

Student Assembly Elections Committee

**2013 Spring Rules Draft**

Cornell Assemblies

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**Contents**

<b>Article I. Election Guidelines</b>	<b>2</b>
A. Candidate Information . . . . .	2
1. Eligibility . . . . .	2
2. Promotional Materials . . . . .	3
3. Written Statements . . . . .	4
4. Pictures . . . . .	4
5. Forum . . . . .	4
6. Candidate withdrawal . . . . .	4
B. Election Guidelines . . . . .	4
1. Early Campaigning . . . . .	4
2. Restrictions for <u>Current SA Members</u> . . . . .	5
<u>23.</u> Compliance with Campus Life Policies and Conduct Codes . . . . .	5
<u>34.</u> Campus Mail . . . . .	5
<u>45.</u> Electronic Communications <u>and Social Media</u> . . . . .	5
56. Campaign Finance . . . . .	6
<u>67.</u> Endorsements . . . . .	6
<u>78.</u> Campaign Ethics . . . . .	7
<u>89.</u> Restrictions on Ticketing and Slates . . . . .	7
<b>Article II. Direct Election of President and Executive Vice President</b>	<b>7</b>
A. President and Executive Vice President designation and eligibility . . . . .	7
<b>Article III. Election Procedures</b>	<b>8</b>
A. The Elections Calendar . . . . .	8
B. The Elections Committee . . . . .	8
1. Membership . . . . .	8
C. Conduction of Election and Tabulation . . . . .	9
D. Challenges . . . . .	9
1. Eligibility to Challenge . . . . .	9
2. Challenge Deadlines . . . . .	9
3. Format of Challenges . . . . .	9
4. Notification of Election Challenges . . . . .	10

5. Response to Election Challenges . . . . .	10
6. Challenge Review Meeting . . . . .	10
7. Preliminary Report . . . . .	10
8. Appeals . . . . .	10
9. Finality . . . . .	11
10. Confidentiality . . . . .	11

*Adopted on Thursday, 3 December 2009.<sup>(w)</sup> Amended Friday, 3 December 2010;<sup>(w)</sup> Friday, 2 December 2011.<sup>(w)</sup>*

## Article I. Election Guidelines

Elections are the foundation upon which representative governance rests. These rules are designed to protect the rights of all candidates, as well as all members of the University community, and to ensure that the election process takes place in an open and fair arena. Candidates must respect the rights and privileges of all members of the Cornell community, and to follow all election guidelines outlined in this document. Election rules are subject to yearly approval by voting members of the Student Assembly.

### A. Candidate Information

#### 1. Eligibility

*Rearranged to make this clear and complete—not actually changing any of current practices.*

To vote in an election for a seat in the SA, a person must:

1. be a full-time, matriculated undergraduate student enrolled in a degree-granting unit of the Ithaca campus of the University; and,
2. be a member of the constituency for which the seat is designated, if it is designated for one of the following:
  - 2.1. a seat specific to college of enrollment,
  - 2.2. Freshman at Large, or
  - 2.3. Transfer at Large.

To be a candidate, a person must, prior to the petitioning deadline specified in the elections calendar:

1. be eligible to vote in the election for the seat and plan to remain so for the full term for which he or she is seeing election;
2. submit a completed candidate registration form and any associated materials required in that form;
3. submit petitions endorsed by the required number of people who are eligible to vote in the election, which is the lesser of 10% of those eligible to vote in the election or: ~~# Candidates must meet all petition requirements by the deadline to be eligible to participate in the election. # Candidates must plan to attend classes on the Ithaca campus for the duration of their term. # Each petition must~~

~~have the necessary number of signatures and signatories must be registered students from the proper constituency. For at-large seats the “proper constituency” is defined as any registered undergraduate student. For college seats the “proper constituency” is defined as any registered student within the college of the seat the candidate is running for. Freshmen and Transfer candidates can receive signatures from the constituency of “new students”.# The number of necessary signatures is as follows, the lesser of 10% of “proper constituency” or:<sup>1</sup>~~

- 3.1. 100 for At-Large seats;
- 3.2. 75 for Arts and Sciences seats;
- 3.3. 25 for New Transfer seat;
- 3.4. 50 for all other seats.

The Office of the Assemblies, assisted by the Elections Committee, will review submitted materials for compliance with petitioning requirements as follows:

1. A sampling method may be used as long as at least 10% of signatures are validated for all petitions and all signatures are validated for any petition found to be ineligible.
2. All petitions will be available to any member of the community who wishes to examine them in the Office of the Assemblies, 109 Day Hall. Petitions may not be photocopied once submitted.
3. ~~A candidate will be contacted within 24 hours of the petitioning deadline if her or his petition is deemed invalid.~~The Office of the Assemblies will notify candidates who fail to meet petitioning requirements prior to the scheduled announcement of candidates.

Candidates must fulfill the following requirements during the semester of the election prior to the final day of voting, unless waived by the Director of Elections for extenuating circumstances:

*New requirement to attend SA meeting.*

1. Attend at least one SA meeting and register his or her attendance at that meeting with the Director of Elections.

Candidates who are listed on the ballot but found not to have fulfilled eligibility requirements prior to tabulation of results will be disqualified with vote counts discarded untallied.

## **2. Promotional Materials**

Each candidate receives any combination of up to 300 one-sided 8 1/2” X 11” or 150 two-sided 8 1/2” X 11” printed materials at no charge. Post or quarter card design should be submitted to the Office of the Assemblies, 109 Day Hall, for copying. All materials must include the date and time of the election and be in compliance with election guidelines. Candidates may only select up to two different paper colors for printed materials that are provided by the Office of the Assemblies. Candidates who do not submit materials meeting these criteria by the petitioning deadline forfeit the opportunity to receive such materials.

*Clear notice of office practice.*

1. For the numbers adopted by Student Assembly, see the informational items for the current election.

### 3. Written Statements

Each candidate is asked to submit a short statement [comprising no more than 13 lines when constrained by a space 5 1/2" X 2 1/4" (approximately 1,250 characters)] via the web. Statements will be posted on the SA website, published in the Cornell Daily Sun, and used on the ballot. Statements may not include names of any political coalitions.

*Clear notice of office practice.* Candidates who do not submit materials meeting these criteria by the petitioning deadline forfeit the opportunity to have such statements disseminated.

### 4. Pictures

Candidates must have their photos taken in the Office of the Assemblies, 109 Day Hall, before the petition deadline. Photos will be posted on the SA website, published in the Cornell Daily Sun, and used on the ballot.

*Clear notice of office practice.* Candidates who do not have their photos taken by the petitioning deadline forfeit the opportunity to have such photos disseminated.

### 5. Forum

All candidates are encouraged to participate in the Candidates' Forums held by the Elections Committee.

### 6. Candidate withdrawal

Candidates may not withdraw from an election after the petitioning deadline.

## B. Election Guidelines

### 1. Early Campaigning

Candidates ~~or associates knowingly~~ and supporters acting on their behalf must not participate in the following campaign activities until campaigning officially begins:

1. distribution of printed campaign material to the public,
2. advertising candidacy by chalk, poster, or other method designed for public viewing, ~~or~~
3. making speeches or statements to student organizations or groups of students, or
4. promoting their candidacy through email, social networking tools, or other digital media.

*More specific restriction, also applies through campaigning period (not just an early restriction).*

## **2. Restrictions for Current SA Members**

Current SA members seeking reelection must:

1. refrain from any form of individual or self-promoting publicity during the petitioning period; and,
2. not host constituency outreach events from the date election materials are made available through the last day of voting.

## **23. Compliance with Campus Life Policies and Conduct Codes**

Candidates and supporters acting on their behalf must be aware of and comply with all applicable campus policies and conduct codes, including but not limited to:

*Added links*

1. *University Postering & Chalking Policy*,<sup>2</sup>
2. *Campus Life policy for posting in Residence Halls*,<sup>3</sup>
3. Dining hall policies, including a prohibition on distributing printed campaign materials in dining halls without permission from authorized staff, and,
4. *Campus Code of Conduct*.<sup>4</sup>

~~A violation of any University policy will be considered a violation of these Election Rules and therefore grounds for a challenge if it compromises the fairness of the election. The Elections Committee will determine whether, as far as the election is concerned, a violation occurred that gave a candidate an unfair advantage. If the Elections Committee finds as such, a challenge will proceed against the violator as described in that section.~~

*Make more concise, preserve substance.*

The Director of Elections ~~will~~ may also refer any ~~such~~ reported violations to the Office of the Judicial Administrator or other appropriate office, which may impose disciplinary remedies and penalties according to its own rules and procedures for separate action at the discretion of that office. ~~Violations can result in disciplinary referral and, if they alter the fairness of the election, disqualification.~~

*Parallel language in challenge handling section.*

## **34. Campus Mail**

Candidates and their supporters may not use of Campus Mail for campaigning purposes ~~is prohibited.~~

## **45. Electronic Communications and Social Media**

Candidates and supporters acting on their behalf:

1. ~~University-monitored mailing list traffic, including those provided or supported by University departments, is at the discretion of the mailing list owner~~ must

*Clearer language, no passive voice.*

2. [sao.cornell.edu/SO/postering.pdf](http://sao.cornell.edu/SO/postering.pdf)

3. [www.campuslife.cornell.edu/campuslife/housing/undergraduate/upload/House-Rules-08-09-final2.pdf](http://www.campuslife.cornell.edu/campuslife/housing/undergraduate/upload/House-Rules-08-09-final2.pdf)

4. [www.policy.cornell.edu/Campus\\_Code\\_of\\_Conduct.cfm](http://www.policy.cornell.edu/Campus_Code_of_Conduct.cfm)

Facebook rule

- comply with owners' policies when using bulk mailing lists hosted by the university;
2. ~~Candidates shall~~ must comply with Cornell University Email Policy.;
  3. may not create Facebook pages, profiles, or groups dedicated to a candidate or a candidate's campaign; and,<sup>5</sup>
  4. may create Facebook events related to a campaign as long as those events are scheduled to occur entirely within the voting period.

## 56. Campaign Finance

*These provisions have in the past applied to supporters, so making that explicit.*

Candidates or supporters acting on their behalf must submit all receipts and/or proof of fair market value in person to the Office of the Assemblies, 109 Day Hall, by the deadline specified in the elections calendar. Candidates who do not submit receipts and/or proof of fair market value will be presumed to have spent \$0 on their campaign.

1. Candidates and supporters acting on their behalf may not exceed the \$50 limit for out-of-pocket expenses and fair market value of donations of materials, professional services, and/or money. Fair market value is the value at which something is to be obtained normally if documentation of its dollar value is not provided. Therefore, if there is a supporting receipt for a good used in a candidate's campaign, then the value of that good is the dollar value on the supporting receipt. For donated materials, professional services, or other goods for which no official receipt is provided, candidates must seek the most plausible assessment of the fair market value of the good. Paid advertisements and related costs on social networking sites or other websites must also be accounted for at fair market value.
2. ~~Spending Restrictions:~~ Candidates and supporters acting on their behalf in un-~~contested~~ races (when~~where~~ only one candidate has submitted a petition) are limited to 300 copies and \$10 for out-of-pocket expenses. Donations may be used, but proof of their fair market value must be provided and accounted for.

## 67. Endorsements

All registered student organizations receiving funds from the Student Assembly are expected to abide by the guidelines below. The Elections Committee may recommend that the SA impose fines on and/or revocation of ~~allocated funds to the Assembly for~~ from organizations failing to comply.

1. Student Assembly Finance Commission (SAFC) funded organizations may endorse candidates. The Director of Elections will encourage, through email notification, all groups to act in a way that is fair and balanced when deciding endorsement of candidates.
2. Student Activity Fee (SAF) by-line funded organizations seeking to endorse candidates for a position must give all petitioners for that position and the Director of Elections 24 hours advance notice of endorsement meetings.

5. This rule was implemented to prevent students using Facebook from receiving unwanted communications elections.

**78. Campaign Ethics**

Candidates and supporters acting on their behalf may not:

1. ~~The harassing of candidates by other candidates or associates knowingly acting on their behalf is unacceptable and strictly prohibited. The threatening of candidates to leave the race is also unacceptable and strictly prohibited.~~ harass, threaten, or coerce others;
2. ~~Candidates may not provide anything of material value to others to further themselves in the election, aside from the complementary promotional materials provided to them by the Office of the Assemblies. Moreover, candidates may not pressure or force other students to vote or campaign for them under any circumstances.~~ and similar informational materials of negligible material value; or,
3. compel any person to endorse their candidacies, assist their campaigns, or act as supporters as an explicit or implicit condition for initiation to, admission into, affiliation with, or continued membership in a group or organization.

*Provisions should all apply to supporters.*

*Anti-hazing provision modeled after trustee rules.*

**89. Restrictions on Ticketing and Slates**

Candidates and supporters acting on their behalf may not:

1. ~~No candidate may include any other candidate's name, a common "ticket" name, or a shared slogan and/or symbol on any promotional materials or within any form of electronic communication and/or media.;~~
2. ~~No candidate shall be permitted to share or pool campaign finances with any other candidate.s or supporters acting on their behalf;~~
3. ~~No candidate may distribute any promotional materials, send any electronic communication, or utilize any other form of electronic media on behalf of any other candidate.;~~
4. ~~No candidate's disseminate written statements, promotional materials, or electronic communications may be that are plagiarized or substantially copied from any such items created or distributed by any other candidate.;~~ or,
5. campaign with or on behalf of each other or engage in any active coordination of campaigning activities.

*Provisions apply to supporters as well.*

*Prohibit active coordination.*

## Article II. Direct Election of President and Executive Vice President

### A. President and Executive Vice President designation and eligibility

1. Two of the Undesignated At-Large Representative Seats will be reserved for the directly elected seats of President and Executive Vice-President.
2. Candidates running for the Undesignated At-Large Representative seats may specify themselves as a Presidential candidate or Executive Vice Presidential candidate.

3. Candidates who do not wish to run for the position of President or Executive Vice President may run individually for an undesignated at-large seat.
4. All candidates running for any undesignated at-large seat will listed as undesignated at-large candidates on the ballot

## Article III. Election Procedures

### A. The Elections Calendar

1. The calendar for the fall and spring elections shall be confirmed by the Student Assembly in the semester prior to the election. The calendar should be submitted to the Office of Assemblies and the Student Assembly before the end of classes of the preceding spring semester for fall elections, and before the end of classes of the preceding fall semester for spring elections, by the Director of Elections.
2. Consideration shall be given to any religious holidays that may fall during the election period, guaranteeing that the right to free religious observance is afforded to all potential candidates.
3. The Candidate Forum will not be cancelled.

### B. The Elections Committee

#### 1. Membership

1. ~~Voting members of the Election Committee shall only include graduating seniors who are voting members of the Student and University Assemblies. The SA-Director of Elections shall serve as chair and the Director of the Office of the Assemblies shall serve as a non-voting ex-officio member of this committee. In addition, the Director of Elections will ask two faculty/staff members to serve as ex-officio members of the Elections Committee.~~ The Director of Elections will solicit members from the University Assembly, the Faculty Senate, the University Hearing Board, the Employee Trustee, and from among the faculty/staff at large.
2. Members of the Elections Committee may not seek SA or UA office for the academic year following their term of service on the committee.
3. The Director of Elections shall publish at the beginning of each semester a list of Assembly seats to be filled, in accordance with Student Assembly Charter section 3.1.
4. Elections Committee members are expected to abide by the highest standards of personal conduct and integrity. Graduating seniors are mandated to excuse themselves from serving on the Election Committee if they plan to actively take part in a campaign or sit on the executive board of an organization that has endorsed a candidate. Therefore, members should not be actively involved in the campaigning process. All conflicts should be considered and resolved before the election cycle begins.
5. The Elections Committee should be prepared to meet immediately following the challenge deadlines to rule on all pertinent challenges. All challenges must be heard simultaneously.

6. The Elections Committee shall use Robert's Rules of Order in accordance with Student Assembly Charter § 6.6 to consider challenges, in addition to the Undergraduate Election Rules. The Elections Committee has no power to overrule the Undergraduate Election Rules under any circumstances.
7. The Director of Elections shall give a final report on the results of the elections when there are no remaining unresolved matters.

### **C. Conduction of Election and Tabulation**

1. The order in which names appear on the ballot shall be randomly selected.
2. Tabulation of the results of voting shall be carried out using simple plurality.
3. The Office of the Assemblies will post preliminary results for unchallenged races at 4:30 p.m. on the day following the election. Preliminary results for challenged races will be posted after the Election Committee has ruled on those challenges. Tabulation of the results of voting shall be carried out using simple plurality.
4. The Election Committee will not have access to the preliminary results prior to and during challenge deliberations. The Office of Assemblies will release election results from the challenged races after the Elections Committee has validated the election results.
5. The official announcement of results shall be at the next Student Assembly meeting following the validation of the election results by the Elections Committee.
6. A printout of election results shall be available in the Office of the Assemblies for one year, but disqualified candidates will not have their vote tallies made available.

### **D. Challenges**

#### **1. Eligibility to Challenge**

1. Any member of the Cornell community may submit a challenge.
2. The Elections Committee as a body may submit a challenge by majority vote.
3. Individual committee members may not submit a challenge.

#### **2. Challenge Deadlines**

1. Petition challenges must be submitted to the Office of the Assemblies, 109 Day Hall, by the petition challenge deadline specified in the elections calendar.
2. Election challenges must be submitted by the election challenge deadline specified in the elections calendar.
3. No challenges or further supporting documentation will be accepted after these deadlines.

#### **3. Format of Challenges**

Challenges must be in writing and accompanied by the following supporting documentation:

1. challenger's name
2. candidate's name ~~or Presidential Ticket's name~~
3. date of challenge
4. reason for challenge and supporting evidence

#### 4. Notification of Election Challenges

The Office of the Assemblies will send an email notifying anyone who is named in an election challenge.

#### 5. Response to Election Challenges

A challenged candidate may review challenges in the Office of the Assemblies, 109 Day Hall and address written statements in response to the committee. The challenged candidate may request a hearing in person with the committee. The deadline for responses is set in the elections calendar.

#### 6. Challenge Review Meeting

The committee will schedule a meeting to review challenges in closed session. The committee will provide an opportunity for the challenged candidate to respond in person if requested by the challenged candidate or a member of the committee. For each challenge, the committee will determine:

1. whether a preponderance of evidence substantiates each alleged violation; and,
2. which, if any, substantiated violations or combination thereof ~~altered~~ compromised the fairness of the election to the extent the challenged candidate should be disqualified by a two-thirds majority.

#### 7. Preliminary Report

For each challenge, the committee will report to the challenger(s) and the challenged candidate all evidence received, any violations substantiated, and any decisions to disqualify the challenged candidate.

#### 8. Appeals

Appeals of committee decisions should be directed to the University Ombudsman within 24 hours of notification by the committee. The committee will share with the Ombudsman any documents requested in relation to the challenge. The Ombudsman will consider whether the committee ruling was in compliance with the election rules, and may ask for a reconsideration of the ruling.

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**9. Finality**

The determination of the committee after resolution of appeals shall be final. The committee will release a final, public report identifying all violations substantiated and any decisions to disqualify challenged candidates.

**10. Confidentiality**

Members of the committee and parties to a challenge may not share the contents of challenges, evidence, or decisions submitted to or received from the committee, except when explicitly permitted by these rules or by the committee. Unauthorized disclosure of confidential information may result in a disciplinary referral.