

# **Elections Bylaws**

## **of the Undergraduate Student Government**

### **of The Ohio State University**

SUBMITTED 8/23/17 BY PRESIDING CHIEF JUSTICE CONNOR GREENWOOD

#### **Article I: The Campaign Process**

##### **A. Candidate Eligibility**

- a. To be a candidate for Undergraduate Student Government elections, one must be a registered degree-seeking undergraduate student at The Ohio State University and may not be on any form of probation or warning issued by the university 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 Undergraduate Student Government Judicial Panel.
  - i. The Judicial Panel shall make available a blank copy of the petition by the third Monday of Spring Semester.
  - ii. To appear on the official ballot, the candidate, candidate team, or slate must submit a completed petition with the necessary amount of signatures for certification by the Judicial Panel by the fourth Friday of Spring Semester.
- a. Candidates for President, Vice President, and General Assembly must attend at least one Judicial Panel information session in order to be placed on the ballot.
  - i. In the case that a candidate is unable to attend any of the information sessions, they should contact the Judicial Panel before the first session.
- 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 Undergraduate Student Government 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 Semester following the general election and must reside in that area for the remaining term of office.
  - i. Off-campus area: University Village, all commercially-owned residences within the bounds of the Columbus Campus, and all residences within the area bounded by the Olentangy River and the NYC Railroad Tracks, from east to west, and Arcadia Avenue through West Dodridge Road and Fifth Avenue, from north to south, excluding all University Residence Halls.
  - ii. Commuter Area: All areas outside of the defined off-campus area.
  - iii. On-Campus Living Areas exclusively consist of the residence halls designated by University Housing on the Columbus Campus

- iv. The Regional Campus Senator must have attended a regional campus for one (1) full semester prior to his/her term of office and must have attended that regional campus within one (1) year of petition validation for the election cycle in which they are seeking election.
- g. A College or School Senator must be enrolled in the college that they are to represent at the time of petition validation and through his or 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 one (1) full semester prior to his or her term of office.

#### B. Petitions and Nominations

- a. A blank petition shall be included as an appendix to the Elections Bylaws.
- b. Submission Protocols
  - i. All petitions to be submitted shall be subject to the rules and regulations stated in the Elections bylaws.
  - ii. Signatures contained within the petition must come from registered and active Ohio State University undergraduate students.
    - 1. The Judicial Panel shall verify and validate all petitions submitted.
    - 2. Any unqualified signatures shall be rejected as invalid, but shall not invalidate other valid signatures on the same petition.
    - 3. No petitioner shall allow any undergraduate student to sign any name other than his/her own to all petitions.
  - iii. Every page of the petition shall bear the name of the circulator, verifying that he or 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.
    - 1. Initiatives and referenda do not have to provide a candidate name or signature, but must still provide the printed name and signature of the circulator.
    - 1. Circulators must be registered undergraduate students at The Ohio State University.
  - iv. Petitions must include the position sought. Once petitions are submitted, this cannot be changed.
  - v. Before filing a petition with the Judicial Panel, the circulator of a petition may strike out any signature he or she does not wish to present as part of that petition.
  - vi. Any person may remove their own signature before it is filed with the Judicial Panel by striking out his or her name on said petition.
    - i. Candidates must turn in their own petitions in order to get on the ballot.
- c. A list of official candidates and candidate teams, shall be posted by the Judicial Panel on the Undergraduate Student Government website, within forty-eight (48) hours of validation of all signatures.
- d. All official candidates, candidate teams, and/or sponsors of official referenda, and initiatives shall be notified in writing or by e-mail of their status by the Judicial Panel by the fifth Friday of Spring Semester.
- e. Nominating Petitions

- i. The name(s) of the candidate or candidate team must appear on each nominating petition.
  - ii. To appear on the official ballot for Undergraduate Student Government office, a candidate or candidate team must obtain the necessary number of valid signatures on the petition to be submitted for certification by the Judicial Panel by the fourth Friday of Spring Semester, when the petition shall be posted starting the 3<sup>rd</sup> Monday of Spring Semester:
    - 1. For each President/Vice President Candidate Team: five hundred (500)
    - 2. For each Senator Candidate: fifty (50)
  - iii. By filing a petition with the Judicial Panel, candidates and candidate teams agree to abide by the Undergraduate Student Government bylaws.
- f. Initiative and Referenda Petitions
- i. An initiative petition shall express the opinion of the Undergraduate Student Body or shall establish a financial or policy directive for the Undergraduate Student Government
  - ii. A referenda petition will place a possible change to the Undergraduate Student Government Constitution on the ballot for consideration.
  - iii. A petition, without any signatures, must be submitted to the Judicial Panel the second Friday of Spring Semester for review.
    - 1. This petition must contain intended language as it would appear on the ballot.
      - a. The Judicial Panel shall initially aid petitioners in phrasing all ballot language.
      - b. All ballot language shall be posed in the form of a question (e.g. “Shall the OSU Undergraduate student government...?”).
  - iv. After initial submission from the petitioner, the Chief Justice of the Judicial Panel shall forward all petitions to the Vice-President of Student Life (or designee), and the Advisor of the Undergraduate Student Government for ballot language review.
    - 1. They will have until the end of the 3<sup>rd</sup> Friday of Spring Semester to return the ballots with revised language. If necessary, these officials may consult with the petitioners.
  - v. The Judicial Panel will then return an official copy of the approved language to the petitioner on or before the fourth Monday of Spring Semester, written on an official petition form.
  - vi. All initiatives/referenda must follow all guidelines defined in Article 1, Section B, Subsection 1.
  - vii. Final petitions must be submitted to the Judicial Panel by 5:00 pm on the sixth Friday of Spring Semester bearing the full text of the approved initiative or referendum language at the top of the petition along with the valid signatures of one thousand (1,000) undergraduate students.

## **Article II: Campaign Procedures**

## A. Candidate Conduct

### a. Campaign Materials

- i. Candidates, candidate teams, and slates may not disseminate libelous or slanderous information against another candidate. This is a type III bylaw.
- ii. No candidate or campaign member shall post a flyer over, conceal, or otherwise deface any material created by the Judicial Panel. This is a type II bylaw.
- iii. 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.
- iv. All websites maintained by a candidate, candidate team, or slate are subject to review by the Judicial Panel and must adhere to the rules and regulations in these bylaws. Such websites must have a visible link to the Judicial Panel Elections webpage on each page of their website. This is a type I bylaw.
- v. All e-mail advertising a specific candidate must include a disclaimer at the bottom of the email 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 email from this candidate please contact the Judicial Panel at osuelections@gmail.com." Any such request must be honored within twenty-four (24) hours. This is a type I bylaw.
  1. Each uniquely worded email or mail merge sent without the disclaimer, regardless of the number of recipients, counts as an individual violation of the type I bylaw.
  2. Class/organization email lists may only be utilized with permission of instructor or administrator. This is a type II bylaw.
- vi. No candidate, candidate team, or slate may use supplies, materials, or equipment from the Ohio Union Resource Room for any campaign activity. This is a type IV bylaw.
  1. This prohibition includes any material used by student organizations for purposes of endorsing a candidate, team, ballot issue, or slate.

### b. Campaigning

- i. Campaigning may not interfere with classroom activities. This is a type III bylaw.
- ii. No person may campaign within a student-computing site during voting days. This is a type IV bylaw.
- iii. No candidate, candidate team, or slate may campaign in any residence hall. This is a type III bylaw.
- iv. Candidates, teams and slates may not overtly act to gain votes, or solicit for votes before the approved campaigning season begins. This is a type III bylaw.
  1. Candidates, candidate teams, and slates may produce campaign materials and create a website at any time but may not be visible at any time before campaigning begins.
- v. All campaigning must follow guidelines set by Facilities Operations and

Development Posting and Chalking Guidelines, Residence Life Student Code of Conduct, and Ohio Union. This is a type III bylaw per violation.

1. The Judicial Panel will take necessary steps to disseminate this information though it is upon the candidates to be fully aware of the rules. Ignorance of the rules is not a defense to breaking them
- vi. The Judicial Panel reserves the right to name areas off-limits for campaigning. No campaigning may be done in these areas. This is a type II bylaw.
  1. The Chief Justice of the Judicial Panel must give all candidates notice of what areas are off-limits and how long they will be considered so at least twenty-four (24) hours before an area is declared off-limits.
- vii. No campaigning of any sort is allowed in any office in the Keith B. Key Center for Student Leadership and Service (CSLS), even if invited to speak by a student organization that meets in the CSLS. Furthermore, no person may use any Undergraduate Student Government resources including meeting spaces or Student Government Suite resources for any campaign activity. This is a type IV bylaw.
- viii. No candidate or campaign team may use resources or materials purchased or maintained with Student Activity Fee money. This is a type V bylaw.
- ix. Campaigning shall begin on the seventh Sunday of Spring semester at 8:00 pm, pending the approval of all candidate and candidate teams. Campaigning shall end immediately upon the end of voting at 11:59pm on ninth Wednesday of Spring Semester.
- c. Miscellaneous
  - i. Write-in candidates are expected to adhere to the Elections Bylaws with regard to campaigning and all other guidelines therein. If, after a write-in candidate has been elected, he or she is found to have been in violation of the elections bylaws, said candidate will be subject to disqualification.
  - ii. Only the Judicial Panel may maintain polling station of any sort. This is a type II bylaw.
  - iii. All campaigns must submit the names of their campaign manager(s) and treasurer(s). This is a type I bylaw.
    1. The campaign manager and treasurer can be the same person or the candidate him or herself.
    2. This list must be submitted with nominating petitions. Changes or updates must be submitted within twenty-four (24) hours of said change.

## B. Slates

- a. Slates must register with the Judicial Panel – by the end of the 2<sup>nd</sup> (the start of petitioning) week of Spring Semester (Friday at 11:59) – a preliminary list of all member-candidates, campaign managers, and treasurers. Only eligible candidates shall be added to a slate. Slates must inform the Judicial Panel of any membership changes within twenty-four (24) hours of the change. This can be up to a type V bylaw.
  - i. Slates do not have to be finalized by the second Friday of Spring Semester.

- ii. Slates do not have to be full in order to register as a slate.
  - iii. At the announcement of official candidates, slates have forty-eight (48) hours to submit a finalized slate list.
- b. Each candidate team, candidate, or slate is responsible for their actions.
- c. A candidate may at no time be a member of more than one slate. For the purposes of this rule, late membership is defined as stated in the glossary of these bylaws, respecting the fact that slates may choose to endorse other slates.
- d. Member-candidates reserve the right to voluntarily withdraw from a slate until the start of campaigning.
- e. A slate is completely responsible for any and all of their respective campaign members 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.
    - 1. The exceptions to the above rule are:
      - a. If, for whatever reason, a member-candidate is individually found ineligible for candidacy, the slate suffers no penalty
      - b. If, for whatever reason, a member-candidate is individually found to have falsified a document, the slate suffers no penalty.
- f. Shared campaign expenses involving more than one individual senatorial candidate or slate shall be counted with the full value of each expense use with the intent of influencing an individual's voting decisions toward each candidate or slate's value. This is a type II bylaw.
- g. A campaign may choose to remove a member from their slate at any time, by notifying the member and the rest of the slate.
  - i. The slate will still be responsible for any penalties incurred while the person was a member of the slate.

### C. Campaign Finance

- a. Reports and Submissions
  - i. All slates must maintain an online ledger. This is a type IV bylaw.
    - 1. Online ledgers must be updated daily beginning on the first day of official candidacy.
  - ii. All individual candidates must maintain a ledger of expenses.
    - 1. This ledger must be submitted at a regular interval as determined by the Judicial Panel.
    - 2. Slates must be able to provide receipts for all expenses.
  - iii. The Judicial Panel reserves the right to audit a campaign and require the submission of a Campaign Value Report (CVR) within twenty- four (24) hours of notification. The Judicial Panel reserves the right to check the authenticity of all expenses. The fine will be equivalent to the discrepancy amount, in addition to a fifty (50) dollar fine.
  - iv. Campaign Value Reports must also include all donations in an itemized manner.

b. Spending Limits

- i. Spending limits shall be determined according to composition of a campaign, as follows:
  1. No Presidential/Vice Presidential campaign shall be valued at more than one thousand two hundred fifty (1250) dollars in total. This is a type IV bylaw.
  2. No Senatorial candidate's campaign shall be valued for more than one hundred (100) dollars. This is a type IV bylaw.
  3. No Senate slate's campaign shall be valued for more than one hundred (100) dollars per member-candidate or no more than one thousand (1000) dollars in total, whichever is less. Member-candidates of slates do not have individual spending limits. This is a type IV bylaw.
  4. A campaign consisting of a Presidential/Vice-Presidential candidate team and one (1) or more senatorial candidates shall observe a base value limit for a maximum of one thousand two hundred fifty (1250) dollars in total. This is a type IV bylaw.
    - a. Campaigns of this nature are permitted to have more senatorial candidates than financially equitable, but the maximum spending limit shall remain at two thousand (2000) dollars or one thousand two hundred fifty (1250) dollars plus the sum of one hundred (100) dollars per General Assembly candidate, whichever is less. This is a type IV bylaw.
- ii. 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.
  1. Internal organizational and operational expenditures shall be included in a campaign's value.
- iii. 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 serve alcohol. This is a type II bylaw.
- iv. Any fines incurred that bring the value of a candidate or slate below zero (0) dollars shall result in disqualification.
- v. 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.
  1. This includes, but is not limited to, t-shirts featuring the names of multiple candidates, chalk, flyers featuring the name of only one (1) candidate, and websites.

**Article III: Voting Procedures**

A. Ballots

- a. Only the candidates and candidate teams that have been certified by the Judicial

- Panel will appear on the ballot.
  - b. All initiatives and referenda shall appear on the ballot in the form of a Judicial Panel approved summary and hyperlink to the full text.
  - c. A space for write-in candidates or candidate teams will be provided. Refer to the write-in policy posted on the USG website.
  - d. Candidate names for each position shall be randomized with respect to order on each voter's ballot.
  - e. Slate affiliations will not be published on the ballot.
- B. Election Validation
- a. The official certified results of the election will be announced no later than 5:00 pm five academic days after the end of voting, 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. All ballots of valid voters will be counted.
- C. 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 (1) 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. Each eligible voter may vote yes or no for each initiative or referenda placed on the ballot.
- D. Tied Elections
- a. All ties will be broken in accordance with the Constitution of the Undergraduate Student Government and its Bylaws.
  - b. All ties shall be resolved by convening the elected Senators as determined by methods in the Standing Rules of the General Assembly.
- E. 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.
    - i. Petitions must be filed with the Judicial Panel no later than seven days following the election certification announcement.
  - b. 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.
  - c. The Judicial Panel will act immediately on any valid petition.
  - d. Candidates who are announced as the winners of the election whose elections are contested will be seated unless otherwise determined by the Judicial Panel.
  - e. All briefs dealing with campaign violations must be submitted by the end of voting. If the brief has not been heard by the end of voting, the election will be considered contested.
- F. Voting Days



- a. Voting will begin at 12:00 pm of the ninth Monday of Spring Semester and end 11:59 pm of the ninth Wednesday.

#### **Article IV: Elections Governance Procedures**

##### **A. Penalties**

- a. 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.
  - i. Violating any type I bylaw has a maximum penalty of ten (10) dollars per instance of violation.
  - ii. Violating any type II bylaw has a maximum penalty of fifty (50) dollars per instance of violation.
  - iii. Violating any type III bylaw has a maximum penalty of one hundred (100) dollars per instance of violation.
  - iv. Violating any type IV bylaw has a maximum penalty of disqualification or one hundred fifty (150) dollars per instance of violation.
  - v. Violating any type V bylaw has a minimum penalty of disqualification.
- b. For every Judicial Panel order concurrent with a penalty, the penalty doubles every twenty-four (24) hours after the parties to the decision have been notified and the concurrent order has not been carried out.
- c. If the decision is appealed, this provision is suspended until a decision on the appeal is made.

##### **B. Enforcement**

- a. The Undergraduate Student Government Judicial Panel reserves the sole authority to resolve any conflicts or allegations of violations of these bylaws.
  - i. The Judicial Panel reserves the authority to also enforce the violations of these bylaws through procedures listed in its standing rules.
- b. All candidates, candidate teams, and slates are to follow the Election bylaw and any directives given by the Judicial Panel.
- c. The Judicial Panel will notify the Undergraduate Student Government Advisors, candidates, candidate teams, and slates of their ruling via e-mail of their decision in accordance with the Undergraduate Student Government Constitution.
  - i. The Judicial Panel will promptly notify and provide all relevant parties with copies of all rulings immediately upon receipt.

##### **C. Conduct of the Judicial Panel**

- a. No member of the Judicial Panel shall:
  - i. Be a candidate for any other Undergraduate Student Government position.
  - ii. Aid any candidate, candidate team, or slate, in any way.
- b. All members of Judicial Panel must remain neutral in all issues pertaining to election matters and voting throughout their entire term.
- c. Each Member of the Judicial Panel may vote in the Undergraduate Student Government election.

##### **D. Contact with the Judicial Panel**

- a. The Chief Justice of the Judicial Panel, or a designated justice or clerk, must publicize an e-mail address at which he or she can be reached.

- b. Candidates may not falsify any documents submitted to the Judicial Panel at any time or falsely testify/present evidence in a Judicial Panel proceeding. This is a Type V bylaw.
- E. Judicial Panel Responsibilities
  - a. The Chief Justice of the Judicial Panel shall have the responsibility of ensuring the overall operation of fair, valid, and nondiscriminatory elections.
  - b. The Judicial Panel will have a minimum of four (4) mandatory candidate information sessions during the Fall and Spring Semesters and before the deadline for submission of petitions to inform students seeking candidacy of the rules and election procedures.
  - a. The Judicial Panel must put all important dates on the Judicial Panel's official website by the first Friday of Spring semester.
  - c. Judicial Panel must compile an information webpage with information about each candidate, candidate team, and slate and host them on the Judicial Panel's official website.
  - d. The Judicial Panel must hold at least one (1) Presidential debate unless one slate is running on the ballot for the Presidential/Vice Presidential position.
  - e. The Judicial Panel must create all forms mentioned in these bylaws.
  - f. The Judicial Panel must notify the Ohio Union staff supervisor for the Ohio Union Resource Room of the Judicial Panel bylaws.

#### **Article V: Amendment Procedures**

- A. Judicial Panel reserves the right to propose all amendments to the Elections Bylaws.
- B. Any changes to the Elections Bylaws must pass the General Assembly by simple majority vote.
  - a. The Assembly may not propose or modify any amendments to the Election Bylaws
- C. Any spelling, grammatical, and formatting errors discovered by or brought to the attention of the Judicial Panel do not have to be submitted for approval by the General Assembly.
  - a. These changes will be brought to the attention of the sitting Vice President by email.
- D. The Judicial Panel may not make changes to the Elections Bylaws past the first information session and may not be ex post facto.

#### **Article VI: 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 seeking endorsement, defined elsewhere in this glossary.

“Campaign member” is defined as any individual that is an active member in the campaign.

“Campaign season” the period lasting from 8:00 pm EST Wednesday evening of the seventh week of Spring Semester until the end of voting 11:59 pm EST Wednesday night of the ninth week of Spring Semester.

“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 Judicial Panel Official Recognition of Candidacy Form and is approved by the Judicial Panel.

“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.

A “Polling Station” is defined as any space reserved for voting during election period.

“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.