

A Policy Book for the Elections Policy Book

IN THE Twelfth UNDERGRADUATE SENATE

4 DECEMBER 2016

Speaker of the Twelfth Undergraduate Senate Noah Glen Wills

Article I. Spirit of Elections

Section 1. Governance of Elections

Subsection i. In fulfillment of its duties and obligations – to provide to the Student Body free, fair, and expeditious elections – the Joint Committee on Elections Policy puts forth this Policy Book as the primary regulations and guidelines for campaigns, candidates, and members of the Student Body regarding AUSG Elections.

Subsection ii. The American University Student Government Constitution, Bylaws, Judicial Register, Standing Elections Policies, Elections Policy Book, and Official Policy Interpretations are the sole regulatory documents governing elections, and take precedence in descending order.

Subsection iii. Standing Election Policies issued by the Joint Committee on Elections Policy are not amendments to the Policy Book; but, when contradictory are supreme. At the conclusion of an election cycle all Standing Election Policies issued therein are null and void.

Subsection iv. The Joint Committee on Elections Policy shall have the exclusive power to offer authoritative clarification and/or interpretation pertaining to any document governing elections.

Subsection v. All students who are currently running for elected office, and all who intend to run for elected office, and make an overt act of campaigning, shall be considered candidates. The regulations in this Policy Book shall apply to all candidates and campaigns at all times. Students engaging in elections-related activities shall comply with the Elections policies.

Section 2. Campaign Organization

Subsection i. Students who intend to run for elected office may form Campaigns and Campaign Staffs at any time. Candidates assume all liability for actions taken on their behalf by Campaign Staff. In instances of no Candidates, Campaign Managers assume all liability for actions taken on behalf of their Campaign's Staff.

Subsection ii. Campaign Staff is defined as: individuals campaigning or acting on the behalf of a campaign or candidate.

Subsection iii. Candidates and Campaign Staff are responsible for understanding and observing all sections of the Elections Regulations, all Standing Election Policies, Official Policy Interpretations, and instructions of Election Commission members in the discharge of their duties.

Subsection iv. Referenda campaigns shall not be considered campaigns until certified for the ballot by the Elections Commission. However, persons acting on behalf of a referendum before it is certified shall comply with the Elections policies.

Section 3. Election Ethics

Subsection i. No Candidate, Campaign Manager, or campaign staff member shall attempt to manipulate or sway the opinion of a member of the Joint Committee on Elections Policy, Elections Commission, or Judicial Board, outside of official proceedings.

Subsection ii. Candidates and Campaign Staff shall adhere to all Federal and Local criminal laws and University laws and regulations and shall not resort to campaigning in the following fashions:

- a. Unauthorized removal of campaign materials;
- b. Campaigning in a physically intimidating, coercive, or threatening fashion which is intentional or persistent;
- c. Offering undue clarification, interpretation or instructions pertaining to the AUSG Elections Policies; or
- d. Use of official powers or non-sanctioned Student Government materials on behalf of a campaign. Discussing elections in a Student Government affiliated office space does not constitute a violation in this subsection. The use of official powers or non-sanctioned Student Government materials includes actions such as sending an email to non-Student Government affiliated students from an SG e-mail account in a campaigning fashion, the use of SG printers to print flyers, and restricting SG office space for the use of campaign activities and campaign staff.

Subsection iii. Any breach of Election Ethics is to be considered an Ethical Violation.

Article II. Election Cycle

Section 1. Governance of Elections

Subsection i. An election cycle is defined as; the length of time from the first information session to the Announcement of election results. All election cycles shall consist of at least:

- a. Three (3) information Sessions;
- b. Campaigning and Petitioning;
- c. One (1) Nomination Convention;
- d. Voting;
- e. Election Certification; and
- f. Announcement of Election Results.

Subsection ii. Prior to the commencement of an election cycle, the Elections Commission will determine the schedule for elections with the consent of the Office of Student Activities, and announce the following details:

- a. The dates, times, and locations of all Information Sessions;
- b. The date, time, and location of the Nomination Convention;
- c. The dates, times, and method of voting; and
- d. The date, time, and location of the announcement of Election Results.

Subsection iii. If so needed or called for, the requirements regarding election cycles may be waived for Special Elections or Referenda Elections through a standing elections policy issued by the Joint Committee on Elections Policy.

Article III. Elections Qualification Process

Section 1. Information Sessions

Subsection i. The Elections Commission shall hold at least three (3) information sessions, in which all election procedures shall be explained. All candidates and campaign managers are required to attend at least one (1) information session.

Subsection ii. Should conflicts arise which prevent attendance of all information sessions, prospective candidates and campaigns may schedule an appointment with the Elections Commission for an individual information session.

Subsection iii. Candidates and Campaigns may only begin to campaign and petition for candidacy after the final scheduled information session has been concluded.

Section 2. Nomination Convention

Subsection i. In order to appear on the election ballots, candidates and campaigns are required to attend the Nomination Convention, submit Nomination Petitions, complete the required forms, and submit them to the Elections Commission.

Subsection ii. Balloted Candidates need to be cleared by the Office of Student Activities to ensure that they are compliant with University Standards for student leadership positions, and therefore become certified candidates. Failure to meet requirements shall render the student ineligible for candidacy.

Subsection iii. Referenda will be certified for election if two-thirds (2/3) of the Undergraduate Senate or ten percent (10%) of the student body support it, by vote or petition, respectively.

Subsection iv. All candidates and campaigns assume full liability for qualification; if a campaign fails to qualify for any reason they shall be removed from the ballot and rendered ineligible for balloted candidacy.

Subsection v. The Elections Commission may make situational exceptions to established deadlines for required forms on a case-by-case basis. All exceptions must be impartial and fair.

Subsection vi. Upon completion of all nomination requirements, the Elections Commission shall declare a candidate certified. Only certified candidates and/or campaigns shall appear on the ballot.

Subsection vii. The Elections Commission shall be responsible for confirming and publishing the list of certified candidates after the nomination convention.

Subsection viii. Each potential candidate for a Senate seat, School or Class Council office must obtain the unique signatures of fifty (50) eligible voters. Each potential candidate for an Executive Office must obtain the unique signatures of one-hundred (100) eligible voters.

Subsection ix. Eligible voters are defined as students within each constituency who are in good standing with the University.

Subsection x. In order to campaign and collect signatures, students must have attended an information session. Signatures may be gathered in person or digitally; however, only signatures submitted digitally will be accepted by the Elections Commission.

Subsection xi. To acquire signatures in residence halls, candidates and campaigns must adhere to all policies set out by Housing and Dining Programs, in addition to those contained in the Elections Policy Book.

Subsection xii. Signatures may be gathered by candidates, campaigns, and their campaign staff as long as prospective candidates and campaigns do not intentionally or recklessly interfere with normal university or university sponsored activities,

including, but not limited to: studying, teaching (including class sessions and office hours), research, university administration, or fire, police or emergency services.

Subsection xiii. If a petition fails to meet the required number of digital signatures, is not submitted by the deadline, or fails Student Conduct verification, the candidate will be ineligible for balloted candidacy.

Subsection xiv. A valid petition signature must include an eligible student's first and last name, AU ID number, School, number of credit hours earned, their university e-mail, and time stamp.

Section 3. Write-in Candidates

Subsection i. Students who did not meet the qualifications to have their name placed on the ballot, or did not submit the appropriate forms to the Elections Commission at the Nomination Convention, shall be eligible to declare a write-in candidacy.

Subsection ii. A prospective write-in candidate must schedule a private information session with the Elections Commission, at which time the necessary paperwork shall be supplied and submitted if they wish to be considered a declared write-in candidate. The candidate may begin their campaign immediately once all paperwork has been properly filed. The Elections Commission shall forward the candidate to Student Activities to receive academic and disciplinary clearance, but the campaign may proceed on a tentative basis until this clearance is received.

Subsection iii. Write-in campaigns shall be entitled to all rights and privileges, and subject to all applicable rules and campaign policies, as any balloted candidate's campaign.

Subsection iv. Students may not run a write-in campaign if they have not officially declared write-in candidacy with the Elections Commission; doing so constitutes an ethical violation, and may be punishable by disqualification from election, if determined by a formal hearing. Fake or mock campaigns that do not demonstrate any intent to directly elect a qualified student into an electable position shall not invoke any penalty.

Subsection v. Students that do not declare a write-in candidacy, but whom are elected by receiving a plurality of 10 percent of the votes in their race (a "spontaneous election"), shall be contacted by the Elections Commission to verify their intent to take office, and must also receive clearance by Student Activities as being in good academic and disciplinary standing so that they may qualify to serve in their office. In the event of a tie, the seat shall be considered vacant.

Section 4. Changes in Candidacy

Subsection i. Candidates may withdraw from elections before certification by the Elections Commission. Candidates may also refuse to take office, at which point the Senate shall determine the winner by choosing from among the candidates in the affected race. To win, a candidate must receive the votes of a majority of senators present and voting.

Subsection ii. Candidates may change races before voting begins as long as they obtain the required number of unique signatures for the new race and comply with all other elections policies. Signatures can only be used for the race in which they were obtained and cannot be transferred from one race to another.

Article IV. Campaigning Process

Section 1. Campaign Rules

Subsection i. Campaigning by candidates or their staff is permitted only after attending at least one (1) of three (3) information sessions and shall cease at the closing of the polls.

Subsection ii. Campaigning is defined as: any action taken in support of or opposition to a candidacy or campaign, in coordination with a campaign. All students who campaign are considered campaign staff. Acts of private or public speech which do not qualify as campaigning are not regulated. Endorsements are explicitly not considered acts of campaigning.

Subsection iii. Campaigning may not prevent the operation of normal university or university-sponsored activities, including, but not limited to, studying, teaching (including class sessions and office hours), research, university administration; or fire, police, or emergency services.

Section 2. Campaign Materials Regulations

Subsection i. "Campaign Materials" are any and all materials created or made to advocate for or against a candidate or a cause in an election.

Subsection ii. All campaign materials must be in good taste and comply with all policies in this book. Materials are not required to be approved by the Elections Commission, but the Commission may provide advice to campaigns on whether materials comply with this book. The Election Commission shall have the power to issue a removal order for any material that violates this policy book, and may pursue charges for applicable violations. Failing to remove the materials in question is a policy book violation. The AUSG Logo, or any version of it, is prohibited from appearing on any campaign materials.

Section 3. Campaign Finance Regulations

Subsection i. Candidates and campaigns may spend money to procure campaign materials. Candidates for senate and school and class council elections may utilize no more than sixty dollars (\$60.00) in the furtherance of their campaigns. Candidates for executive office and referenda campaigns may spend no more than two hundred dollars (\$200.00).

Subsection ii. Campaign purchases must comply with all American University policies, as well as all rules and policies under local and federal law.

Subsection iii. In accordance with policies agreed to with Student Activities, there shall be an American University Leadership Grant. Candidates running for executive office in competitive races may access two hundred dollars (\$200.00) from the leadership grant only if they acquire twice the required signatures on their nominating petition.

Subsection iv. All candidates and campaigns must present a copy of all receipts to the Elections Commission.

Subsection v. The Elections Commission shall post daily to a public ledger all expenditures by campaigns. All campaigns must notify the Elections Commission of purchases and amounts spent each day by 12:00 AM.

Subsection vi. For the purposes of subsection a, "campaign materials" shall not include black and white printed materials. Black and white printed materials include all printed materials that have no color on them.

Section 4. Endorsement Regulations

Subsection i. All non-academic organizations and societies recognized by the Office of Student Activities may endorse candidates, excluding Student Government entities, departments, and subsidiary bodies.

Subsection ii. An endorsement is not an act of campaigning even if it encourages students to take a particular action in support of or opposition to a candidate or campaign.

Subsection iii. Candidates may not falsely publicize an endorsement. False publication of an endorsement occurs when a candidate specifically states or advertises an endorsement from an eligible group when such an endorsement did not occur. The incidental display of an eligible organization's logo, when the candidate is a member of said organization, is not considered false publication of an endorsement, but organizations may prohibit or require a disclosure in the use of their name or logo by candidates. Falsely publicizing any endorsement or improper display of an organization's logo is to be considered an Ethical Violation.

Section 5. Campaigning Regulations

Subsection i. Campaigning is not permitted inside the Kay Spiritual Life Center or inside the Mary Graydon Center, except when explicitly approved by Student Activities or American University Administration, and sanctioned by the Elections Commission.

Subsection ii. All postings of campaign materials are restricted to general posting boards. General Posting Boards shall have a limit of two (2) posters of the 8.5" x 11" size per board. Larger posters of a size no larger than 11" x 17" shall be limited to one (1) poster per general posting board. All posters posted by candidates shall follow all policies of the Student Government and American University. The unauthorized addition or removal of campaign posters shall constitute a violation of these policies.

Subsection iii. Campaigns shall be prohibited from chalking.

Subsection iv. No campaign materials may be scattered in any fashion or in any place.

Subsection v. To campaign in residence halls, candidates must get the permission of the Community Director for specific times and locations via email. Candidates will only be allowed to ask the Community Director to campaign in the residence halls between normal university operating hours. They shall forward this email to the Elections Commission and carry a copy while in the residence halls.

Subsection vi. At no time shall the in-hall campaigning of candidates interfere with the normal sleep or study of residents. Posters may only be hung on residence hall doors with the consent of the resident(s) therein.

Subsection vii. All campaigning shall cease immediately upon the close of polling. All physical campaign materials must be removed within forty-eight (48) hours of the close of polls.

Subsection viii. Members of the Elections Commission, the Joint Committee on Elections Policy, or the Judicial Board may not be part of any campaign or publicly endorse any candidates.

Subsection ix. The use of Blackboard for campaign related activities is prohibited.

Subsection x. The Elections Commissioner shall have the power to enforce this Policy Book by warning candidates and campaigns of potential violations and is required to submit unresolved violations within twelve (12) hours of the warning. The Elections Commissioner shall have the power to submit any potential violation to the Chair of the Judicial Board regardless of who is also aware of the violation.

Article V: Voting Process

Section 1. Voting Procedures

Voting will commence after a reasonable period of time after the nomination convention. It will proceed in a manner specified by the Elections Commission. The Elections Commission has full authority to enact any sort of voting method it deems proper, as long as the method does not disenfranchise any student. Campaigning may continue during voting. Campaigning and voting will end concurrently, at which time, the Elections Commission will compile a full account of election results.

Section 2. Election Ties

In the event that two or more candidates, wherein at least one is a declared candidate, receive an equal number of votes, the outgoing Senate shall determine the winner by choosing from among the tied candidates during the special certification meeting. To win, a candidate must receive the votes of a majority of senators present and voting.

Article VI. Certification Process

Section 1. Certification Process

Elections shall be certified by the decision of the Joint Committee on Elections Policy and reviewed by the Undergraduate Senate as described by the Bylaws.

Article VII. Adjudication

Section 1. Violation Classifications

Subsection i. Policy Book violations are breaches of the election rules and procedures defined in the AUSG Elections Policy Book and Standing Elections Policies.

Subsection ii. Governing Document violations are breaches of the rules and procedures specified in the AUSG Constitution, Bylaws, and Undergraduate Senate Legislation.

Subsection iii. Ethical violations are breaches of Judicial Board rulings and orders, and the Election Ethics specified in the AUSG Elections Policy Book.

Section 2. Infraction Reporting

Subsection i. If any member of the student body perceives a violation of election regulations, they may submit allegations and evidence to the Chair of the Judicial Board.

Subsection ii. The Chair of the Judicial Board may, at his/her discretion, accept the charges with merit. If the Chair decides that a charge has merit, the charges shall be brought to the full Judicial Board.

Subsection iii. If a student wishes to file an inquiry or violation against a candidate or campaign, then they are required to serve as the complainant.

Section 3. Adjudication Process

Subsection i. The Judicial Board shall utilize all means at its disposal to adjudicate election violations in the most expedient, but fair manner possible. All dispute resolution formats and hearing procedures shall be proscribed in the Judicial Register.

Subsection ii. Any candidate may elect to have a Formal Hearing before the Judicial Board for any violation. Otherwise, one party may move to resolve the case in their preferred fashion. The selected method of dispute resolution shall be convened with all due haste after the Judicial Board approves the charges or grants review on appeal.

Section 4. Appeals Process

Subsection i. After a conference or mediation, the ruling may be appealed to the Judicial Board. The appeal will be heard under normal hearing procedures. The Judicial Board's decision is final.

Section 5. Adjudication Sanctions

Subsection i. The punishment that results from the mediation or the hearing, shall impose sanctions that are fair and within the scope of the violation. The Judicial Board may not impose a sanction(s) against a campaign or candidate, or otherwise take action against a campaign or candidate prior to the conclusion of a mediation or hearing, or any other form of adjudication.

Subsection ii. Sanctions available and are explicitly limited to:

- a. Removal or Deletion of Materials;
- b. Open and Public Letter of Apology;
- c. Restriction of Campaign Finance Allowance;
- d. Suspension of Campaign Activities; or
- e. Candidate Disqualification.

Subsection iii. All mediation results, and opinions shall make clear the applied sanction(s) and the reasoning for the applied sanction(s).

Subsection iv. At no time shall the Judicial Board, Joint Committee on Elections Policy, or the Elections Commission notify or bring to another campaign's attention a potential violation of another campaign.

Subsection v. Only a formal Hearing may result in removal from ballot or disqualification from the election.

Subsection vi. Should a candidate's or referenda campaign be suspended, all of its operations must cease. The suspended campaign, including campaign staff, may not campaign for or against any candidate or campaign in the affected race. Individuals, including candidates, who are members of a campaign that has been suspended, may still campaign for or against candidates or campaigns in other races.

Article VIII. Special Elections and Referenda

Section 1. Special Elections

Subsection i. The Elections Commission will hold, within 30 academic days, a special election to fill vacancies in either the Presidency or Vice Presidency. In extenuating circumstances, the 30 academic day time period can be extended through a Joint Order issued through the Executive Board and the Speaker of the Undergraduate Senate. This extension may not exceed 30 additional academic days. An extension may not be extended.

Subsection ii. All other pertinent regulations will apply to special elections.

Section 2. Referenda

Subsection i. Referenda may be called on any issue by a two-thirds (2/3) vote of the Undergraduate Senate or petition of ten percent (10%) of the student body. A referendum shall be held at the next scheduled election unless other provisions are made in the text of the referendum itself.

Subsection ii. Referenda campaigns will have, at most, two election cycles to college signatures beginning after the announcement of election results from the most recent election cycle and ending at the nomination convention during one of the two following election cycles. Campaigns must declare with the Elections Commissioner

- to begin petitioning. Campaigns may be eligible to appear on either of the two election cycles following their declaration with the Elections Commissioner as long as the required number of signatures has been met for approval.
- Subsection iii. Once the petition, with the required ten percent (10%) of the student body, has been submitted, pending approval by student activities, campaign managers must attend an information session conducted by the Elections Commission. Only after campaign managers have attended an information session can a campaign manager register their campaign with the Elections Commission at the Nomination Convention.
- Subsection iv. Referendum campaigns must be registered as one of the following sides: YES, NO, ABSTAIN
- Subsection v. A maximum of two-hundred dollars (\$200) per side may be used by campaigns. If there are two or more campaigns for one side, then the maximum amount will be split evenly between the campaigns. All Campaign Finance Regulations apply to referendum campaigns.
- Subsection vi. Referenda shall be considered passed if they attain a simple majority of votes except amendments to the Student Government Constitution, which shall require a two-thirds (2/3) majority.

**BY A VOTE OF _____ TO _____ WITH _____ VOTES PRESENT ON
THIS _____ DAY OF _____, 2016.**

Noah Glen Wills
Speaker of the Undergraduate Senate

Attesting: _____
Title: _____