



Indiana University Student Government
SPRING 2023 CAMPAIGN GUIDE

prepared pursuant to R.B. § 3-1-4(c)

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CHAPTER 1. GENERAL INFORMATION

A. WHAT IS IU STUDENT GOVERNMENT?

Founded in 1948 as the Student Senate, IUSG is the campus-wide student government at Indiana University Bloomington. According to the IUSG Constitution, our core mission is to “take direct action to realize an ever-inclusive and stronger University” and “work to protect student rights, promote equity, enrich student life, and improve Indiana University for all.”

Living out this mission has taken various forms throughout IUSG’s history. In recent years, student government has focused its attention on advocating for students with IU administrators, but IUSG continues to implement its own initiatives on campus, from raising awareness of student issues to funding almost \$200,000 in COVID-19 pandemic relief for students.

IUSG is a three-branch representative democracy. The Student Body Congress makes up the legislative branch; composed of Student Representatives who serve on behalf of academic, residential, or multicultural constituencies for staggered, one-year terms, Congress is responsible for setting official IUSG policy, directing the implementation of IUSG programs and initiatives, and overseeing the other branches. Additionally, Congress has sole authority over the budgeting and spending of IUSG's six-figure annual budget, which is funded by the mandatory Student Activity Fee all students pay to IU each semester.

The executive branch, led by the Student Body President, is responsible for the daily operations of IUSG and for carrying out the mandates of the Student Body Congress. The President and Vice President are elected by the student body each spring for a one-year term. In their role as the chief executive of IUSG and chief spokesperson for the student body, the President meets regularly with senior IU administrative officials such as the President of the University and the Dean of Students and participates in meetings of the Bloomington Faculty Council, among other responsibilities. The President is in charge of an executive staff of dozens of students.

The judicial branch consists of the Student Body Supreme Court and any lower courts that Congress may establish. The Supreme Court is responsible for applying the IUSG Constitution and the various statutes passed by the Student Body Congress to any cases that may arise relating to constitutionality or other disputes, including election cases. Additionally, the eleven Justices also serve a critical role in the IU conduct system, where they adjudicate cases of student misconduct. Justices are nominated by the President and confirmed by Congress for three-year terms.

B. WHAT IS THE SPRING 2023 ELECTION?

The IUSG Constitution provides that every semester, the student body elects various officeholders to represent the students, advocate for students’ needs, and manage IU Student Government on the students’ behalf. Every student enrolled at Indiana University Bloomington is eligible to vote in the election.

Elections are governed by the IUSG Revised Bylaws, a set of statutes passed by the Student Body Congress. This year, voting takes place online over a thirty-six-hour period from 10:00 a.m. ET on Tuesday, March 7, to 10:00 p.m. ET on Wednesday, March 8. There are a number of

events and deadlines over the weeks leading up to the election, which are listed in Chapter 5. After voting concludes, the Student Body Supreme Court is responsible for verifying and certifying the results of the election.

In the Presidential race and in each Congressional district, students are not restricted to voting for just one candidate; while each voter may only cast one ballot, that ballot may contain votes for as many candidates as the voter chooses. However, a voter cannot cast more than one vote for the same candidate.

C. OFFICES TO BE ELECTED

At the Spring 2023 General Election, the student body will elect the following officeholders:

1. The Student Body President and Vice President for a term of one year beginning April 15, 2023. Each candidate for President must run jointly with a candidate for Vice President and vice versa. Each pair of candidates is called a “ticket.”
2. Thirty-one Student Representatives in the Student Body Congress from Congress’s academic-based districts for terms of one year beginning April 3, 2023.
3. Additional Student Representatives in Congress to fill any vacancies that have occurred in Congress’s residential-based districts for the unexpired remainder of terms ending October 2, 2023.

NOTE: Except for special vacancy elections as described above, the 31 residential-based seats in the Student Body Congress are not up for election in Spring 2023. These 31 seats will next be up for election in fall 2023 for one-year terms beginning in October 2023.

A person may NOT run for more than one position at the same time.

D. WHEN WILL THE SUCCESSFUL CANDIDATES OFFICIALLY TAKE OFFICE?

The President-elect and Vice President-elect will take office on April 15, 2023, about five weeks after the election, and will serve until April 15, 2024. The five-week transition period will be used to ensure that the President-elect and Vice President-elect have time to prepare for their new roles and to begin selecting their cabinet nominees for confirmation by Congress.

The Student Representatives elected in academic districts for full one-year terms will take office on April 3, 2023, about three weeks after the election, and will serve until April 2, 2024. The Student Representatives elected to fill vacancies in residential districts will take office as soon as their elections are certified in mid-March and will serve until October 2, 2023. All Representatives-elect will be given a comprehensive orientation and onboarding in March.

All Representatives are required to attend weekly meetings on Monday nights at the IMU, as well as a weekly committee meeting depending on the committee to which they are assigned, for the entire duration of their term of office.

Once the regularly elected Student Representatives officially take office on the night of April 3, Congress will immediately proceed to elect a Speaker and other officers for the following six-month legislative session, as well as establishing its official rules of procedure for the session. For reference, the Standing Rules of the 2022-2023 Student Body Congress, which were adopted in October 2022 to govern the 2022-2023 Congress, may be found [here](#).

E. WHERE TO FIND MORE INFORMATION

This document is only a guide. The detailed requirements surrounding running for IUSG office are contained in the [IUSG Revised Bylaws](#), which are publicly available through the IU Student Government website. The citation form “R.B.” denotes a reference to a provision of the Bylaws.

It is **strongly advised** that any prospective candidate look over Revised Bylaws Title 3, “Elections.”

CHAPTER 2. THE ELECTION COMMISSION

A. ABOUT THE ELECTION COMMISSION

The IUSG Election Commission is the agency responsible for managing IUSG elections and enforcing election regulations. The Commission is made up of eleven Election Commissioners, student volunteers confirmed by the Student Body Congress for two-year terms. As a candidate, the Election Commission is your primary point of contact for information on running in an IUSG election.

One of the Election Commission's responsibilities is to serve as a resource for candidates and prospective candidates. At any time, you may email the Commission requesting clarification of any requirement imposed on candidates as it relates to your own situation. The Commission will typically respond in the form of an **advisory opinion**, a public document detailing the requirement and the Commission's interpretation of the requirement in the context of your circumstances (see R.B. § 3-1-4(4)).

An advisory opinion is just that: advisory. It is not binding upon you, the Commission, the Supreme Court, or any other person or entity; however, it is generally wise to follow the Commission's advice.

B. ENFORCEMENT OF REGULATIONS

There are a number of activities that are prohibited in an IUSG election. These prohibited activities are called "election violations," and they are discussed further in Chapter 7. The Commission is responsible for monitoring the activities of candidates and imposing penalties for election violations. The Commission has power to investigate suspected violations and will deliver a judgment of "responsible" or "not responsible" based on the available evidence.

A finding of "responsible" carries a penalty depending on the case, up to and including disqualification from the election. If you receive a finding of "responsible," you may request to appeal the decision to the Student Body Supreme Court.

CHAPTER 3. SPRING 2023 CONGRESSIONAL DISTRICTS

Congress is responsible for biennially allocating its thirty-one academic seats and thirty-one residential seats among various districts based on respective student populations. The seats in each district are only open to IU Bloomington students who are constituents of that district. Any constituent of a given district has the right to run for a seat in that district and to vote in the race for that district.

At the Spring 2023 General Election, the 31 seats in the academic districts are up for election. These are the academic districts and their respective numbers of seats for the spring 2023 election:

ACADEMIC DISTRICTS (31 SEATS TOTAL)

College of Arts and Sciences (Undergrad)	7 Seats
Graduate & Professional Degrees	7 Seats
Jacobs School of Music (Undergrad)	1 Seat
Kelley School of Business (Undergrad)	6 Seats
Luddy School of Informatics (Undergrad)	1 Seat
O'Neill SPEA (Undergrad)	2 Seats
Public Health, Nursing, & Social Work (Undergrad)	2 Seats
School of Education (Undergrad)	1 Seat
University Division (Undergrad)	4 Seats

For example, as shown above, all students enrolled in an undergraduate degree program in the College of Arts and Sciences make up the College of Arts and Sciences district, and this district is entitled to seven seats in the Student Body Congress. There are not separate races for each of these seats; instead, all candidates for the College of Arts and Sciences will appear alongside one another on the ballot. Every student in this district is entitled to run for these seats and to vote in this race.

Each voter in each district may vote for as many different candidates for that district as they desire, regardless of how many candidates are running or how many seats the district has. The candidates who receive the most votes will be elected. To use the College of Arts and Sciences district as an example again, the seven candidates for that district who receive the most votes will all be elected.

NOTE ON VACANCY ELECTIONS IN RESIDENTIAL DISTRICTS

In addition to the academic-district elections, at the Spring 2023 General Election any vacancies in residential districts will be filled by the voters of those districts for the remainder of terms ending October 2, 2023. A complete, up-to-date list of these vacancies can be found on the IUSG website.

CHAPTER 4. REQUIREMENTS OF CANDIDACY

A. ELIGIBILITY FOR OFFICE

In order to be eligible to be a candidate for President, Vice President, or Representative, a person:

1. Must be an enrolled student at Indiana University Bloomington.
2. Must NOT possess a university GPA of LOWER than 2.5 on a four-point scale.
3. Must NOT be on academic probation or suspension.
4. Must NEVER have been found responsible by IU of:
 - a. a violent code violation (under the IU Code of Student Rights, Responsibilities, and Conduct), unless the candidacy has been pre-cleared through the process established under R.B. § 3-4-8; or
 - b. a violation of IU's Discrimination, Harassment, and Sexual Misconduct Policy UA-03.
5. Must NOT already be a candidate for another race at the same time.

(see R.B. § 3-4-1).

In addition to these eligibility requirements, in order to be eligible to be a candidate for Representative, a person must be a constituent of the Congressional district the person seeks to represent (see Chapter 3 for information on Congressional districts).

B. FILING FOR CANDIDACY

In order to appear on the election ballot, a prospective Congressional candidate or prospective Presidential ticket must file a Declaration of Candidacy with the Election Commission no later than the filing deadline. This year, the deadline is 11:59 p.m. ET on Tuesday, February 14, 2023 (R.B. § 3-3-3(c)).

The Declaration of Candidacy form is currently available on the IUSG website under "Elections" → "Spring 2023 Election Information." In order to properly file for candidacy, a candidate or ticket must:

1. Fill out all required fields on the Declaration of Candidacy form and submit the form before the deadline. (For **Congressional candidates**, this is the only step to complete.)
2. **Presidential tickets only:** Submit, along with the Declaration of Candidacy form, a petition of support for the ticket's candidacy that is signed by at least **one percent of the student body** of IU Bloomington. Signatures may be either physical or electronic (R.B. § 3-4-5(c)(7)). The student population for the spring 2023 semester is projected to be around 45,000, and the final headcount will be published by IU about three weeks into the semester. To account for potential fluctuations in enrollment or erroneous signatures, prospective tickets are advised to collect and submit at least 480 student signatures.
3. **Presidential tickets only:** Submit, along with the Declaration of Candidacy form, an up-to-date list of any and all ticket staff (R.B. § 3-4-5(c)(6)). "Staff" includes anyone who has entered into a mutual agreement with the ticket to perform work for the ticket, regardless of pay or lack of pay (R.B. § 3-4-6(a)(2)).

Once a candidate or ticket submits their Declaration of Candidacy, the Election Commission will review the submission for accuracy and eligibility. Within seven business days of the submission

of the Declaration, the Commission will notify the candidate or ticket of whether or not they are officially on the ballot based on:

1. Whether the Declaration was submitted before the filing deadline;
2. Whether the Declaration form was properly filled out; and
3. Whether the candidate is eligible for candidacy (both candidates in the case of the Presidential ticket).

C. CAMPAIGN PERIOD

Candidates are **prohibited** from campaigning before the filing deadline except for actions that are “absolutely necessary” to recruit campaign staff, collect the necessary petition signatures, or raise campaign funds (R.B. § 3-3-4; R.B. § 3-8-8). “Campaigning” is defined as “public-facing promotion of a particular candidate or ticket” (R.B. § 3-3-1(a)(e)).

CHAPTER 5. SPRING 2023 ELECTION TIMELINE

This is the order of required events and deadlines for the Spring 2023 General Election (see R.B. § 3-3-3; R.B. § 3-6). **Deadlines** for actions by candidates or tickets are marked with yellow highlight. Events that candidates or tickets are required to **attend** are marked with red highlight.

TBA: Callout Sessions for Prospective Candidates

Students interested in running in the election are encouraged to attend one of these two informational sessions. The two sessions are identical. Attendance is NOT required, and attendance at this event will NOT result in you being required to sign up to run.

Sunday, February 5: Declaration of Candidacy Available

No later than this date, the Election Commission will prepare and publish on the IUSG website the official form to declare candidacy and appear on the ballot.

Tuesday, February 14, 11:59 p.m. ET: Filing Deadline

Last day to submit a Declaration of Candidacy. A candidate or ticket who fails to meet this deadline will not appear on the ballot for this election and cannot be elected.

Beginning Wednesday, February 15: Campaigning

Campaigning is not allowed until the filing deadline has passed. After that point, candidates and tickets have twenty-one days to campaign before voting ends on March 8.

Thursday, February 16, 6:00pm, Located in IUSG office in the IMU: All-Candidate Meeting

Informational meeting for all candidates who successfully filed for candidacy by the filing deadline. **Every Congressional candidate must attend this meeting, and every Presidential ticket must have at least one representative present.** In addition, no later than this meeting, the Election Commission will prepare and publish on the IUSG website a suggested template for the intermediate financial statement and the final financial statement.

Thursday, February 23: Latest Date for Candidate List to be Finalized

When a prospective candidate or ticket submits their declaration of candidacy, the Election Commission has seven business days to accept or reject the declaration based on candidate eligibility and filing requirements. Once the Commission has made its decision on all filed declarations, it will publicly announce the list of candidates for each race.

Friday, February 24, 6:30-7:30pm in the Dogwood Room of the IMU Candidate Debate (Presidential Tickets ONLY)

Students will have the opportunity to ask questions of all candidates for President and Vice President. **All Presidential and Vice-Presidential candidates must participate in the town hall event.**

Thursday, March 2, 6:00-7:00pm: Maple Room of the IMU- Candidate Town Hall (Presidential Tickets ONLY)

Students will have the opportunity to ask questions of all candidates for President and Vice President. **All Presidential and Vice-Presidential candidates must participate in the town hall event.**

Tuesday, February 28, 11:59 p.m. ET: Candidate/Ticket Bio Deadline

Deadline for a candidate or ticket to submit to the Election Commission a written statement to appear alongside the candidate's name on the ballot. The word-count maximum is 100 words for Congressional candidates and 350 words for Presidential tickets.

Tuesday, February 28, 11:59 p.m. ET: Intermediate Financial Statement Deadline (Presidential tickets ONLY)

Every ticket is required to submit a financial statement that details all campaign donations and expenditures that occurred up through February 25, 2021. **Failure to submit an intermediate financial statement by the deadline will result in disqualification from the election. The Supreme Court has ruled that current election rules do not allow ANY leniency for a candidate or ticket who fails to meet a financial statement deadline.**

Tuesday, February 28, 11:59 p.m. ET: Candidate Withdrawal Deadline**Thursday, March 2: Ballot Review**

The Election Commission will send each candidate or ticket a copy of the official election ballot for review. Any issues must be brought to the attention of the Commission no later than March 4th.

Tuesday-Wednesday, March 7-8: Voting

On the morning of March 7, every student enrolled at IU Bloomington will receive an email from the IU Division of Student Affairs that includes the link to cast their ballot. Ballots will be live for thirty-six hours, from 10:00 a.m. ET on March 7 to 10:00 p.m. ET on March 8.

Friday, March 10, 10:00 p.m. ET: Election Complaint Deadline**Saturday, March 11, 10:00 p.m. ET: Final Financial Statement Deadline**

Every candidate and ticket is required to submit a financial statement that details all campaign donations and expenditures over the course of the election period. **Failure to submit a final financial statement by this deadline will result in disqualification from the election. The Supreme Court has ruled that current election rules do not allow ANY leniency for a candidate or ticket who fails to meet a financial statement deadline.**

March 11-13: Result Announcement (Preliminary)

Once all properly cast votes have been tabulated, the Election Commission will announce the candidates that received the most votes in each race, not including any disqualified candidates. The result is not final until certified by the Supreme Court. Before certification, the only events that could alter the result in any race are:

1. A candidate or ticket who received enough votes to be elected is subsequently disqualified due to an unresolved election violation case; or
2. A candidate or ticket who received enough votes to be elected fails to submit a final financial statement (see above); or
3. A candidate or ticket who received enough votes to be elected had previously been disqualified, but that disqualification is subsequently overturned by the Supreme Court on appeal.

Mid-to-Late March: Student Representative Orientation (Congressional election winners ONLY)

Following the announcement of the preliminary election results, Representatives-elect will be contacted about Student Representative Orientation. **All Representatives-elect must attend an orientation session.** At orientation, Representatives-elect will meet one another and will be given a comprehensive onboarding about IU Student Government and their authorities and responsibilities as Members of Congress.

Mid-March to Mid-April: Transition Preparation (Presidential election winners ONLY)

The incoming President-elect and Vice President-elect will meet with the outgoing President and Vice President, begin selecting their cabinet nominees for confirmation by Congress, enter ongoing deliberations among members of Congress on finalizing the next year's IUSG budget, and speak with members of Congressional leadership about possible legislative agenda items for the first few months of their term.

Mid-to-Late March: Election Certification

Once the preliminary results are announced, financial statements are submitted, and any pending election violation cases have been resolved, the Student Body Supreme Court will formally certify which candidates were elected in each race. Certification is **FINAL**.

Mid-to-Late March: Swearing-In of Representatives Elected to Fill Vacancies (Congressional vacancy election winners ONLY)

As soon as the Supreme Court transmits the certified election results to Congress, the Representatives-elect who were elected to fill vacancies in residential districts (as opposed to the 31 Representatives-elect elected from academic districts for full one-year terms) will be able to take the affirmation of office and begin exercising their authorities and duties as Representatives.

Monday, April 3, 7:30 p.m., Frangipani Room, IMU: Organizing Day, Swearing-In of Representatives Elected for Full Terms (Congressional election winners ONLY)

This is the first official meeting, known as "Organizing Day," of the 2023 legislative session of IU Student Body Congress, which will last from April 3, 2023, to October 2, 2023. Representatives-elect who were elected from academic districts to full one-year terms will be formally sworn into office, and Congress will elect its Speaker and other officers and adopt its Standing Rules, all by majority vote. Adopting the Standing Rules is an annual process by which the incoming Congress establishes its meeting schedules, legislative process, committees, debate rules, and more. **All Representatives and Representatives-elect must attend Organizing Day.**

April 15: Presidential Inauguration

Once sworn in by the Chief Justice of the Supreme Court, the President-elect and Vice President-elect will officially take office as the next Student Body President and Student Body Vice President of Indiana University.

CHAPTER 6. CAMPAIGN FINANCE

A. TRACKING CAMPAIGN FINANCES

Each candidate is required to keep detailed records of all money they raise or spend over the course of the campaign. Every campaign donation that the candidate accepts, including from themselves, must be recorded. Every expenditure for campaign purposes must be recorded as well. In the event of ambiguity concerning whether something counts as a donation or an expenditure, the final decision rests with the Election Commission (R.B. § 3-6-2, R.B. § 3-6-3).

When recording an expenditure, you must record the **fair market value** of the good or service purchased, regardless of the price you actually paid for it. “Fair market value” is “the price a good or service would command on the open market, e.g. before family discounts or other special deals not available to all competing tickets” (R.B. § 3-6-0.1, R.B. § 3-6-4(b)).

When in doubt about campaign finance regulations, **ask the Election Commission.**

B. MAXIMUM DONATIONS AND EXPENDITURES

There are strict limits on how much money a ticket may accept and how much it may spend. Those limits are as follows (R.B. § 3-6-2, R.B. § 3-6-3):

1. A candidate may donate no more than two hundred fifty dollars (\$250.00) total to their own campaign.
2. A student who is not the candidate may donate no more than one hundred dollars (\$100.00) total to the candidate’s campaign.
3. A candidate may NOT accept a campaign donation from any person or entity who is not a student at IU Bloomington.
4. A candidate may spend no more than two thousand dollars (\$2,000.00) in campaign expenditures throughout the course of the campaign.
5. A candidate may not spend more than the amount of money they receive in campaign donations.

C. FINANCIAL STATEMENTS

Every candidate is required to submit a financial statement to the Election Commission no later than 10:00 p.m. on Saturday, September 24, 2022. Each statement must include exact, cumulative records of all donations and expenditures throughout the campaign up to 11:59 p.m. ET on Friday, September 23.

Each statement must include the following information (see R.B. § 3-6-4):

1. An itemized list of all campaign donations, including, for each donation:
 - a. The dollar amount;
 - b. The date; and
 - c. The name of the donor.
2. The total sum of all campaign donations.
3. An itemized list of all campaign expenditures, including, for each expenditure:
 - a. The fair market value of the expenditure;
 - b. The good or service purchased;

- c. The date;
 - d. A receipt for the purchase; and
 - e. The name of the vendor.
4. The total sum of all campaign expenditures.

The Election Commission will make available to all candidates a template for the financial statement no later than the all-candidate meeting. The financial statement must be signed by the candidate. **Failure to submit a statement by the deadline will result in immediate disqualification, even if you already received enough votes to be elected (R.B. § 3-8-2).**

CHAPTER 7. ELECTION VIOLATIONS

A. POINT SYSTEM

A candidate found responsible for an election violation will be assessed a number of points depending on the class of violation and the severity of the individual case. At all times, you have the right to know how many points, if any, you have accrued over the course of the campaign (R.B. § 3-7-4).

In addition to violations committed by the candidate themselves, violations that are either (a) committed by campaign staff or (b) directly or indirectly authorized, directed, or condoned by the candidate also count against the candidate (R.B. § 3-7-3).

A candidate that accrues a cumulative ten (10) points is immediately and automatically disqualified. The candidate will still appear on the ballot, but even if they receive the most votes, they cannot win the election unless the Supreme Court overturns the disqualification following an appeal. Once the election result is certified, any and all disqualifications are final, and no further disqualifications may occur (R.B. § 3-7-5).

The classes of election violations and their respective point penalties are as follows (R.B. § 3-7-6):

1. Class A, ten (10) points.
2. Class B, no fewer than six (6) and no more than eight (8) points.
3. Class C, no fewer than four (4) and no more than six (6) points.
4. Class D, no fewer than two (2) and no more than four (4) points.
5. Class E, no fewer than one (1) and no more than two (2) points.

B. VIOLATIONS OVERVIEW

The complete definitions of all election violations are found in R.B. 3-8, "Violations Defined." The following list does NOT contain in-depth descriptions the various election violations, but instead a brief overview:

Vote Interference

Voter suppression, voter fraud, voter harassment or intimidation, buying votes, etc., Class A.

Campaign Finance Offense

Failing to submit a required financial statement, Class A. Excess donations or expenditures by over one hundred dollars (\$100.00), Class A. Excess donations or expenditures by up to one hundred dollars (\$100.00), Class B.

Candidate Dishonesty

Knowingly or intentionally providing provably false information to the Election Commission, withholding evidence or other required information, Class A.

Improper Use of IUSG Office

Using IUSG office space for campaign purposes, Class C.

Improper Use of Telecommunications¹

The following actions each count as improper use of telecommunications (“telecommunications” includes email messages, text messages, and phone calls):

1. Sending a campaign telecommunication to someone who has not been sent a message offering an opt-out within the previous 72 hours (if the telecommunication includes an opt-out itself, then it is not improper use of telecommunications).
2. Emailing multiple students for campaign purposes without placing all recipient email addresses in the BCC line.
3. Sending a campaign telecommunication later than 16 business hours (9am-5pm) after the recipient has requested to stop receiving messages.
4. Sending a campaign telecommunication to someone who is not currently a student at IU Bloomington.

Class depends on cumulative number of persons the violation is committed in communication with:

1. One (1) to fifty (50), Class D.
2. Fifty-one (51) to five hundred (500), Class C.
3. Five hundred one (501) to five thousand (5,000), Class B.
4. More than five thousand (5,000), Class A.

Improper Use of IUSG Branding

Using the IUSG seal on campaign materials; acting, speaking, or distributing materials in a way that would give a false impression that said actions, speech, or materials are on behalf of IUSG or any IUSG body or officeholder, Class C.

Restricted Area Campaigning

Campaigning in an RPS building in violation of RPS policies, campaigning in a University library or computer lab without Election Commission approval, campaigning at a 21+ establishment, or campaigning in a classroom (or Zoom equivalent) during instruction without instructor approval, Class D. Posting print materials, wearing campaign clothing, or sending campaign communications do not count as Restricted Area Campaigning.

Campaigning Before Campaign Period

Campaigning before the filing deadline, Class E. Necessary actions to recruit campaign staff or encourage others to run do not count as Campaigning Before Campaign Period.

Print Materials Offense

Posting or distributing print materials in violation of IU, RPS, or UITS policies, Class E.

Campaign Interference

Attempting to cause another candidate to commit an election violation, same class as the class attempted to be caused to be committed. Interfering with another candidate’s campaign materials, Class D or Class C depending on the severity of the case.

¹ Campaign telecommunications, especially mass-texting services, have been the subject of much contention and internal litigation in recent years. Candidates who choose to employ telecommunications are strongly advised to use caution in order to avoid committing violations.

University Policy Violation

Being found responsible by an IU judicial authority for a University policy violation in the course of campaigning, class depends on the severity of the case.

CHAPTER 8. COMPLAINTS AND APPEALS

A. COMPLAINTS

Any person who has credible evidence that an election violation has been committed has an “affirmative duty” to report the violation to the Election Commission by filing an election complaint (R.B. § 3-9-1).

The complaint form is available on the IUSG website. A complaint will not be considered unless it includes the following information (R.B. § 3-9-4):

1. The name and University email address of the complainant.
2. A **specific, detailed, credible** allegation of wrongdoing by one or more persons, including name(s) and date(s).
3. Accurate citation(s) to the provision(s) of the IUSG Bylaws claimed to have been violated by the alleged offense.
4. Any evidence the complainant considers necessary or relevant to support the allegation.

All complaints are distributed by the Commission to all candidates and published on the IUSG website. If the Commission determines there is a “substantial possibility that the alleged violation(s) did occur, in whole or in part,” it will accept the complaint and begin a formal investigation into the allegation. The Commission is not required to accept the complaint, nor is the Commission required to justify its decision whether or not to accept (R.B. § 3-9-5).

B. IF AN INVESTIGATION IS INITIATED AGAINST YOU

If the Commission investigates you for a suspected election violation, it will notify you immediately. You will then have seventy-two (72) hours to respond to the allegation in the form of a reply brief (R.B. § 3-9-6).

Following its investigation and deliberations, the Commission will issue a formal judgment of “responsible” or “not responsible.” A judgment requires a two-thirds majority vote of the commission.

A finding of “not responsible,” meaning that there is not sufficient evidence to determine that a violation did occur, is final. It may not be appealed to the Supreme Court, nor may it be reconsidered by the Commission unless in case of an “extraordinary discovery of evidence” (R.B. § 3-9-8).

A finding of “responsible” will be accompanied by a point penalty. A candidate found responsible for an election violation has the option to request to appeal the decision to the Student Body Supreme Court for final judgment.

C. APPEALS

Appeals are governed by R.B. § 6-3, “Appellate Procedures.” The appeal request form is available on the IUSG website. The Supreme Court is NOT required to accept a request for appeal.

If the Election Commission issues a judgment against you, you then have forty-eight (48) hours to request an appeal; however, no appeal may be requested after the election result is certified (R.B. § 6-3-2). A request must include the following (R.B. § 6-3-3):

1. An identification of the Election Commission ruling to be appealed.
2. A specific request for relief (i.e., that the point assessment be reversed).
3. An argument as to why the Election Commission ruled incorrectly and why the requested relief should be granted.
4. Any evidence you consider necessary or relevant to support your argument.

The Supreme Court may grant a request to hear an appeal if the Commission ruling was a clear and plain error in judgment, if the case hinges on a matter of interpretation of the IUSG Bylaws or other statute, or if there is a reasonable suspicion of bias on the part of the Commission (R.B. § 6-3-1).

Upon granting a request, the Court will order the Commission to explain its ruling in the form of a reply brief. Then both the appellant (the candidate) and the appellee (the Commission) will be ordered to appear before the Court at a public hearing to deliver oral arguments. Following the hearing, the Court will deliberate on the case and issue the Opinion of the Court, a document detailing the reasoning behind its decision to (a) uphold the Commission's judgment, (b) overturn the Commission's judgment, or (c) remand the case back to the Commission for further review.

No matter what the Supreme Court decides, its ruling is **final**.