

**Article VI: Election Bylaws**  
**OFFICIAL COPY, 2009 ELECTIONS**

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**Article VI: Election Bylaws**

**A. Eligibility**

**1. Candidate Eligibility**

- a. To be a candidate for USG elections, one must be a registered undergraduate student at The Ohio State University and may not be on disciplinary or academic probation or warning from the time nominating petitions are approved and through the first day of the elected term.
- b. No candidate can have a pending application for graduation prior to the first day of the elected term.
- c. Candidates and candidate teams for office who wish to be placed on the official election ballot must collect the necessary number of signatures by the deadline set by the EGB.
- d. Candidates for the Offices of President and Vice President shall run in tandem.
- e. No candidate or candidate team can run concurrently for more than one elected position in any USG general election.
- f. All Living Area Senators must be students at The Ohio State University Columbus campus and live in the area that they represent at the beginning of the Autumn Quarter following the general election and must reside in that area for the remaining term of office.
  - i. Off-campus area: Those areas within the boundary street/lines of Olentangy River, NYC Railroad Tracks, Arcadia Avenue (East of High) through Dodridge Road (West of High), Fifth Avenue, and University Village, excluding Ohio State University residence halls.
  - ii. Commuter Area: All areas outside of the defined off-campus area.
  - iii. The North, South, and West Campus Living Areas exclusively consist of the residence halls designated by University Housing as being within the divisions “North,” “South,” or “West.”
- g. A Regional Campus Emissary must have attended the regional campus that they represent for two full quarters prior to his/her term of office.
  - i. Regional Campus: All Ohio State University campuses outside of the Columbus branch.
- h. A College Senator must be enrolled in the college that they are to represent at the time of petition validation and through his/her elected term.
- i. An Exploration Senator must be designated as “Exploration” by the Ohio State University at the time of petition validation and must have been an Exploration major for two full quarters prior to his/her term of office.
- j. An Interdisciplinary Studies Senator must be enrolled in an Interdisciplinary Major or a Personalized Study Program at the time of petition validation and through his/her elected term.

**B. Penalties**

1. Violating these bylaws carries a penalty. All penalties are counted as part of a campaign’s value and must be reported on Campaign Value Report. These penalties will represent the value of the advantage a candidate, candidate team, or slate has gained through bylaw violation.
  - a. Violating any type I bylaw has a maximum penalty of \$20 per instance of violation.
  - b. Violating any type II bylaw has a maximum penalty of \$100 per instance of violation.
  - c. Violating any type III bylaw has a maximum penalty of \$200 per instance of violation.

- d. Violating any type IV bylaw has a maximum penalty of disqualification or \$200 per instance of violation.
    2. For every Judicial Panel order concurrent with a penalty, the penalty doubles every 24 hours after the parties to the decision have been notified and the concurrent order has not been carried out.
      - a. If the part(y/ies) decide(s) to appeal the decision, this provision is suspended until a decision on the appeal is made.
- C. Petitions and Nominations
  1. Submission Protocols
    - a. All petitions to be submitted shall be subject to the rules and regulations stated in the Elections bylaws.
    - b. Signatures contained within the petition must come from registered and active Ohio State University undergraduate students.
      - i. The EGB shall verify and validate all petitions submitted.
      - ii. Any unqualified signatures shall be rejected as invalid, but shall not invalidate other valid signatures on the same petition.
    - c. No petitioner shall allow any undergraduate student to sign any name other than his/her own to all petitions.
    - d. Every page of the petition shall bear the name of the circulator, verifying that he/she identified the purpose of said petition and witnessed that all signatures placed upon it were made by eligible students to the best of his/her knowledge, for that page to be valid.
    - e. Before filing a petition with the EGB, the circulator of a petition may strike out any signature he/she does not wish to present as part of that petition.
    - f. Any person may remove their own signature before it is filed with the EGB by striking out his or her name on said petition.
    - g. A list of official candidates and candidate teams, shall be posted by the EGB on the USG website, within 48 hours of validation of signatures.
    - h. All official candidates, candidate teams, and/or sponsors of official referenda, and initiatives shall be notified in writing and e-mail of their status by the EGB by the eighth Friday of Winter Quarter.
  2. Nominating Petitions
    - a. The name(s) of the candidate or candidate team must appear on each nominating petition.
    - b. To appear on the official ballot for USG office, a candidate or candidate team must obtain the necessary number of valid signatures on the petition to be submitted for certification by the EGB by the Eighth Week of Winter Quarter:
      - i. For each President/Vice President Candidate Team: 750
      - ii. For each Senator: 50
    - c. By filing a petition with the EGB, candidates and candidate teams agree to abide by the USG bylaws.
  3. Initiative Petitions
    - a. An initial petition, without any signatures, for an initiative must be submitted to the EGB by the Sixth Week of Winter Quarter for review. This petition must contain intended language for the initiative as it would appear on the ballot. The EGB director shall aid petitioners in phrasing all ballot language initially.
      - i. All ballot language shall be posed in the form of a question (e.g. "Shall the OSU Undergraduate student government...?").
    - b. After initial submission from the petitioner, the EGB director shall forward all petitions to the Vice-President of Student Life (or designee), and the Advisor of the Undergraduate Student Government for ballot language and feasibility review. They will have until the end of the 7<sup>th</sup> week of Winter Quarter to return the ballots with revised language. If necessary, these members will consult the petitioners.
    - c. The EGB will then return an official copy of the approved language to the petitioner on or before the Monday of the 8<sup>th</sup> Week of Winter Quarter, written on official petition forms.

- d. Final petitions for initiatives must be submitted to the EGB Director by 5pm on the last Friday of Winter Quarter bearing the full text of the approved initiative's language at the top of the petition along with the signature of the EGB director and at least 300 valid OSU signatures.

#### D. Campaign Procedures

##### 1. Candidate Conduct I: Campaign Materials

- a. Candidates, candidate teams, and slates may not disseminate libelous or slanderous information against another candidate. This is a type III bylaw.
- b. No candidate or campaign member shall post a flyer over, conceal, or otherwise deface any material created by the EGB. This is a type II bylaw.
- c. No candidate or campaign member shall post a flyer over, conceal, or otherwise deface any material created by another candidate. This is a type II bylaw.
- d. All websites maintained by a candidate, candidate team, or slate are subject to review by the EGB and must adhere to the rules and regulations in these bylaws. Such websites must have a visible link to the EGB website on their main page. This is a type I bylaw.
- e. All e-mail advertising a specific candidate must include a disclaimer at the bottom of the e-mail that reads, "Please reply to sender requesting removal from e-mail list if you do not wish to receive further e-mail from this candidate. If you still receive e-mail from this candidate please contact the Elections Governance Board at [osuelections@gmail.com](mailto:osuelections@gmail.com) ." Any such request must be honored within 24 hours. This is a type I bylaw.
- f. No candidate, candidate team, or slate may use supplies, materials, or equipment from the SOURCE for any campaign activity. This is a type IV bylaw.

##### 2. Candidate Conduct II: Campaigning

- a. Campaigning may not interfere with classroom activities. This is a type II bylaw.
- b. No person may campaign within a student-computing site during voting days. This is a type II bylaw.
- c. Candidates, teams and slates may not solicit for votes or campaign before campaign season begins. This is a type III bylaw.
  - i. Candidates, candidate teams, and slates may solicit for assistance in campaigning from individuals at any time.
  - ii. Candidates, candidate teams, and slates may produce campaign materials and create, but not publish, a website at any time.
- d. All campaigning must follow guidelines set by Facilities Operations and Development Posting and Chalking Guidelines, Residence Life, Student Code of Conduct, City of Columbus, State of Ohio, and Federal Law. This is a type I bylaw.
  - i. The EGB will take necessary steps to disseminate this information.
- e. The EGB Director reserves the right to name areas off-limits for campaigning. No campaigning may be done in these areas. This is a type II bylaw.
  - i. The EGB Director must give all candidates notice of what areas are off-limits and how long they will be considered so at least 24 hours before an area is declared off-limits.
- f. No campaigning of any sort is allowed in the Undergraduate Student Government office. Furthermore, no person may use any USG resources for any campaign activity. This is a type IV bylaw.
- g. A candidate team, candidate, and slate are responsible for the actions of any and all campaign members.
- h. Campaigning shall begin on the Sunday of the 2<sup>nd</sup> week of spring quarter at 8pm pending the approval of all candidate and candidate teams. Campaigning shall end immediately upon the end of voting at 11:59pm on Friday of the third week of Spring Quarter.

##### 3. Candidate Conduct III: Miscellaneous

- a. Write-in candidates are expected to adhere to the EGB bylaws with regard to campaigning and all other guidelines therein. If, after a write-in candidate has been

elected, he/she is found to have been in violation of the elections bylaws, said candidate will be subject to disqualification.

- b. Only the EGB may maintain polling sites of any sort. This is a type II bylaw.
- c. All campaigns must submit the names of their campaign manager(s) and treasurer(s). This is a type I bylaw.
  - i. The campaign manager and treasurer can be the same person or the candidate him/herself.
  - ii. This list must be submitted with nominating petitions. Changes or updates must be submitted within 24 hours of said change.

#### 4. Slates

- a. Slates must register with the EGB – by the end of finals week of winter quarter -- a complete list of all member-candidates, campaign managers, and treasurers. Only eligible candidates shall be added to a slate. Slates must inform the EGB director of any membership changes within 24 hours of the change. This is a type I bylaw.
  - i. A candidate may at no time be a member of more than one slate. For the purposes of this rule, slate membership is defined as stated in the glossary of these bylaws, respecting the fact that slates may choose to endorse other slates.
  - ii. Member-candidates reserve the right to withdraw from a slate until the start of campaigning.
- b. A slate is completely liable for any and all bylaws violations of which that slate, member-candidates of that slate, or any other slate campaign members are found guilty.
  - i. Penalties against a slate, slate member-candidate, or slate campaign member are counted as part of the value of the slate's campaign.
  - ii. If, for whatever reason, a slate is disqualified, every member-candidate is disqualified from the election.
  - iii. The exceptions to the above rule are:
    - (1) If, for whatever reason, a member-candidate is individually found ineligible for candidacy, the slate suffers no penalty.
    - (2) If, for whatever reason, a member-candidate is individually found to have falsified a document, the slate suffers no penalty.
- c. Shared campaign expenses involving more than one individual senatorial candidate or slate shall be counted with the full value of each expense used with the intent of influencing an individual's voting decisions toward each candidate or slate's value. This is a type II bylaw.

#### E. Campaign Finances

##### 1. Reports and Submissions

- a. All individual candidates and slates must maintain an online ledger. This is a type I bylaw.
  - i. Online ledgers must be updated daily beginning on the first day of official candidacy.
- b. The EGB reserves the right to audit a campaign and require the submission of a Campaign Value Report within 24 hours of notification. This is a type III bylaw.

##### 2. Spending Limits

- a. Spending limits shall be determined according to composition of a campaign, as follows:
  - i. No Presidential/Vice Presidential campaign shall be valued at more than \$2000 total. This is a type IV bylaw.
  - ii. No Senatorial candidate's campaign shall be valued for more than \$100. This is a type IV bylaw.
  - iii. No slate's campaign shall be valued for more than \$100 per member-candidate or no more than \$2000 total, whichever is less. Member-candidates of slates do not have individual spending limits. This is a type IV bylaw.

- iv. Mixed Slate Campaign: A campaign consisting of a Presidential/Vice-Presidential candidate team and one or more senatorial candidates shall observe a base value-limit for a maximum of \$2000 total. Campaigns of this nature are permitted to have more senatorial candidates than financially equitable, but the maximum spending limit shall remain at \$3500 or \$2000 + (\$100 x [# of Senatorial Candidates]), whichever is less. This is a type IV bylaw.
      - b. Only campaign expenses used with the intent of influencing an individual's voting decisions, including, but not limited to, campaign materials promoting candidates, slates, and teams such as t-shirts, flyers, and food shall be included in a campaign's value. No internal organizational and operational expenditures shall be included in a campaign's value. However, these expenditures must still be recorded as part of the Campaign Value Report.
      - c. No money raised for the purpose of campaigning in an Undergraduate Student Government election may be spent on or affiliated with alcohol, excluding campaigning in any establishment that serves alcohol. This is a type I bylaw.
      - d. Any and all campaign expenditures of a slate, member-candidate, or other slate campaign member are counted only once and only towards the value of the slate's campaign. This includes, but is not limited to, t-shirts featuring the names of multiple candidates, chalk, flyers featuring the name of only one senator, and websites.
- F. Official Elections Procedures
  - 1. Ballots
    - a. Only the candidates and candidate teams that have been certified by the EGB will appear on the ballot.
    - b. All initiatives and referenda shall appear on the ballot in the form of an EGB approved summary and hyperlink to the full text.
    - c. A space for write-in candidates or candidate teams will be provided.
    - d. Candidate names for each position shall be randomized with respect to order on each voter's ballot.
    - e. The EGB reserves the right to add EGB approved slate affiliation information to the ballot.
  - 2. Election Validation
    - a. The official certified results of the election will be announced no later than 10:00pm on Monday of the sixth week of spring quarter, or after all Judicial Panel proceedings have been exhausted, whichever occurs later.
    - b. Any person disrupting the election validity procedures shall be subject to University disciplinary action.
    - c. One person representing a candidate, candidate team, slate, or initiative may be present at the time that votes are counted.
    - d. All ballots of valid voters will be counted.
  - 3. Voter Qualification
    - a. All registered and paid undergraduate students of the Ohio State University are valid voters.
    - b. Each eligible voter shall have the opportunity to vote for the following:
      - i. One President/Vice-President candidate team
      - ii. As many Living Area Senate candidates as there are seats in the constituency in which the voter lives
      - iii. As many College Senate candidates as there are seats in the constituency in which the voter is enrolled
      - iv. As many At-Large Senate candidates as there are seats in that constituency
    - c. Each eligible voter may vote yes or no for each initiative or referenda placed on the ballot.
  - 4. Tied Elections
    - a. All ties shall be resolved at the first convening of the newly elected Senate as determined by methods in the Standing Rules of the Senate.

5. Contesting the Election
  - a. The validity of any election or any item on the ballot may be contested by any person by filing a petition to the Undergraduate Student Government Judicial Panel.
  - b. Petitions must be filed with the Judicial Panel no later than seven days following the election certification announcement.
  - c. For a recount, the petition must contain signatures amounting to 10% of the total number of students who voted for the contested election or ballot item.
  - d. The Judicial Panel will act immediately on any valid petition.
  - e. Candidates who are announced as the winners of the election whose elections are contested will be seated unless otherwise determined.
6. Voting Days
  - a. Voting will begin at 12:00 AM EST of the Thursday of the third week of spring quarter and end 11:59 PM EST of the Friday of the third week of spring quarter
- G. Campaign Violations Resolution
  1. The Undergraduate Student Government Judicial Panel reserves the sole authority to resolve any conflicts or allegations of violations of these bylaws.
  2. Enforcement
    - a. All candidates, candidate teams, and slates are to follow the Election bylaws and any directives given by the EGB.
    - b. The Judicial Panel will notify the EGB Director, USG Advisors, candidates, candidate teams, and slates of their ruling via e-mail of their decision in accordance with the Undergraduate Student Government Constitution.
    - c. The EGB will notify provide all relevant parties with copies of all rulings immediately upon receipt.
- H. Election Governance Board Procedures
  1. Conduct of the EGB Director and Members
    - a. No member of the EGB can:
      - i. Be a candidate for any USG position.
      - ii. Aid any candidate, candidate team, or slate, in any way.
    - b. All members of EGB must remain neutral in all issues pertaining to election matters and voting throughout their entire term.
    - c. Each Member of the Elections Governance Board may vote in the USG election.
  2. Contact with EGB
    - a. The EGB Director must publicize a phone number and e-mail address at which he/she can be reached.
    - b. Candidates may not falsify any documents submitted to the EGB at any time. This is a Type IV by-law.
  3. EGB Responsibilities
    - a. The EGB Director shall have the responsibility of ensuring the overall operation of fair, valid, and nondiscriminatory elections.
    - b. The EGB Director shall contact the Office of Student Judicial Affairs for all requests to contest the election.
    - c. EGB reserves the right to correct any spelling, or grammatical errors to the EGB bylaws.
    - d. The EGB will have a minimum of four candidate information sessions during the winter quarter to inform students seeking candidacy of the EGB rules and election procedures.
    - b. These information sessions may not take place until the after the final day amendments can be made to the EGB bylaws.
    - e. EGB must compile an information webpage with information about each candidate, candidate team, and slate and host them on the EGB's official website.
    - f. The EGB must hold at least one Presidential debate.
    - g. The EGB must create all forms mentioned in these bylaws.
    - h. The EGB must notify the SOURCE of the EGB bylaws.
- I. Changes to the EGB Bylaws
  1. Any changes to the Elections Bylaws must pass Senate by simple majority vote.

## *Elections Glossary*

**“Campaigning”** is defined as any action whose purpose is to persuade anyone to vote a certain way in the upcoming Undergraduate Student Government elections. Campaigning specifically does not include the actions of endorsement, defined elsewhere in this glossary.

**“Campaign member”** is defined as any individual that assists in campaigning.

**“Campaign season”** the period lasting from 8:00 PM EST Sunday evening of the second week of spring quarter until the end of voting 11:59 PM EST Friday night of the third week of spring quarter.

**“Campaign Value Report”** is defined as a detailed report of all transactions and penalties of a campaign. This document includes all items purchased and donated in kind as well as a photocopy of all receipts. Value of donated labor shall not be included in a Campaign Value Report.

**“Candidate”** is defined as a person who has signed the EGB Official Recognition of Candidacy Form and is approved by the EGB.

**“Candidate Team”** is defined as a single entity composed of a candidate for the office of President and a candidate for the office of Vice President running in tandem. All candidate teams are considered as slates; either “Mixed” or “Presidential” dependent upon composition.

**“Classroom Activities”** are defined as the instruction or examination of students within a facility on the property of The Ohio State University.

**“Computing site”** is defined as any OSU Library, or OIT-sponsored Laboratory.

**“Endorsement”** is defined as a written or oral declaration of formal support for a candidate, candidate team, slate, initiative, or referenda by any group or individual.

**“Libel”** is a false written statement or report that can injure a candidate’s, candidate team’s or slate’s reputation.

**“Member-candidate”** is defined as a senate candidate or presidential candidate team (as one entity) who is a member of a slate

**“Slander”** is a false verbal statement or report that can injure a candidate’s, candidate team’s or slate’s reputation.

**“Slate”** is defined as any group of candidates (two or more) for the Undergraduate Student Government who campaign together, including Presidential/Vice-presidential teams. A slate is treated by these bylaws as a unitary entity. A **“Presidential Slate”** refers to a slate which only contains a Presidential/Vice-presidential Candidate Team. A **“Senatorial Slate”** refers to a slate which only contains candidates for Undergraduate Student Government Senate. A **“Mixed Slate”** refers to a slate which contains both a Presidential/Vice-Presidential candidate team and candidates for senate.

**“USG Election”** is defined as the annual process for the selection of members to the Undergraduate Student Government. It may also include voting on initiatives and referenda.