Bylaw XII. Election GUIDELINES

# Section 1. Election Administration

# The Ombudsman. The Ombudsman has the authority to enforce election guidelines

# The Election Committee. The Election Committee shall have the power to draft **proposed changes to the** election guidelines. The **changes to the** guidelines **shall be** effective after approval by the Senate’s **two-thirds** vote. Guidelines shall be given to all declared candidates.

# Section 2. Application and Definitions

1. Application. These rules apply to all students competing for office, regardless of whether the student has filled out a candidacy application.
2. Definitions. As used in these Guidelines, “campaign” and “campaigning” mean any unsolicited communication, in verbal, written or electronic form, made on the Law School grounds or using Law School or University email systems. If a candidate has a question regarding what activities constitute campaigning, the candidate should ask the Ombudsman for clarification.

Section 3. Campaign Guidelines

1. Declaring Candidacy
2. Candidates are required to declare their candidacy by 6:00 p.m. one full week prior to the beginning of the election period.
3. To declare candidacy, the student must email or otherwise contact Election Committee Chair with (1) the candidate’s name and (2) the applicable position. The Election Committee Chair shall promptly acknowledge the receipt of the candidate’s declaration.
4. Students who fail to declare their candidacy in the above-mentioned manner by the deadline will not be named on the official ballot.
5. Campaign Period
6. Campaign Posters and Other Postings.
   1. Poster Compliance. All posted election materials must comply with the Student Bar Association’s poster policy and the Election Guidelines. Materials in violation of these policies and guidelines are subject to removal by any member of the Student Bar Association Senate, and referral of the violation to the Ombudsman for further action.
   2. Poster Authorization.
      1. General.
         1. All campaign posters and other postings must be properly authorized prior to posting.
         2. Posters that are authorized are still subject to compliance with the Student Bar Association’s Poster Policy.
      2. Power to Authorize. The Election Committee and Ombudsman will have the power and authority to review and approve all election materials to be posted. The Election Committee delegates the power to review and approve posting materials to the members of the Student Bar Association Senate.
      3. Authorization. A poster or other posting material is authorized when it is (1) signed or initialed on the front of the posting material by a person authorized to review and approve postings, and (2) has a date of removal (the date after the election ends) placed by the person who signs or initials the posting material on the front of the posting material. .
      4. Improper Authorization. A current SBA Senator or Officer is unable to authorize their own campaign materials.
      5. Strictly Prohibited. Campaign materials shall not contain profanity, nudity or obscenities. The Elections Committee or Ombudsman will remove any unapproved or inappropriate campaign materials. Cleveland State University’s rules and regulations govern the posting of campaign materials.
   3. Number of Posters. Upon receipt of declaration of candidacy from all candidates, the Election Committee shall make and post guidelines regulating the size and number of permissible campaign postings.
   4. Placement of Posters. Campaign posters and other postings may be posted at the designated posting area in the basement of the law school beginning at 6:00 p.m. one week prior to beginning of the election period. Campaign materials shall not be posted in any area of the law school other than the designated posting area.
   5. Prohibited Placement of Posters. Prohibited posting areas include, but are not limited to, classrooms, elevators, library, atrium, and locker room lockers.
7. Student Organization Endorsements.
   1. Letter of Endorsement. In order for a candidate’s campaign materials to display the endorsement of a student organization, the candidate must submit a letter to the Election Committee from the relevant student organization affirming the endorsement, and the letter must be signed by a majority of the organization’s officers.
   2. Submission of Endorsement. A letter is considered submitted to the Election Committee when it has been delivered to a member of the Election Committee or any current Student Bar Association Executive Officer.
   3. Delivery to the Election Committee Chair. Any Election Committee Member or Student Bar Association Executive Officer who obtains a letter of endorsement on behalf of a candidate must deliver the letter to the Election Committee Chair within one week after obtaining it. If the letter is not delivered to the Committee Chair within this time frame the endorsement will be viewed as invalid until it is delivered to the Committee Chair.
8. Flyers and Other Handout Campaign Materials
   1. Designated Areas. Campaign materials may be distributed in the basement or atrium of the law school beginning at 6:00 p.m. one week prior to the beginning of the election period. Campaign materials may be distributed the basement or atrium.
   2. Prohibited Areas. Prohibited areas include, but are not limited to the library and classrooms.
9. Campaign Emails.
   1. General. The use of personal email messages for campaign purposes is permitted and do not need to be prescreened by a Student Bar Association member.
   2. Exceptions. The use of any student organization or university listserv is strictly prohibited unless prior written consent is obtained from the university official in charge of the listserv or the applicable student organization president.
10. Campaign Funding. No student organization, as defined by the SBA’s Fund Allocation Procedure Policy, may use any funds derived from the SBA to support, directly or indirectly, any candidate for SBA Executive Office.
11. Election Period
12. Election Period. The election period is any day in which the Student Bar Association conducts its polling hours for an election.
13. Campaign Period Rules. Campaign period rules are still in effect during the election period.
14. Restrictions. During the election period, campaigning will not be permitted within the immediate vicinity of the ballot box. The Senators running the polls will have discretion in determining the immediate vicinity.

# Polling Hours. The polls will be open from 11:00 a.m.–1:00 p.m. and from 4:00 p.m. -6:00 p.m. on the Constitutionally designated dates for polling.

1. Counting Ballots.

# Physical Counting. Ballots will be counted in the SBA office on the Constitutionally designated date for counting. The Ombudsman and members of the Election Committee, or those appointed by the Election Committee, will count the ballots. Candidates and/or their representatives may be present while votes are counted. The results of the Election will be promptly emailed to all law students.

1. Write-In Ballots. Write-In-Ballots will be viewed as ineligible and illegal votes pertaining to the Write-In-Candidate. However, if a seat has not been filled by a declared candidate in that election, then the Write-In-Candidate’s votes will be viewed as valid and legal provided they are eligible for the position. The number of Write-In-Ballots will be reported in the overall vote.
2. Reporting Results. After the ballots have been counted, the Election Committee Chair will forward the result to the Student Bar Association President and Ombudsman for distribution to the Student Bar Association.

# Section 4. – Violations

1. Enforcement. The Ombudsman has jurisdiction to enforce these Guidelines.
2. Violation Procedure
3. Filing a Complaint
   1. Filing to the Ombudsman. The Ombudsman will receive all written complaints of any election violations and other protests or complaints related to the election. The Ombudsman will notify the Election Committee Chair of all submitted written complaints.
   2. Filing to the Election Committee. The Election Committee may receive written complaints relating to the election. The Election Committee shall present received written complaints to the Ombudsman within three (3) calendar days.
4. Ombudsman Rulings
   1. Hearing by the Ombudsman. The Ombudsman will conduct a hearing and determine if a violation has occurred when a written complaint is submitted. Alleged violators will be notified twenty-four (24) hours prior to the hearing.
   2. Ruling by the Ombudsman. The Ombudsman will rule on written complaints within three (3) calendar days from the date the complaint was received by the Ombudsman and will be enforced. These rulings may be appealed to the Election Committee.
5. Appealing Ombudsman Rulings
   1. The Election Committee Chair will receive all written appeals from rulings by the Ombudsman, and the Committee will conduct a hearing to determine if the Ombudsman’s ruling was in error. Parties to the Ombudsman’s ruling will be notified twenty-four (24) hours prior to the hearing.
   2. The Election Committee will rule on appeals from all election rulings by the Ombudsman within seven (7) calendar days. These rulings may be appealed to the Student Bar Association Senate.
6. Sanctions. If a violation of the election guidelines is found, the Ombudsman may issue warnings and/or disqualify candidates.