



Undergraduate Student Government Election Bylaws

Amended November 6, 2001
Amended November 20, 2001
Amended September 23, 2003
Amended April 19, 2005
Amended February 28, 2006
Amended April 7, 2009

ARTICLE I: Purpose

Section A

The purpose of the Election Bylaws is to provide guidelines and rules by which to ensure honest elections which are fair and just to all involved. These Bylaws shall apply to all aspects of elections sponsored by the Undergraduate Student Government of Case Western Reserve University.

Section B

These Bylaws, upon ratification, are inferior only to the USG Constitution, and the USG Operating Bylaws.

ARTICLE II: Election Commission

Section A

The governing body for all elections and referenda conducted by the USG will be an Election Commission ("Commission"). The Commission will consist of one Commissioner and a minimum of four Associate Commissioners.

Section B: Election Commissioner

The Election Commissioner must be a member of the USG. The USG shall appoint the Election Commissioner at least four weeks before the date of the election. The Election Commissioner shall not be the Speaker of the Assembly, the USG President, or any member of the Judicial Board.

Section C: Associate Commissioners

Any Case undergraduate may serve on the Commission, although a minimum of two members must also be members of the USG. Notices should be placed on the USG website, the Observer, and in other means around campus, advertising the recruitment of members for the USG Election Commission from the undergraduate student body. The Election Commission will be appointed by a two-thirds vote of acceptance by the General Assembly members present at a regular meeting at least three weeks before an election.

Section D

A Commission exists for a given election, from the vote of appointment until certification of the results of the election by the Commission. Members of the Election Commission may not run for office or campaign for others. The Commission reserves the right to replace any Commission member if the other Commission members are unanimously in agreement. The replacement member is appointed by a majority of Commission members. All Commission members, including the Commissioner, are expected to follow the University Statement of Ethics. Any Commission member may be asked to abstain from a vote of the Commission if he or she is found to have a conflict of interest and if the other Commission members are unanimously in agreement.

Section E

The Commission may establish additional rules governing an election in addition to, and limited by, these Election Bylaws.



ARTICLE III: Election Definitions

Section A: Election Definitions

The following shall define the different types of elections held by the USG:

1. A general election is one in which the entire undergraduate population is eligible to vote for some office.
2. A special election is one in which participation is limited to a particular constituency.
3. A runoff election refers to all secondary elections held to resolve races not initially determined by a general or special election.

ARTICLE IV: Candidacy

Section A: Letters of Intent

Persons seeking to run for office must submit a letter of intent to the Election Commissioner, in the interval between three weeks and one week before the election and before the deadline set by the Commission. The letter of intent includes: name, address, telephone number, class, office sought, agreement to abide by all campaign regulations, date, and e-mail address. Submission of the letter of intent constitutes an agreement to accept all Commission decisions, or agreement to appeal Commission decisions through the procedures in these Election Bylaws. The Election Commission has latitude to accept letters of intent requested to be submitted after the established deadline to submit when extenuating circumstances have made earlier submitting infeasible. A candidate's letter of intent may not be changed after being published to the campus, which is to be no later than the beginning of the campaign period, and only with the permission of the Election Commissioner, who shall not deny the opportunity to make changes prior to the established deadline to submit.

Section B: Eligibility

No individual may seek to represent a constituency of which he/she is not a part. The membership status of a candidate with respect to his/her constituency shall be defined by the Election Commission. Additionally, no person shall be eligible to seek an office with the knowledge that he/she will be departing the University before the expiration of that office's tenure. No student may run for office if they are on academic or other probation. All candidates must be undergraduate students and pay the student activity fee. Students not on campus but enrolled with an approved university program may also campaign for office. Candidates must also be in good standing with the University. The Election Commission will verify all such information before certifying election results.

Section C: Multiple Candidacies

No student may run for more than one USG Executive office or more than one USG representative office at the same time. A student may, however, be a candidate for one USG Executive office and one USG representative office simultaneously. However, in the event a candidate for a USG Executive office and a USG representative office win both elections he/she will forfeit their right to the representative office and assume the Executive office. The representative office will go to the candidate that received the next highest vote total.

Section D: Letters of Intent Deadline

The Commission may set and extend the filing deadline for letters of intent at its discretion, in the interval between two weeks and one week before the election day.

Section E

An electronic form of the letter of intent is mandatory for public inspection on the USG website.

Section F

Publication of a candidate's picture and any other pertinent information shall be at the discretion of the Election Commission.



ARTICLE V: Campaign Practices

Section A: General Principles

All candidates must run a fair campaign and abide by the campaign regulations in these bylaws and as set by the Election Commission. Any campaigning shall be conducted in a manner that will not interfere with classroom or business activities of the campus. The Commission has the duty and the authority to apply and interpret campaign regulations. Before the election begins, the Commission will provide a copy of these Election Bylaws, the University Posting Policy, and Housing, Residence Life & Greek Life regulations, and any other publication it deems necessary, to all candidates.

Section B: Fairness

All campaigns will be run in an ethical manner with mutual respect shown toward other candidates at all times. Candidates will be held responsible for instructing all supporters to follow these campaign regulations. Candidates will be held responsible if any campaign worker or supporter does not follow election regulations. A supporter is defined as an individual that actively promotes the candidate. The candidate is responsible for notifying the Election Commissioner of violations or possible violations that occurred without his or her prior knowledge, as soon as they occur. Supporters and candidates can only campaign to a class or a public campus event if all candidates for the same office would be permitted to speak at the same time. Any attempt by a candidate or supporter to purposely undermine another candidate's campaign will result in severe sanctions, as determined by the Election Commission.

Section C: Slander and Libel

Neither slander nor libel will be tolerated in any campaign. Slander, the oral form, and libel, the written form, shall be defined as false statements that either injure another's reputation or defame another's character. In such cases of confirmed misconduct, the original intent of the statement will be held immaterial to the content and extent of the slanderous or libelous speech. At minimum, any slanderous or libelous statements will result in a sanction requiring retraction and public apology. Individuals committing slander or libel may also be subject to University or Housing and Residence Life judicial action.

Section D: Campaign Time Limits

Public campaigning for office may begin after the candidates' meeting, until the election begins, as scheduled by the Election Commission.

Section E: Campaigning on Election Day

Campaigning may continue only until the election begins on Election Day. After that time, there may be no active, written, electronic, or public campaigning by candidates or their supporters. Existing posters, fliers, and other campaign materials may remain in place, but no additional or new materials may be distributed after the polls open. Online messages and profiles, stickers, clothing, and other wearable forms of campaigning are permitted, unless the commission establishes otherwise in written and published campaign guidelines prior to the campaign period.

Section F: Financial Regulations

All candidates for USG Executive positions are limited to spending no more than \$100 or the equivalent personal property. All candidates for representative positions are limited to spending no more than \$50 or the equivalent personal property. Gifts and donations are included in this limit. All supporters must be eligible voters, as prescribed in these Election Bylaws and the USG Constitution. Candidates may campaign as a ticket and combine their spending limits. Financial disclosure statements must be turned in within four hours after the request of the Election Commission.

Section G: Write-in Campaigns

Undergraduate students who run an active write-in campaign will be subject to the same campaigning regulations as those who submitted letters of intent (i.e. campaign policies, spending limits, etc...). Furthermore, no write-in



candidate who may receive the majority of votes for any position will be certified as the winner until his/her academic and other probation status has been verified by the Election Commission.

Section H: Email Practices

Candidates must be ethical in their email practices. Mass e-mail campaigns shall not be considered ethical.

Section I: Publicity Provided by Election Commission

The Election Commission will make arrangements for:

1. Coverage of the USG Executive and representative positions in the Observer, including a list of candidates and the USG voting website URL, if time permits.
2. An optional public debate forum among those seeking USG executive offices, possibly on the Case television station.
3. Letters of Intent and other important election information available on the USG Homepage.
4. Any other activities that will increase student interest in the USG and in voting, such as a campus wide e-mail.

Section J: Postings

Candidates must follow all University posting regulations.

ARTICLE VI: Voting Eligibility

Section A

All regularly enrolled students paying the student activity fee may participate in elections, short of restrictions enumerated within these Bylaws.

Section B

For USG Representative elections, each voter will be eligible to vote for one representative per position from the constituency of which he or she is a member. For Executive positions, each voter will be eligible to vote once for each position. Students' residency, class and academic college status may be determined by the Election Commission from a list provided by the University Registrar prior to the election.

Section C

If a voter is not a member of a specific constituency at the time of the election, the voter will choose a constituency for the purposes of the election.

ARTICLE VII: Procedure

Section A

USG Elections can either be conducted by an online voting system or a traditional system utilizing voting polls. The USG Election Commissioner will decide on the type of system to be used prior to the candidate nomination period.

Section B

The following regulations apply to any online voting system decided upon by the USG Election Commissioner. All efforts must be made to produce one general email. One general e-mail will be sent out by the Election Commissioner to the undergraduate student body informing students of the online voting system no later than two days prior to the election. This e-mail must include the dates that online voting will be made available. A second e-mail will be sent out by the Election Commissioner the day of the election at 8:00 AM with a link to the online voting location. After this second e-mail is sent, polling will officially begin. The Commission will have the power to enact any necessary procedures to ensure electronic security. Any technical flaw in the election could result in an automatic restart of voting, at the discretion of the Election Commission.



Section C

Any fraudulent attempts to electronically alter the outcome of the election will be referred to the appropriate agency whether student disciplinary, civil, or criminal. Such action constitutes a violation of the Information Technology Services Ethics Policy and Case Western Reserve University rules and regulations.

ARTICLE VIII: Enforcement

Section A

All violations or possible violations must be brought immediately to the attention of the Election Commissioner in writing or by email. He/she will research the violation and possible solution in conjunction with the Election Commission and reach a decision, or call an emergency meeting of the Election Commission to review possible sanctions. All rulings by the Election Commission are public record and should be posted on the USG website.

Section B

The Commission may, if violations of election rules are found to have occurred, impose any sanction deemed necessary, including but not limited to the following:

1. An appropriate warning is issued
2. Removal of campaign literature
3. Suspension of a candidate's campaign privileges
4. Removal of a candidate
5. Cancellation or invalidation of any or all races
6. Referral to University Judicial Board or appropriate University office for judicial action

Section C

The Commission will have the power to impose any such sanctions on any member of the Case undergraduate community who violates election regulations, as the commission deems necessary. This includes campaign workers, supporters, or applicable third parties, who have campaigned for another in any way, and write-in candidates who have campaigned for themselves in any way. A third party is an individual or group that actively campaigns for or against a candidate or group of candidates. Student organizations or campus groups that are found in violation of these Election Bylaws will be reported to the USG Judicial Board. The group's or organization's President may also be held responsible for the group's inappropriate actions. Any illegal advertisements for a candidate are the ultimate responsibility of the candidate, regardless of whether or not the supporter had any prior knowledge of the advertisement. The candidate must deal with the violation accordingly, especially by immediate remediation and by providing notification to the Election Commission.

Section D

All violations or possible violations must be reported within 24 hours after the announcement of election results.

Section E

The Commission will have the authority to enforce all decisions dealing with the election by a majority vote of a quorum of Commission members. Quorum consists of one half of the total Commission members. A candidate may appeal a Commission decision to the USG Assembly. A two-thirds vote of those present is needed to overturn a Commission ruling. Any candidate, supporter, or third party that is accused of an election violation has the right to defend themselves before the Election Commission and the USG General Assembly.

ARTICLE IX: Recounts, Appeals, and Validation

Section A

A candidate may make an appeal of a Commission decision in writing to the Election Commissioner within two class days of notification of a Commission decision.

**Section B**

The Commission must respond to an appeal request within two class days.

Section C

A candidate may make an appeal of a Commission decision with regard to recount results or appeal results in writing to the USG Secretary within one class day of notification of the final Commission decision.

Section D

The Assembly must consider appeals at the next USG meeting. If appeals are considered at the last meeting of the academic semester, all efforts must be made to resolve the appeal. If there are no scheduled USG meetings, an emergency meeting must be scheduled.

Section E

All appeals, protests, or requests must be written and delivered to the Student Activities and Leadership Office within the indicated time limits.

ARTICLE X: Caucuses**Section A**

Caucus sizes will be set by the USG Assembly before spring elections.

ARTICLE XI: Tallying Procedures**Section A**

Elections will be decided by a simple plurality system. Each student will have one vote in each race for which he or she is eligible to vote. If there is a tie, the candidates will be asked if they are willing to share the position. If either candidate is unwilling, a special runoff election will be held.

ARTICLE XII: Amendments**Section A**

Any amendments to these Bylaws must be introduced to the USG General Assembly, tabled, and published in an all-campus publication prior to the vote. Amendments must be passed by a two thirds vote of the General