**PROPOSED NUSL SBA ELECTION BYLAWS AND CAMPAIGN RULES**

I. Scope and Purpose

A. Scope: These bylaws shall apply to all student elections for offices that are established under the auspices of the SBA Constitution or NUSL Charter.

B. Purpose: These bylaws are hereby established to promote fair and legitimate elections for student office and to allow participation in student governance by as many students as possible.

II. Definitions

Voter: A student who by virtue of her class and rotation status is eligible to vote in a particular election or for a particular office.

Candidate: A student who has met all qualification requirements to run for office and timely submitted a candidate registration form to the Vice Chair of Communications.

Polling Period: The time during which election ballots may be cast.

III. Election Administration

1. Qualification of Candidates:
2. Candidate Registration Form: The Vice Chair of Communications shall make Candidate Registration Forms publicly available no less than two (2) weeks prior to the candidate registration deadline. Candidate Registration Forms shall request all information necessary to administer the election and to confirm an individual student’s eligibility to be a candidate.
3. Deadline For Registration: The Vice Chair of Communications shall set a firm deadline for the submission of candidate registration forms and shall not accept any form or amendments to the forms after this deadline.
4. Agreement to Abide by Campaign Rules: The candidate registration form shall include the following the text with a signature line. Any student who fails to sign and agree to this language will not be considered a candidate for office.

“I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, understand that by signing and submitting this candidate registration form I am acknowledging that I am familiar with and agree to abide by all of the terms of the SBA election bylaws and campaign rules. I further understand that any breach of the election bylaws and campaign rules will disqualify my candidacy for office.”

1. Election Timing:
2. Setting of Election Dates: The Vice Chair of Communications, in consultation with the SBA Executive Board, shall set the date of all elections for public office. The date of elections shall be announced to the student body no less than one (1) month prior to the first day of elections.
3. Considerations in Setting Election Dates: In setting election dates the Vice Chair of Communications shall abide by the requirements of the SBA Constitution and may consider the following non-exhaustive list of potential concerns.

* The scheduling of SBA meetings and events.
* The ongoing or expected work and goals of the SBA.
* The promotion of a smooth transition from former to current office-holders.
* The occurrence of major course work deadlines and examinations that affect a significant portion of the student body.
* The occurrence of major school or career related events that affect a significant portion of the study body.
* The occurrence of holidays.
* The availability of students who can assist in administering the election.
* The potential occurrence of significant disruptions to the elections process.

3. Changes in Election Dates: The SBA Executive Committee may, by majority vote of its members, change the election dates as is deemed necessary to promote a fair and legitimate election. Any changes in election dates must not cause undue hardship on candidates and shall afford candidates a fair chance to prepare for the election.

1. Length of Election Polling:
2. Vesting of Power: The Vice Chair of Communications, in consultation with the SBA Executive Board, shall determine the length of the polling period.
3. Reasonable Opportunity to Participate: The polling period shall afford the voters a reasonable opportunity to participate. Under no circumstances shall polls be open for less than three (3) days.
4. Extension of Polling Period: Once polling has begun the polling period may be extended by a majority vote of the SBA Executive Board as required for the purposes of fairness and legitimacy.
5. Valid Considerations for Determining the Polling Period: In determining the reasonableness of the period of time during which polls are open the Communications Chair may consider the following non-exhaustive list of potential concerns:

* The occurrence of major course work deadlines and examinations that affect a significant portion of the student body.
* The occurrence of major school or career related events that affect a significant portion of the study body.
* The occurrence of holidays.
* The availability of students who can assist in administering the election.
* The number of votes expected or desired to be cast.
* The occurrence of significant disruptions to the elections process.

1. Voting and Vote Counting:
2. One Student One Vote: Every eligible voter shall be given the opportunity to cast one (1) vote for each seat that is contested.
3. Secret Ballot: All ballots shall be counted in a manner that is either anonymous or if not anonymous, vote counters shall maintain the confidentiality of all votes.
4. Sequestration of Candidates: No candidate for office may view completed ballots or be involved in the vote counting process.
5. Prohibition on Double Voting: Where there exist multiple seats for a single office, no voter shall cast more than one vote for a single person for a single office. The Vice Chair of Communications will be responsible for ensuring that voters do not cast multiple votes for the same person for the same office and shall remove all ballots that fail to conform with this rule.

D. Election Results:

1. Timing of Election Results: Within three (3) days of the close of polls the Vice Chair of Communications shall present the election results to the SBA Executive Board and the candidates for office.
2. Form of Election Results: When presenting the election results the Vice Chair of Communications shall provide the SBA Executive Board the full vote tallies and shall provide the candidates for office only the names of those candidates who won office without vote tallies. Vote tallies shall remain strictly confidential.
3. Promotion of Broad Participation: The SBA Executive Board shall have the discretion, upon reviewing the election results, to discuss with individual candidates who won multiple offices the option of them stepping aside from one or more offices to permit the next highest vote winner the opportunity to fill that seat. This power shall be exercised only to promote the broadest participation possible and any such discussions shall remain strictly confidential.

IV. Campaign Rules

1. Election Solicitations:
2. Generally: Candidates may solicit fellow students to vote by:
   1. In person communications;
   2. Phone calls;
   3. Fliers or other printed media;
   4. Hosted Events; and
   5. Food giveaways
3. Location of Solicitations: Printed solicitations shall only be displayed in the student locker rooms, on bulletin boards designated by the Vice Chair of Student Activities and on the windows of the Dockser student activities room. Solicitations by food or treat giveaways shall be conducted only in the Dockser common area. No solicitation for a particular candidate should occur in a classroom.
4. Timing of Solicitations: Solicitations may begin the week before elections and may continue through the polling period. No solicitation for a particular candidate should occur during class.
5. Solicitations by Others: Any solicitation by a person other than a candidate shall be deemed to have been conducted by the candidate the solicitation favored. Therefore candidates should ensure that anyone campaigning on their behalf is familiar with the campaign rules.
6. Prohibited Solicitations: Solicitation by email or other direct electronic communication is strictly prohibited. Any form of solicitation not outlined above shall be presumed prohibited unless stated otherwise by the Vice Chair of Communications.
7. Interpretation of Rules: The Vice Chair of Communications shall have broad discretion to fairly interpret the campaign rules. If a candidate is uncertain about whether their solicitation complies with these rules they should consult with the Vice Chair of Communications for an opinion. Any such opinions from the Vice Chair of Communications shall be made known to all candidates for office.
8. Violation of Campaign Rules:
9. Notification: Upon becoming aware that a potential violation of the campaign rules has occurred, the Vice Chair of Communications shall immediately notify the alleged violator of the occurrence of a potential violation.
10. Determination of Violation: As soon as is practicable the Vice Chair of Communications shall confer with the SBA Executive Board about the alleged violation and provide the Executive Board with all relevant information needed to determine if a violation occurred. The alleged violator shall have an opportunity to offer an explanation of the alleged violation to the Executive Board. The Executive Board shall then vote to determine whether it deems a violation of the campaign rules to have occurred considering: the evidence of the alleged violation, the explanation for the violation, the applicable elections bylaws and campaign rules, any applicable legislative history and the opinion of the Vice Chair of Communications.
11. Determination of Punishment: Upon a determination by the SBA Executive Board that a violation of the election bylaws and campaign rules occurred, the Executive Board shall provide for one of the following punishments or a combination of the punishments. In considering a punishment the Executive Board may consider the severity or boldness of the violation, any prior violations by that candidate, any ambiguity surrounding the violated rules, any special circumstances that may arise and the explanation provided by the violator.
12. Available Punishments:
    1. Disqualification: The candidate is stricken from the ballot and no longer considered a candidate for office in this election.
    2. Bar on Solicitations: The candidate must destroy all existing solicitations and is no longer permitted to solicit votes.
    3. Public Shaming: The candidate’s name on the ballot shall be accompanied by a disclaimer that the candidate violated the campaign rules.

**ALTERNATIVES**

1. Prohibition of Food/Treat Giveaways: Some students expressed a concern about food giveaways because those sorts of events potentially gives students with greater means an advantage. If this alternative is passed all references to food giveaways will be stricken from the above text and food giveaways will be added to the prohibited solicitations section.
2. Limitation on Total Campaign Expenditures: Some students expressed a general concern that students with greater means will have an advantage in campaigning and therefore requested a spending cap on campaign solicitations. If passed the following section would be added to the campaign bylaws:
   1. “Limitation on Total Campaign Expenditures: No candidate for office may spend more than $30 on campaign solicitations for any given election cycle.”
3. Allowing Limited Email Solicitation: Some students expressed a strong desire to be allowed to solicit via email. A number of potential scenarios were raised that revealed some weaknesses in strictly prohibiting email communication. There are two alternatives to the above language that I think can address these concerns, the second alternative, if passed would also mean that the section entitled prohibited solicitations would be stricken.
   1. “Exceptions for Unavailable Candidates: The Vice Chair of Communications may allow an exception to the prohibition against email and electronic solicitations for a candidate who is unavailable to solicit for votes by the means outlined above. A candidate is unavailable if she is:
      1. Hospitalized;
      2. On Co-Op;
      3. On the opposite rotation from which the election is being held; or
      4. Out of state.”
   2. “Limited Email and Electronic Solicitations: Email and other electronic means of solicitation are permitted. However, each candidate is limited to a single mass email or other electronic communication, that may be addressed only to their friends and acquaintances.”