given to other groups by virtue of race/ethnicity, age, sexual orientation, gender identity or disability.
 - (3) The election of at-large delegates shall be used, if necessary, to achieve the equal division of positions between men and women, and may be used to achieve the representation goals established in the Affirmative Action section of this Plan.
 - (4) The at-large delegates will be selected based on the percentage of votes received by the presidential candidates in the Primary Election. These delegates will be selected by alternating gender and following the order used in the election of district level delegates. A voice vote of the committee will be taken and if the outcome cannot be determined a roll call vote will be conducted.
 - (5) Delegates and Alternates are to be considered separate groups for this purpose.
 - (6) The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee the election of the state's at-large delegates and

alternates to the Democratic National Convention within 10 days after their election.

E. REPLACEMENT OF DELEGATES AND ALTERNATES

1. A pledged delegate or alternate may be replaced according to the following guidelines:

a. Permanent Replacement of a Delegate:

- (1) A permanent replacement occurs when a delegate resigns or dies prior to or during the National Convention and the alternate replaces the delegate for the remainder of the National Convention.
- (2) Any alternate permanently replacing a delegate shall be of the same presidential preference (including uncommitted status) and sex of the delegate he/she replaces, and to the extent possible shall be from the same political subdivision within the state as the delegate.
 - (a) In the case where the presidential candidate has only one alternate that alternate shall become the certified delegate.
 - (b) If a presidential candidate has only one alternate, and that alternate permanently replaces a delegate of the opposite sex, thereby causing the delegation to no longer be equally divided, the delegation shall not be considered in violation of Rule 6.C. In such a case, notwithstanding Rule 17.D.(2), the State Party Committee shall, at the time of a subsequent permanent replacement, replace a delegate with a person of the opposite sex, in order to return the delegation to equal division of men and women.
- (3) If a delegate or alternate candidate who has been elected but not certified to the DNC Secretary resigns, dies or is no longer eligible to serve, he or she shall be replaced, after consultation with the State Party, by the authorized representative of the presidential candidate to whom he or she is pledged.

b. Temporary Replacement of a Delegate:

- (1) A temporary replacement occurs when a delegate is to be absent for a limited period of time during the convention and an alternate temporarily acts in the delegate's place.
- (2) Any alternate who temporarily replaces a delegate must be of the same presidential preference (including uncommitted status) as the delegate he/she replaces, and to the extent possible shall be of the same sex and from the same political subdivision within the state as the delegate.
- (3) The following system will be used to select permanent and temporary replacements of delegates: The delegate chooses the alternate.

c. Certification of Replacements

- (1) Any alternate who permanently replaces a delegate shall be certified in writing to the Secretary of the DNC by the State Democratic Chair.

- (2) Permanent replacement of a delegate (as specified above) by an alternate and replacement of a vacant alternate position shall be certified in writing by the State's Democratic Chair to the Secretary of the Democratic National Committee within three (3) days after the replacement is selected.
 - (3) Certification of permanent replacements will be accepted by the Secretary up to 72 hours before the first official session of the Convention is scheduled to convene.
 - (4) In the case where a pledged delegate is permanently replaced after 72 hours before the time the first session is scheduled to convene or, in the case where a pledged delegate is not on the floor of the Convention Hall at the time a roll call vote is taken, an alternate may be designated (as specified above) to cast the delegate's vote. In such case, the Delegation Chair shall indicate the name of the alternate casting the respective delegate's vote on the delegation tally sheet.
- d. A vacant alternate position shall be filled by the delegation. The replacement shall be of the same presidential preference (or uncommitted status), of the same sex and, to the extent possible, from the same political subdivision as the alternate being replaced.
2. Automatic delegates shall not be entitled to a replacement, nor shall the state be entitled to a replacement, except under the following circumstances:
 - a. Members of Congress and the Democratic Governor shall not be entitled to name a replacement. In the event of changes or vacancies in the state's Congressional Delegation, following the official confirmation and prior to the commencement of the National Convention, the DNC Secretary shall recognize only such changes as have been officially recognized by the Democratic Caucus of the U.S. House of Representatives or the Democratic Conference of the U.S. Senate. In the event of a change or vacancy in the state's office of Governor, the DNC shall recognize only such changes as have been officially recognized by the Democratic Governors' Association.
 - b. Members of the Democratic National Committee shall not be entitled to a replacement, nor shall the state be entitled to a replacement, except in the case of death of such delegates. In the case where the state's DNC membership changes follows the DNC Secretary's official confirmation, but prior to the commencement of the 2020 Democratic National Convention, acknowledgment by the Secretary of the new DNC member certification shall constitute verification of the corresponding change of Automatic delegates.
 - c. Automatic distinguished Party Leader delegates allocated to the state pursuant to Rule 8.A.(5), shall not be entitled to name a replacement, nor shall the state be entitled to name a replacement.
 - d. In no case may an alternate cast a vote for an Automatic delegate.

SECTION IV

CONVENTION STANDING COMMITTEE MEMBERS

A. INTRODUCTION

1. West Virginia has been allocated one member on each of the three standing committees for the 2020 Democratic National Convention (Credentials, Platform and Rules), for a total of three members.
2. Members of the Convention Standing Committees need not be delegates or alternates to the 2020 Democratic National Convention.
3. These members will be selected in accordance with the procedures indicated below.

B STANDING COMMITTEE MEMBERS

1. Selection Meeting
 - a. The members of the standing committees shall be elected by a quorum of the National Convention delegates, at a meeting to be held on June 13, 2020, after all delegates have been selected..
 - b. All members shall receive adequate notice of the time, date, and place of the meeting to select the standing committee members.
2. Allocation of Members
 - a. The members of the standing committees allocated to West Virginia shall proportionately represent the presidential preference of all candidates (including uncommitted status) receiving the threshold percentage used in the state's delegation to calculate the at-large apportionment pursuant to Rule 12.E. of the Delegate Selection Rules.
 - b. The presidential preference of each candidate receiving the applicable percentage or more within the delegation shall be multiplied by the total number of standing committee positions allocated to West Virginia. If the result of such multiplication does not equal 0.455 or above, the presidential preference in question is not entitled to representation on the standing committee. If the result of such multiplication is 0.455 but less than 1.455, then the presidential preference is entitled to one (1) position. Those preferences securing more than 1.455 but less than 2.455 are entitled to two (2) positions, etc.
 - c. Where the application of this formula results in the total allocation exceeding the total number of committee positions, the presidential candidate whose original figure of representation is farthest from its eventual rounded-off total shall be denied that one (1) additional position. Where the application of this formula results in the total allocation falling short of the total number of committee positions, the presidential candidate whose original figure of representation is closest to the next rounding level shall be allotted an additional committee position.
 - d. Standing committee positions allocated to a presidential candidate shall be proportionately allocated, to the extent practicable, to each of the three standing committees. When such allocation results in an unequal distribution of standing committee positions by candidate preference, a drawing shall be conducted to distribute the additional positions.
3. Presidential Candidate Right of Review

- a. Each presidential candidate, or that candidate's authorized representative(s), shall be given adequate notice of the date, time, and location of the meeting of the state's delegation authorized to elect standing committee members.
 - b. Each presidential candidate, or that candidate's authorized representative(s), must submit to the State Democratic Chair, by 30 minutes after the election of the at-large delegates and alternates on June 13, 2020, a minimum of one (1) name for each slot awarded to that candidate for members of each committee. The delegation shall select the standing committee members from among names submitted by the presidential candidates (including uncommitted status). Presidential candidates shall not be required to submit the name of more than one person for each slot awarded to such candidate for members standing committees.
4. Selection Procedure to Achieve Equal Division
- a. Presidential candidates (including uncommitted status) shall use their best efforts to ensure that their respective delegation of standing committee members shall achieve West Virginia's affirmative action goals and that their respective members are equally divided between men and women.
 - b. Each position on each standing committee shall be assigned by gender. For example, the first position on the Credentials Committee of the presidential candidate with the most standing committee positions shall be designated for a male, the second position for a female, and the remaining positions shall be designated in like fashion, alternating between males and females. Positions for presidential candidates on each committee shall be ranked according to the total number of standing positions allocated to each such candidate. After positions on the Credentials Committee are designated by sex, the designation shall continue with the Platform Committee, then the Rules Committee.
 - (1) A separate election shall be conducted for membership on each standing committee.
 - (2) The membership of the standing committees shall be as equally divided as possible under the state allocation; if the number is even, the membership shall be equally divided between men and women; if the number is odd, the variance between men and women may not exceed one (1), and the advantaged gender must not remain constant for the three standing committees.
 - (3) The positions allocated to each presidential candidate on each committee shall be voted on separately, and the winners shall be the highest vote-getter(s) of the appropriate sex.
5. Certification and Substitution
- a. The State Democratic Chair shall certify the standing committee members in writing to the Secretary of the Democratic National Committee within three (3) days after their selection.

- b. No substitutions will be permitted in the case of standing committee members, except in the case of resignation or death. Substitutions must be made in accordance with the rules and the election procedures specified in this section, and must be certified in writing to the Secretary of the Democratic National Committee within three (3) days after the substitute member is selected, but not later than 48 hours before the respective standing committee meets.

SECTION V

THE DELEGATION

- A. West Virginia will select one (1) person to serve as Delegation Chair and two (2) to serve as Convention Pages.
- B. DELEGATION CHAIR
 - 1. Selection Meeting
 - a. The Delegation Chair shall be selected by a quorum of the state's National Convention Delegates, at a meeting to be held June 13, 2020.
 - b. All members of the delegation shall receive timely notice of the time, date, and place of the meeting to select the Delegation Chair.
 - c. The State Democratic Chair shall certify the Delegation Chair in writing to the Secretary of the Democratic National Committee within three (3) days after his or her selection.
- C. CONVENTION PAGES
 - 1. Two individuals will be selected to serve as West Virginia's Convention Pages by the State Democratic Chair in consultation with the members of the Democratic National Committee from the state. This selection will take place June 13, 2020.
 - 2. The Convention Pages shall be as evenly divided between men and women as possible under the state allocation and shall reflect, as much as possible, the Affirmative Action guidelines in the Affirmative Action Plan.
 - 3. The State Democratic Chair shall certify the individuals to serve as West Virginia Convention Pages in writing to the Secretary of the Democratic National Committee within three (3) days after the selection.
 - 4.

SECTION VI

GENERAL PROVISIONS AND PROCEDURAL GUARANTEES

- A. The West Virginia Democratic Party reaffirms its commitment to an open party by incorporating the six basic elements as listed below. These provisions demonstrate the

intention of the Democratic Party to ensure a full opportunity for all minority group members to participate in the delegate selection process.

1. All public meetings at all levels of the Democratic Party in West Virginia should be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation gender identity , economic status or physical disability hereinafter collectively referred to as "status".
 2. No test for membership in, nor any oaths of loyalty to the Democratic Party in West Virginia should be required or used, which has the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone or support discrimination.
 3. The time and place for all public meetings of the Democratic Party in West Virginia on all levels should be publicized fully and in such manner as to assure timely notice to all interested persons. Such meetings must be held in places accessible to all Party members and large enough to accommodate all interested persons.
 4. The Democratic Party in West Virginia, on all levels, should support the broadest possible registration without discrimination based on status.
 5. The Democratic Party in West Virginia should publicize fully and in such a manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party officers and representatives on all levels. Publication of these procedures should be done in such fashion that all prospective and current members of each State Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in each selection procedure at all levels of the Democratic Party organization.
 6. The Democratic Party in West Virginia should publicize fully and in such a manner as to assure notice to all interested parties, a complete description of the legal and practical qualifications of all positions as officers and representatives of the State Democratic Party. Such publication should be done in timely fashion so that all prospective candidates or applicants for any elected or appointed position within each State Democratic Party will have full and adequate opportunity to compete for office.
- B. Discrimination on the basis of status in the conduct of Democratic Party affairs is prohibited.
- C. West Virginia's delegation shall be equally divided between delegate men and delegate women, and alternate men and alternate women. Such goal applies to the entire delegation, which includes all pledged delegates and alternates and all un-pledged delegates. Delegates and alternates shall be considered separate groups for purposes of achieving equal division.
- D. All delegate and alternate candidates must be identified as to presidential preference or uncommitted status at all levels which determine presidential preference.
- E. No delegate at any level of the delegate selection process shall be mandated by law or Party rules to vote contrary to that person's presidential choice as expressed at the time the delegate is elected.
- F. Delegates elected to the national convention pledged to a presidential candidate shall in all good conscience reflect the sentiments of those who elected them.

- G. All delegates, alternates, and standing committee members must be bona fide Democrats who have the interests, welfare and success of the Democratic Party of the United States at heart, who subscribe to the substance, intent and principles of the Charter and Bylaws of the Democratic Party of the United States, and who will participate in the Convention in good faith.
- H. A quorum shall consist of no less than 40 percent of the members of any Party body above the first level of the delegate selection process shall constitute a quorum for any business pertaining to the selection of National Convention delegates, alternates, standing committee members, and other official Convention participants.
- I. An accredited participant in a caucus, convention or committee meeting, after having appeared at such meeting and having established credentials, may register a non-transferable proxy with another duly accredited participant at that meeting (except where an accredited alternate is present and eligible to serve as a replacement), provided that no individual may hold more than three (3) proxies at one time.
- J. The unit rule, or any rule or practice whereby all members of a Party unit or delegation may be required to cast their votes in accordance with the will of a majority of the body, shall not be used at any stage of the delegate selection process.
- K. Any individual or group of Democrats may sponsor or endorse a slate of candidates for convention delegates. But no slate may, by virtue of such endorsement, receive a preferential place on a delegate selection ballot or be publicly identified on the ballot as the official Democratic Party organization slate, and all slates must meet identical qualifying requirements for appearing on a ballot at all levels of the delegate selection process.
- L. All steps in the delegate selection process, including the filing of presidential candidates, must take place within the calendar year of the Democratic National Convention, except with respect to the implementation of the Affirmative Action Plan.
- M. In electing and certifying delegates and alternates to the 2020 Democratic National Convention, West Virginia thereby undertakes to: assure all Democratic voters in the state full, timely and equal opportunity to participate in the delegate selection process and in all Party affairs and to implement affirmative action programs toward that end; and that the delegates and alternates to the Convention shall be selected in accordance with the Delegate Selection Rules for the 2020 Democratic National Convention; and that the voters in the state will have the opportunity to cast their election ballots for the Presidential and Vice Presidential nominees selected by said Convention; and for electors pledged formally and in good conscience to the election of these Presidential and Vice Presidential nominees, under the label and designation of the Democratic Party of the United States; and that the delegates certified will not publicly support or campaign for any candidate for President or Vice President other than the nominees for the Democratic National Convention.

SECTION VII

AFFIRMATIVE ACTION AND OUTREACH PLAN

A. STATEMENT OF PURPOSE AND ORGANIZATION**1. Purpose and Objectives**

- a. In order that the Democratic Party at all levels be an open Party which includes rather than excludes people from participation, a program of effective affirmative action is hereby adopted by the West Virginia State Executive Committee.
- b. Discrimination on the basis of status in the conduct of Democratic Party affairs is prohibited.
- c. All public meetings at all levels of the Democratic Party in West Virginia shall be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity economic status or physical disability (hereinafter collectively referred to as status)
- d. In order to continue the Democratic Party's ongoing efforts to include groups historically under-represented in the Democratic Party's affairs, by virtue of race/ethnicity, age, sexual orientation, gender identity, or disability, West Virginia has developed Party outreach programs. Such programs include recruitment, education and training, in order to achieve full participation by such groups and diversity in the delegate selection process and at all levels of Party affairs for 2020.
- e. In order to encourage full participation by all Democrats in the delegate selection process and in all Party affairs, the West Virginia Democratic Party has adopted and will implement affirmative action programs with specific goals and timetables for African Americans, Hispanics, Native Americans, Asian/Pacific Americans and women. To further encourage full participation in the process, the State Party has established goals and timetables for LGBT Americans, people with disabilities and youth.
 1. The goal of the programs shall be to encourage participation in the delegate selection process and in Party organizations at all levels by the aforementioned groups as indicated by their presence in the Democratic electorate.
 2. This goal shall not be accomplished either directly or indirectly by the Party's imposition of mandatory quotas at any level of the delegate selection process or in any other Party affairs.
 3. Youth is defined as any participant 36 years or younger.
 4. For the delegate selection process, individuals identifying as Native Americans should provide their tribal affiliation and indicate if they are enrolled in a tribe.
- f. In order to achieve full participation of other groups that may be underrepresented in Party affairs, including members of the LGBT community, people with disabilities and youth, the State Party has adopted and will implement Inclusion Programs.

2. Organizational Structure

- a. An Affirmative Action Committee shall be appointed by the State Democratic Chair on March 1, 2019
 - b. The State Chair shall certify in writing to the RBC of the DNC the names, demographic data, and contact information of the Affirmative Action Committee within 15 days of their appointment.
 - c. The Committee shall consist of members from each delegate district representing the Democratic constituency groups set forth in the Introduction to the Affirmative Action Plan.
 - d. The Affirmative Action Committee shall be responsible for:
 - (1) Reviewing the proposed Delegate Selection and Affirmative Action Plans and making recommendations to the State Democratic Chair.
 - (2) Directing the implementation of all requirements of the Affirmative Action section of this Plan.
 - (3) Implementing a financial assistance program for delegates and alternates.
 - (4) Ensuring, on behalf of the State Party Committee, that district lines used in the delegate selection process are not gerrymandered to discriminate against African Americans, Hispanics, Native Americans, Asian/Pacific Americans and women.
 - (5) Financial and staff support for the Affirmative Action Committee shall be provided by the State Party Committee to the greatest extent feasible, including, but not limited to, making available on a priority basis, the State Party staff and volunteers and covering all reasonable costs incurred in carrying out this Plan.
3. Implementation of the Affirmative Action Plan shall begin on September 1, 2019, with the distribution of the press kits, and will continue through the end of the delegate selection process.

B. EFFORTS TO EDUCATE ON THE DELEGATE SELECTION PROCESS

1. Well publicized training programs will be conducted in each delegate District, beginning in September 2019. These workshops will be designed to encourage participation in the delegate selection process, including apprising potential delegate candidates of the availability of financial assistance. These workshops will be held in places which are easily accessible to persons with physical disabilities. The times, dates, places and rules for the conduct of all education workshops, meetings and other events involved in the delegate selection process shall be effectively publicized by the party organization and include mailings to various organizations representative of the Democratic voting populace.
2. A speakers' bureau of volunteers from the Affirmative Action Committee comprised of individuals who are fully familiar with the process, will be organized to appear before groups as needed, to provide information concerning the process. The State Party's education efforts will include outreach to community leaders within the Democratic Party's constituencies and making sure that information about the delegate selection process is available to Democratic clubs and Party caucuses representing specific constituencies.

3. The State Party will publish and make available at no cost: a clear and concise explanation of how Democratic voters can participate in the delegate selection process; an explanation of how, where and when persons can register to vote; and delegate district maps. As well, the State Party shall also make available copies of the State Party Rules, the Delegate Selection Plan (and its attachments), the Affirmative Action Plan, and relevant state statutes at no cost. Copies of documents related to the state's delegate selection process will be prepared and the Affirmative Action Committee will distribute them in the various delegate districts not later than December 1, 2019.
4. The State Party shall take all feasible steps to encourage persons to register and to vote as Democrats and will seek to ensure simple and easy registration procedures.

C. EFFORTS TO PUBLICIZE THE DELEGATE SELECTION PROCESS

1. Special attention shall be directed at publicizing the delegate selection process in the state. Such publicity shall include information on eligibility to vote and how to become a candidate for delegate, the time and location of each stage of the delegate selection process and where to get additional information. The foregoing information will also be published on the State Party website. The Party organization, official, candidate, or member calling a meeting or scheduling an event, shall effectively publicize the role that such meeting or event plays in the selection of delegates and alternates to the 2020 Democratic National Convention.
2. State party website, radio and television will be utilized to inform the general public how, when and where to participate in the delegate selection process. Specifically, this information should provide details as to how to qualify to run as a delegate candidate. Special effort shall be directed to the major daily newspapers, radio and television stations by the State Democratic Chair, Affirmative Action Committee members and staff. Regular releases during the delegate selection process to all other media sources, weekly newspapers, and wire services should complete timely coverage.
3. A priority effort shall be directed at publicity among the Democratic Party's constituencies.
4. Information about the delegate selection process will be provided to minority newspapers and radio stations, ethnic press, Native American, Asian/Pacific American, Spanish-speaking and other non-English press, radio stations and publications, and women's organizations, student newspapers, LGBT press, disability press, and any other specialty media in the state that is likely to reach the Democratic constituency groups set forth in the Introduction of this Affirmative Action Plan.
5. The State Party shall be responsible for the implementation of this publicity effort. For the purpose of providing adequate notice of the delegate selection process, the times, dates, places and rules for the conduct of the state primary and post-primary convention shall be effectively publicized, bilingually where necessary, to encourage the participation of minority groups.
6. Not later than September 1, 2020 a press kit shall be made and provided to each daily and weekly newspaper as well as to the electronic media. The press kit will include:
 - a. a summary of all pertinent rules related to the state's delegate selection process;
 - b. a map of delegate districts and how many delegates will be elected within each district;

- c. a summary explaining the operation and importance of the 2020 Convention; and
- d. materials designed to encourage participation by prospective delegate candidates.

D. REPRESENTATION GOALS

1. The State Party has determined the demographic composition of African Americans, Hispanics, Native Americans, and Asian/Pacific Americans, LGBT Americans, and people with disabilities in the West Virginia's Democratic electorate. To the best of our knowledge, there is no data identifying the ethnic composition, of the Democratic electorate, nor the voting patterns of minorities. However, a study has been asked by the West Virginia Democratic Party to be conducted by the two Major Universities in the state. Therefore, working with the DNC data science department the representation goals are as follows: African American 9% or a total of 3 delegates, Hispanic 2% or 1 delegate, Asian American Pacific Islander (AAPI) 1% or 1 Delegate, Native American 1% or 1 delegate, Disabled 19%, or 7 delegates, LGBT 8% or 3 delegates, Youth 29% or 11 delegates.
2. When selecting the at-large portion of the delegation, the demographic composition of the other delegates (district-level, pledged PLEO, and unpledged) shall be compared with the State Party's goals in order to achieve an at-large selection process which helps to bring about a representative balance.
3. Use of the at-large delegation to achieve the affirmative action goals established by this Plan does not obviate the need for the State Party to conduct outreach activities such as recruitment, education and training.

E. OBLIGATIONS OF PRESIDENTIAL CANDIDATES TO MAXIMIZE PARTICIPATION

1. Presidential candidates shall assist the West Virginia Democratic Party in meeting the demographic representation goals reflected in the Affirmative Action Plan.
2. Each presidential candidate must submit a written statement to the State Democratic Chair by January 1, 2020 which indicates the specific steps he or she will take to encourage full participation in West Virginia's delegate selection process, including, but not limited to, procedures by which persons may file as candidates for delegate or alternate.
3. Each presidential candidate must submit demographic information with respect to all candidates for delegate and alternate pledged to them. Such information shall be submitted in conjunction with the list of names approved for consideration as delegate and alternate candidates pledged to the presidential candidate.
4. Presidential candidates (including uncommitted status) shall use their best effort to ensure that their respective delegations within the West Virginia's delegate, alternate and standing committee delegations shall achieve the affirmative action goals reflected in the Affirmative Action Plan and that the respective delegations of each presidential candidate shall be equally divided between men and women. Furthermore, presidential candidates shall use their best efforts at the district level to approve delegate and alternate candidates who meet applicable equal division and affirmative action considerations in order to achieve the affirmative action goals and equal division for their respective delegations.

SECTION VIII

CHALLENGES**A. JURISDICTION & STANDING**

1. Challenges related to the delegate selection process are governed by the Regulations of the DNC Rules and Bylaws Committee for the 2020 Democratic National Convention, and the Rules of Procedure of the Credentials Committee of the 2020 Democratic National Convention.
2. Under Rule 20.B. of the 2020 Delegate Selection Rules, the DNC Rules and Bylaws Committee has jurisdiction over challenges pertaining to the submission, non-implementation and violation of state Delegate Selection and Affirmative Action Plans.
3. The Rules and Bylaws Committee has jurisdiction to hear and decide any challenge provided it is initiated before the 56th day preceding the date of the commencement of the 2020 Democratic National Convention.
4. Challenges to the credentials of delegates and alternates to the 2020 Democratic National Convention initiated on or after the 56th day preceding the date of commencement of the Democratic National Convention shall be processed in accordance with the Rules of Procedure of the Credentials Committee of the 2020 Democratic National Convention.
5. Any challenge to the credentials of a standing committee member shall be considered and resolved by the affected standing committee in accordance with Appendix A of the Call for the 2020 Democratic National Convention. The Rules and Bylaws Committee shall have jurisdiction over challenges brought before the 56th day preceding the date of the commencement of the Democratic National Convention.
6. Copies of the Regulations of the Rules and Bylaws Committee and/or the Call for the 2020 Democratic National Convention, including the Rules of Procedure of the Credentials Committee (Appendix A), shall be made available by the State Party upon reasonable request.
7. Any group of 15 Democrats with standing to challenge as defined in Reg. 3.2 or the Call (Appendix A, Sec. 2:A.), may bring a challenge to this Plan or to the implementation of this Plan, including its Affirmative Action provisions.

B. CHALLENGES TO THE STATUS OF THE STATE PARTY AND CHALLENGES TO THE PLAN

1. A challenge to the state's Delegate Selection Plan shall be filed with the Chair of the West Virginia Democratic Party and the Co-Chairs of the Rules and Bylaws Committee within 15 calendar days after the adoption of the Plan by the West Virginia State Party.
2. A challenge to a Plan must be brought in conformity with the Rules and the Regulations, which should be consulted for a detailed explanation of challenge procedures.
3. A challenge to the status of the State Party Committee as the body entitled to sponsor a delegation from the state shall be filed with the Rules and Bylaws Committee not later than thirty calendar days prior to the initiation of the state's delegate selection process.

C. CHALLENGES TO IMPLEMENTATION

1. A challenge may be brought alleging that a specific requirement of an approved Plan has not been properly implemented. Jurisdiction over all challenges initiated in a timely fashion shall reside with either the Rules and Bylaws Committee or the Credentials Committee of the National Convention (See Section VII.A. above). However, the Rules and Bylaws Committee may provide advice, assistance or interpretations of the Delegate Selection Rules at any stage of the delegate selection process.
2. An implementation challenge brought before the Rules and Bylaws Committee is initiated by filing a written challenge with the State Party Committee and with the Rules and Bylaws Committee not later than 15 days after the alleged violation occurred. The State Party has 21 days to render a decision. Within 10 days of the decision, any party to the challenge may appeal it to the Rules and Bylaws Committee. If in fact, the State Party renders no decision, then any party to the challenge may request the Rules and Bylaws Committee to process it. The request must be made within 10 days after expiration of the above 21 day period.
3. Performance under an approved Affirmative Action Plan and composition of the convention delegation shall be considered relevant evidence in the challenge to any state delegation. If a State Party has adopted and implemented an approved affirmative action program, the State Party shall not be subject to challenge based solely on delegation composition or primary results. The procedures are the same for challenges alleging failure to properly implement the Affirmative Action section of the Plan, except that such challenges must be filed not later than 30 days prior to the initiation of the state's delegate selection process.
4. Depending on the appropriate jurisdiction (see Section VIII.A. above), implementation challenges must be brought in conformity with the Regulations of the Rules and Bylaws Committee or the Rules of Procedure of the Credentials Committee, which should be consulted for a detailed explanation of challenge procedures.

SECTION IX

SUMMARY OF PLAN

A. SELECTION OF DELEGATES AND ALTERNATES

West Virginia will use a proportional representation system based on the results of the Primary for apportioning its delegates to the 2020 Democratic National Convention.

The first determining step of West Virginia's delegate selection process will occur on May 12, 2020, with the state run primary.

Delegates and alternates will be selected as summarized on the following chart:

Type	Delegates	Alternates	Date of Selection	Selecting Body
				Filing Requirements and Deadlines
District-Level Delegates	16		June 12, 2020	<i>Selecting Body: District Caucuses held at the West Virginia State Democratic Convention</i> <i>/File with State Executive Committee by May 13, 2020</i>
Automatic Party Leader and Elected Official Delegates*	5	n/a	n/a	Automatic by virtue of respective public or Party office as provided in Rule 8.A. of the 2020 Delegate Selection Rules.
Pledged Party Leaders and Elected Officials (PLEOs)	3	n/a	June 13, 2020	<i>Selecting Body: WV State Executive Committee</i> File with State Executive Committee by May 13, 2020
At-Large Delegates and Alternates	5	2	June 13, 2020	<i>Selecting Body: WV State Executive Committee</i> File with State Executive Committee by May 13, 2020
TOTAL Delegates and Alternates	32	2		

* Automatic Party Leader and Elected Official (PLEO) delegates include the following categories who legally reside in the state: the Democratic National Committee Members, all Democratic Members of Congress, the Democratic Governor, and the Distinguished Party Leader as specified in Rule 8.A. of the 2020 Delegate Selection Rules. The exact number of Automatic PLEO Delegates is subject to change due to possible deaths, resignations, elections or special elections.

B. SELECTION OF STANDING COMMITTEE MEMBERS (FOR THE CREDENTIALS, PLATFORM AND RULES COMMITTEES)

Standing committee members will be selected by the state's National Convention delegates as summarized below:

Members Per Committee	Total Members	Selection Date	Filing Requirements and Deadlines
1	3	June 13, 2020	Presidential candidates submit list of standing Committee members by June 12, 2020, 30 minutes after the selection of the at-large delegates

C. SELECTION OF DELEGATION CHAIR AND CONVENTION PAGES

The Delegation Chair will be selected by the National Convention Delegates on June 13, 2020.

Two Convention Pages will be selected by the State Democratic Chair, in consultation with the State's DNC members on June 13, 2020.

D. PRESIDENTIAL CANDIDATE FILING DEADLINE

a. Presidential candidates must file with the West Virginia Secretary of State no later than midnight January 26, 2020.

b. Presidential candidates must certify the name of their authorized representative(s) to the State Democratic Chair by February 12, 2020.

E. Timeline

2019

February 16 Delegate Selection Affirmative Action Committee members are appointed by the State Chair.

February 25 Affirmative Action Committee meets to draft proposed Delegate Selection and Affirmative Action Plans.

March 2 Delegate Selection Affirmative Action Committee members must be submitted to the Rules and Bylaws Committee including names, contact information and demographic data.

February 28 Proposed Delegate Selection and Affirmative Action Plans are tentatively approved for public comment by State Party Committee.

February 28 Public comments are solicited on the proposed Delegate Selection and Affirmative Action Plans. Press releases are mailed announcing the public comment period.

March 30 Period for public comment on state Plan is concluded. Responses are compiled for review by the State Party Committee.

March 30 State Party Committee reviews public comments and adopts revised Delegate Selection and Affirmative Action Plans for submission to DNC Rules and Bylaws Committee. Press releases are mailed announcing the approval of the Plan.

April 3 Delegate Selection and Affirmative Action Plans are forwarded to the DNC Rules and Bylaws Committee.

September 1 State Party begins implementation of the Affirmative Action Plan. Press kits, as described in the Affirmative Action Plan, are sent to all state media.

2020

January 8 Candidate filing begins in the Secretary of State's office

January 8 Delegate and alternate candidates may obtain the statement of candidacy and pledge of support forms and filing instructions from State Party Committee Headquarters, in person, by mail, or from State Party's web site at [www.democrats.org].

January 28 Presidential candidate deadline for filing the certificate of announcement of candidacy with the Secretary of State and a copy to the State Party

February 12 Presidential candidate deadline for certifying the name(s) of their authorized representative(s) to the State Party.

April 1 Pre-primary county convention to elect delegates to the state convention

May 12 Presidential preference primary.

May 13 District-level, PLEO and at-large delegate and alternate candidate deadline for filing the statement of candidacy and pledge of support forms with State Party.

May 16 State Party provides list of district-level, PLEO and at-large delegate and alternate candidates to the respective Presidential candidates.

May 20 Presidential candidates provide list of approved district-level delegate and alternate candidates to State Party.

May 25 Deadline for candidates to be placed on the ballot

June 1 Secretary of State certifies results of primary;

June 12-13 State Convention convenes.

June 12 District-level delegates elected in district caucuses. Following election of district-level delegates, presidential candidates provide approved lists of PLEO candidates to the State Party.

June 12 12:00 p.m., presidential candidates provide approved lists of PLEO candidates to the State Party. Pledged PLEO delegates selected. Following selection of PLEO delegates, presidential candidates provide approved list of at-large delegate and alternate candidates to State Party. State Executive Committee elects at-large delegates and alternates. Presidential candidates submit lists of candidates for standing committee members to State Party.

June 13 National Convention delegation meeting. Delegates select National Convention Standing Committee Members and Delegation Chair. State Chair names convention pages.

June 13 State Chair certifies in writing to the Secretary of the DNC the State's Standing Committee Members, Delegation Chair, and Convention Pages.

June 21 State Party certifies elected district-level delegates to the Secretary of the Democratic National Committee.

June 22 State Party certifies remainder of elected delegates and alternates (PLEOs and at-large), delegation chair, and convention pages.

June 22 State Party certifies in writing to the Secretary of the DNC the presidential preference of Pledged PLEOs and At-Large Delegates and Alternates.

June 22 State Party certifies in writing to the Secretary of the DNC the presidential preference (including uncommitted) of the state's Automatic Delegates.

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