

California Democratic Party
Guidelines for Certification, Re-Certification and Decertification of
Caucuses

Adopted, CDP Rules Committee – October 2022

Section 1. *Definition*

A caucus is a statewide organization:

- A. *Which is a constituent part of This Committee, governed by its decisions, and must not take positions on legislation, resolutions, or other matters, which are contrary to the positions taken by This Committee but, to the extent consistent with its purposes . . . , may call on This Committee to take action.*
- B. *Consisting of Caucus Sponsors, who are members of the Caucus and of This Committee, constituting at least one percent (1%) of the full membership of This Committee,*
- C. *Which extends membership to persons of voting registration/preregistration age (as defined in the Elections Code), who meet the eligibility requirements for Caucus membership, and who are either (i) registered Democrats or (ii) ineligible to register as Democrats, but who have expressed as intent to register as a Democrat upon becoming eligible. And which extends full voting rights to all such persons who meet the voting requirements of such Caucus.*
- D. *Which has been found by the Rules Committee to be in compliance with the requirements noted herein and has also been found to meet the Guidelines for Certification or Re-Certification of Caucuses referred to below;*
- E. [For which the finding of compliance at the time of the application shall be] based on a review of the application and investigation by the Rules Committee, whose findings shall be conclusive unless reversed by a majority of the Executive Board;
- F. *Which has been considered for certification by the Rules Committee and has been certified by the Executive Board of This Committee in order to carry out the Purposes noted herein,*
- G. *Whose Chair is a member of This Committee, and by virtue of the Caucus being certified, shall be a member of the Executive Board of This Committee; and*
- H. *If not initially certified prior to 1/1/10, the Caucus' Sponsors are DSCC members, who represent a common identity, demographic or interest which is historically or currently under-represented in Democratic Party affairs and cannot adequately be represented in Democratic Party affairs by a current caucus or chartered organization and which has provided a reasonable explanation, determined to have been supported by clear and convincing evidence, as to why Chartering as a Statewide Organization under Article X of these Bylaws would not be a more appropriate course of action.*

Section 2. *Purpose*

The purpose of a caucus is to:

- A. *Participate in the policy decisions of the Party; by, among other things, proposing Resolutions to the*

Resolutions Committee, Legislation to the Legislation Committee, bylaw amendments to the Rules Committee, or other such proposals to other Standing Committees, or to the Chair of This Committee, as may be necessary to carry out its goals and objectives. No Caucus may take independent positions on such matters which are contrary to the positions of This Committee, provided, however, that nothing herein shall prevent This Committee's Regions, or its Caucuses from calling on the California Democratic Party to take any action consistent with its status as a constituent part of This Committee;

- B. *Encourage participation, within the Caucus' community of interest, in the outreach programs of the Party, including such things as This Committee's Voter Registration and Get Out the Vote activities;*
- C. *Promulgate and implement a Statement of Purpose and Intended Activity, aimed at expanding and strengthening the Party, subject to approval by the Rules Committee; and,*
- D. *Make the Party more welcoming and more relevant to members of the public, the electorate, and This Committee, who identify with the goals of the Caucus.*

Section 3. Guidelines for Certification, Re-Certification, and Decertification of Caucuses

The Bylaws provide that the Rules Committee shall promulgate Guidelines for Certification, Re- Certification, and Decertification of Caucuses, which shall include the process and conditions necessary to certify, re-certify, or decertify a caucus. These Guidelines are issued under that authority.

Section 4. Certification / Re-certification

Certification, and re-certification, shall be subject to the following provisions:

- A. Form of Application – All organizations desiring to be certified, or re- certified, by This Committee as a caucus shall make application for such certification in writing on a form obtained from the Secretary of This Committee.
- B. Submission of Application – Prior to September 1, 2023, Application for Caucus Certification, or Re-certification must be submitted to the Secretary of This Committee, and to the Chair(s) of the Rules Committee of This Committee, at the email address designated for this purpose by no later than seven (7) days after the first regular meeting of the Convention of This Committee in 2023. As of September 1, 2023, the deadline for submission of an application shall be no later than fourteen (14) days after the first regular meeting of This Committee in the year after the year in which a regular gubernatorial election is conducted, provided, however, that an applicant seeking initial certification as a Caucus may also . . . submit an application in the fourteen-day period immediately following the first regular meeting of This Committee in any other odd year. No applications submitted outside that time-frame shall be considered.
- C. The timeline for the acknowledgment of receipt of the Application, the consideration of the Application, the provision to an existing Caucus of timely notice by the Rules Committee of This Committee of facial deficiencies in the application and for recommended action on the Application shall be as follows:
 - 1. The application for certification/recertification shall be made available by no later than November 20, 2022;
 - 2. The following documents shall be submitted to the Secretary of This Committee and the Co-Chairs of the Rules Committee at the email address designated for this purpose by no later than seven days after the first Convention of This Committee in 2023:

- (a) a completed application for certification/recertification;
- (b) the Declaration evidencing sponsors constituting at least 1 percent of the full membership of This Committee;
- (c) the Caucus Compliance Checklist;
- (d) the Caucus' bylaws revised to be in compliance with the requirements in the Caucus Compliance Checklist and these Guidelines for Certification or Re-Certification of Caucuses;
- (e) the Caucus' Statement of Purpose and Intended Activity;
- (f) Roster of Members; and
- (g) such other documents as are required to support the Caucus' responses to the inquiries and requirements in the Caucus Compliance Checklist.

3. By no later than thirty (30) days after the first Convention of This Committee in 2023, the Rules Committee shall provide all Caucuses that submitted the documents set forth in Section 4.C.2 of these Guidelines with an acknowledgment of receipt and a notice of the required submissions, if any, which, from a facial review thereof, appear to be missing and identify a deadline for the submission of any such missing documents.

4. By no later than [Monday,] July 17, 2023, the Rules Committee shall advise each Caucus whether it:

- (a) has met the requirements for recertification and shall be recommended for full recertification at the next meeting of the Executive Board of This Committee and, should that meeting be after the expiration of its current certification, shall be provisionally certified in the interim;
- (b) has been found to be sufficiently in compliance with the requirements for recertification as to be recommended for provisional certification at the next meeting of the Executive Board of This Committee and, should that meeting be after the expiration of its current certification, shall be provisionally certified in the interim; or
- (c) has failed to meet the requirements for recertification and, thus, will not be recertified and, as a result, its certification will expire and it must disband or apply for certification as a new Caucus.

Should, at any time during its period of provisional certification, a Caucus recommended for provisional certification as of July 17, 2023, meet the requirements for recertification and become eligible for full recertification at the next meeting of the Executive Board of This Committee, the Rules Committee may recommend that Caucus for full recertification.

5. At the first meeting of the Executive Board of This Committee after the second Convention of This Committee in 2023, the recommendations referenced in Section 4.C.3 above shall be submitted to the Executive Board.

D. Within ten (10) days of the receipt by the Secretary of This Committee and the Chair(s) of the Rules Committee of any such application, the Rules Committee shall provide any new applicant for Caucus status with a timeline for the acknowledgment of receipt of the Application, the consideration of the Application, and the provision to the applicant of timely notice by the Rules Committee of This Committee of any recommended action on the Application. To the extent practicable, the intervals/turnaround times in any such timeline shall be consistent with the intervals/turnaround times in Section 4.C of these Guidelines.

E. Contents of Application – An Application for Caucus Certification or Re-certification shall contain:

1. A Declaration containing the signatures of Caucus Sponsors consisting of at least one percent (1%) of the full membership of This Committee with each person on such Declaration affirming by signature support for the official recognition of such a Caucus and further affirming that he or she shares the common identity, demographic or interest which defines the Caucus.

2. A Statement clearly identifying the common identity, demographic or interest of the Caucus Sponsors.
3. A complete “Roster of Members” containing the names, addresses, and phone numbers of all its members, and where appropriate, their email addresses, additionally noting whether a particular member holds an office in the Caucus and/or has organizational responsibility for a particular activity,
4. A written certificate signed by the Chair and one additional officer of the Caucus, certifying that each of its members has indicated and affirmed they are a registered Democrat or a person of voting registration/preregistration age (as defined in the Elections Code), who meets the eligibility requirements for Caucus membership, and who is ineligible to register as Democrats, but has expressed an intent to register as a Democrat upon becoming eligible.
5. A current editable electronic copy of the Bylaws of the Caucus, certified by the Chair and Secretary of the Caucus to be a true and correct copy thereof and to have been revised to be in compliance with the requirements in the Caucus Compliance Checklist and these Guidelines for Certification or Re-Certification of Caucuses.
6. A Bylaws Review Check form, which has been promulgated by the Rules Committee, and approved by a Chair of the Rules Committee who has been previously designated by the Rules Committee to review the Caucus Bylaws, recommending that the Bylaws of the Caucus minimally be found to:
 - (a) Be consistent with the By-Laws of This Committee;
 - (b) Provide membership to all persons of voting registration/preregistration age (as defined in the Elections Code), who meet the eligibility requirements for Caucus membership, and who are either (i) registered Democrats or (ii) ineligible to register as Democrats, but who have expressed an intent to register as a Democrat upon becoming eligible. And which extends full voting rights to all such persons who meet the voting requirements of that Caucus.
 - (c) Provide that the Chair of the Caucus must be a member of This Committee and shall be the Caucus’ representative to the Executive Board of This Committee, provided that, in exceptional circumstances, as defined and authorized by the Rules Committee, an interim Chair serving only until such time as the Caucus may conduct an election may be excused from being a member of This Committee if the interim Caucus representative to the Executive Board is a member of This Committee;
 - (d) Contain the required Bylaws set forth in the Caucus Compliance Checklist and a statement that the caucus shall:
 - (1) Neither raise nor disburse funds other than nominal dues, and standard or routine costs of regular meetings (such as postage, and other costs associated with notice, as well as the cost of meeting rooms), which shall be promptly accounted for, reflected in a quarterly financial report to the Treasurer of This Committee and processed according to rules promulgated by the Finance Committee, which shall also be reflected in the Caucus’ Bylaws; and
 - (2) Provide for waiver of membership dues based on economic hardship or legal limitations on campaign contributions in a manner that guarantees membership on an equal and nondiscriminatory basis.
 - (e) Prohibit independent or otherwise unauthorized endorsements;
 - (f) Be consistent with the Rules Committee’s Policy Statement on the Open Meeting Rule, particularly with regard to:
 - (1) Providing that the public meetings of the Caucus are open to all registered Democrats; and,
 - (2) Providing for timely Notice of Agendas and Meetings;

- (g) Utilize a method of notification in a manner consistent with the policies of This Committee;
 - (h) Recognize the obligations of the Caucus under the General Provisions of the By-Laws of This Committee.
7. The names, addresses, phone numbers, and, where appropriate, their email addresses, of the Caucus' officers which shall include as a minimum a Chair, a [Principal or First] Vice-Chair, a Secretary, and a Treasurer, and which the Caucus shall agree to keep current and advise the Secretary of This Committee of any changes therein. The Caucus Officers shall be responsible for informing the staff of This Committee of the forgoing information for posting on the website of This Committee.
 8. A Statement of Purpose and Intended Activity, and means of effectuating same, as well as the self-promulgated measurable objective standards by which the Caucus shall evaluate its success each year. Decertification of a Caucus shall not be based on mere failure to meet such self-promulgated standards.
 9. An Agreement that the Caucus shall not amend its Bylaws after the provisional or full certification/recertification of the Caucus without first obtaining the written approval of Rules Committee of the proposed amendment, such approval indicating solely that the proposed amendment is consistent with the terms of certification/recertification and not that the proposed amendment is desirable or appropriate or should be adopted. And an Agreement that the Caucus shall provide the Secretary of This Committee and the Chair(s) of the Rules Committee the following (in electronic editable form where appropriate):
 - (a) A written report on the Caucus' activities and progress towards fulfillment of the Caucus' Statement of Purpose and Intended Activity, as evidenced through measurable objective standards, on an annual basis, no later than February 7th of each year. Copies of all written reports of activities and progress toward the fulfillment of self-promulgated standards shall be distributed to the members of the Rules Committee no later than February 22nd of each year;
 - (b) A complete "Roster of Members" containing the names, addresses, phone numbers, and where appropriate, their email addresses, of all its members, noting whether a particular member holds an office in the Caucus and/or has organizational responsibility for a particular activity, on an annual basis, no later than February 7th of each year.
 - (c) At least ten (10) days written or electronic notice of any and all of its meetings, both regular and special;
 - (d) Copies of any amendments to the Bylaws of the Caucus adopted after certification, within ten (10) days of their adoption; and,
 - (e) Proof of the Caucus' continued adherence to and compliance with the findings of the Rules Committee as set forth in Article XI of the Bylaws of This Committee, if requested by the Rules Committee.
 10. If not previously certified, a Statement as to why the applicant contends that Chartering as a Statewide Organization under Article X of the By-Laws would not be a more appropriate course of action.

Section 5. *Finding of Compliance with Guidelines Required*

- A. A caucus is a statewide organization which has been found by the Rules Committee to be in compliance with the requirements noted herein and has also been found to meet the Guidelines for Certification or Re-Certification of Caucuses referred to below both at the time of the application for certification/recertification and at all times during the certification/recertification period thereafter;

1. the finding of compliance at the time of the application shall be , based on a review of the application and investigation by the Rules Committee, whose findings shall be conclusive unless reversed by a majority of the Executive Board;
 2. the finding of continuing/ongoing compliance shall be made by the Rules Committee under rules of procedure it shall promulgate and publish, which shall include such hearing as it deems appropriate under the circumstances. A Caucus must have been considered for certification by the Rules Committee and, been certified by the Executive Board of This Committee.
- B. As a condition precedent to recommending certification or re-certification of a Caucus, the Rules Committee must specifically make the following findings, or in the case of a recommendation to not certify or re-certify a Caucus, the Rules Committee shall specifically report on what findings it based its denial:
1. The Organization has complied with all requirements of Article XI of the CDP Bylaws.
 2. That there are no existing organizations representing or sharing substantially similar interests, or serving the same or similar purposes, either as a Chartered Statewide Organization under Article X of these Bylaws or as a Caucus currently certified by This Committee;
 3. Whether or not the Caucus has been previously certified;
 - (a) *If not initially certified prior to 1/1/10, the Caucus' Sponsors are DSCC members, who represent a common identity, demographic or interest which is historically or currently under-represented in Democratic Party affairs and cannot adequately be represented in Democratic Party affairs by a current caucus or chartered organization.*
- C. If the Caucus has not been previously certified, that the following apply:
1. Chairs of existing Caucuses and Statewide Chartered Organizations have been notified of the pendency of an Application for Caucus Certification at least (30) thirty days prior to consideration of the Application; and,
 2. The proposed caucus has provided a reasonable explanation, determined to have been supported by clear and convincing evidence, as to why Chartering as a Statewide Organization under Article X of these Bylaws, would not be a more appropriate course of action;
 3. That the Caucus has complied with the provisions of Sections 1,2 and 4 above.
 4. That an opportunity to submit oral and/or written testimony as to whether or not certification should be granted has been extended to the members of This Committee, including Chairs of existing Caucuses and Statewide Chartered Organizations, and that Caucus Sponsors have been provided a similar invitation to submit oral and/or written rebuttal thereto;
 5. That the Caucus Sponsors exhibit a demonstrated commitment to inclusion and have a clear history of dedication to Democratic Party principles and practices, and intend to maintain said qualities in all of their activities;
 6. That the Caucus has as its objective the advancement of the Democratic Party; and,

7. That the decision to recommend certifying the Caucus would be in the overall best interests of the Party.

Section 6. *Term of Certification*

- A. *All Caucuses that are provisionally or fully certified as of July 11, 2022, shall have their current certification status extended through August 31, 2023, unless revoked for cause as set forth herein; provided, however, that, during this extended certification period, provisional certification may be converted to full certification and full certification converted to provisional certification in accordance with procedures for such conversion consistent with this Article XI promulgated by the Rules Committee. The provisions of this subsection (a) shall expire as of September 1, 2023, and, without further action of This Committee or its Executive Board, shall no longer be a part of these Bylaws or this Article XI as of that date. The Secretary of This Committee, upon recommendation of the Rules Committee, shall cause subsection b and its subparts to be renumbered accordingly.*
- B. *All official Certifications of a Caucus made effective on or after September 1, 2023, shall extend through the following dates:*
 1. *For recertifications, unless revoked for cause as set forth herein, the later of August 31 of the year after the year in which the next regular Gubernatorial election is held or the adjournment of the first Executive Board meeting of This Committee held after the first meeting of the Convention of This Committee in the year after the year in which the next regular Gubernatorial election is held; or*
 2. *For initial certifications, unless revoked for cause as set forth herein, the earlier of two years after the effective date of the initial certification or the first Executive Board meeting of This Committee held after the first meeting of the Convention of This Committee in the year after the year in which the next regular Gubernatorial election is held.*
 3. *Notwithstanding the certification terms set forth herein, full certification may be converted to provisional certification and provisional certification may be converted to full certification in accordance with procedures for such conversion consistent with this Article XI promulgated by the Rules Committee; provided that no such conversion shall extend the term of certification of a Caucus*

Section 7. *Decertification*

- A. *After notice and an opportunity to be heard, and upon a finding by the Rules Committee that a certified caucus has failed to:*
 - a. *maintain compliance with the above,*
 - b. *adopt or maintain the California Democratic Party Code of Conduct as part of its own bylaws with a provision that each member is bound by its terms; and/or*
 - c. *has willfully, intentionally, or repeatedly failed to address violation of the Code of Conduct with the Caucus.*
- B. *The Rules Committee shall report a recommendation to de-certify the Caucus to the Executive Board of This Committee. The report shall specifically note the grounds and basis for the Rules Committee's recommendation. In the event the Rules Committee should make,*

a finding of non-compliance with the Guidelines, it shall report a recommendation to decertify the Caucus specifically noting the grounds and basis for its decision. Such recommendation may only be overturned by the Executive Board of This Committee by majority vote, and only if the Executive Board makes specific findings that the Rules Committee was incorrect in each of its findings that formed the basis of the Rules Committee's recommendation to decertify, or that all such defects have been remedied.

Section 8. *Recognition of Historical Importance*

This Committee recognizes that the Black, Asian Pacific Islander, Chicano Latino, Labor, LGBTQ, and Women's Caucuses were the original six caucuses certified pursuant to the definition contained in the 1985-7, or prior, Bylaws, defining a caucus as "ethnic minority members or other broad elements of the membership" and as such recognizes the historical significance in maintaining their existence.