

**GRADUATE STUDENT ASSOCIATION
STATE UNIVERSITY OF NEW YORK AT BUFFALO**
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Election Rules & Regulations

Spring 2020: April 6, 7, 8, 9

APPROVED- November 6, 2019

1. OFFICES TO BE ELECTED

1. Executive Board

- A. The Executive Board shall consist of one President, one Vice-President, and one Treasurer.
- B. The Executive Board shall be elected in the spring to serve a one-year term beginning June 1, 2020.
- C. Candidates for office must be present and available to serve the full one-year term from June 1, 2020 through May 31, 2021.

2. PETITIONS

- 1. In order to be considered as a candidate for office, a graduate student must secure 25 signatures from other graduate students.
 - A. No more than eight (8) signatures on one petition can come from students enrolled in the same department.
 - B. Students enrolled in more than one department must choose a department to represent.
- 2. Candidates are responsible for ensuring that signatures belong to current graduate students who are represented by the GSA.
 - A. Duplicate signatures will be declared invalid. The Election Committee (EC) will run a random check to verify students' signatures provided on petitions.
 - B. A student may sign only one (1) petition per Executive Board office.
- 3. Petitions, along with candidate statements, must be submitted to the Election Committee Chair (ECC) or the Election Committee's designee (ECD) in the GSA Office, 310 Student Union, on or before the stated deadline, Monday, March 2, 2020, by 4:30 PM.
 - A. The EC may extend candidate deadlines for one week, if no one has submitted a petition to compete for an office.
- 4. All prospective candidates must attend a mandatory meeting with members of the EC where the Election Rules and Regulations will be handed out and reviewed. Meetings will be arranged between prospective candidates and the EC to occur between Wednesday, March 4 and Wednesday, March 11.
- 5. Submission of a petition sheet, attendance at a mandatory meeting, attendance at two GSA Board of Directors meetings within the past twelve months, and attendance at the February 2020 and March 2020 Board of Directors meetings entitles the candidate to have their name placed on the ballot, providing the petition is determined to be valid by the ECC or ECD.
 - A. For the Spring 2020 election season only, each candidate must have attended two

Board of Directors meetings (sign in before the meeting and be present at roll call) within the last twelve months and attend the February 2020 and March 2020 meetings to qualify as a candidate. The Election Committee will review attendance logs from the meetings, and candidates who are not on record as having attended will be stricken from the ballot.

- B. You will officially be considered a candidate once you have signed the Code of Conduct upon picking up a petition packet, but you still are required to attend the mandatory meeting with the EC and sign off on the Election Rules and Regulations.

3. CANDIDATES

1. Any candidate running for a GSA office must be a current graduate student, whose GSA mandatory student fee has been paid and is in good academic standing as defined by the EC with a GPA of at least 3.0.
 - A. Enrollment, fee status, and GPA will be verified by the EC.
 - B. Good academic standing as well as satisfactory and timely progress toward a degree are necessary, but not the only requirements, to 1) be a candidate for elected office, 2) accept an appointed office, or 3) serve throughout one's elected or appointed term.
 - C. For departments which do not have a GPA grading system, a letter from the department chair must be included stating that the candidate is in good academic standing in the department.
2. It is the responsibility of each candidate to know the Code of Conduct and the Election Rules and Regulations. Ignorance of the rules will not be accepted as an excuse. Candidates will be provided with a copy of each document. Upon reading and agreeing to the Code of Conduct and Election Rules and Regulations, candidates will sign a written statement acknowledging compliance with each.
3. No Election Committee member may run for an Executive office without first formally resigning from the committee, and must have Board of Directors approval.

4. BALLOTS

1. The EC will proceed at all times in consideration of ballot security and voter turnout so as to prevent even the suspicion of election fraud or contest.
2. Voting will occur via electronic ballot. This ballot will allow the choice of one candidate for each Executive Board office by voters, with the option to abstain from voting for any office.
3. The electronic ballot will consist of a table with each candidate's name printed clearly in a readable font beneath the office for which they are running, and its layout will be verified by the GSA Board of Directors on Wednesday, April 1, 2020.
4. The order of the names on the ballot will be chosen at random.
5. Candidates may only have their name on the ballot. The use of slogans or other advertisement on the ballot is forbidden.
 - A. The order of candidates to be listed on the ballot will be chosen at random.
 - B. Selection of the order of candidates will occur at a mutually agreed upon time and date, with the selection process open for public viewing, during the week of March 23, 2020, and administered by the EC. Candidates are especially welcome to observe.
 - C. Photographs of the candidates and statements will be included on the GSA website, with a link to the electronic balloting system, but not on the ballot itself.
6. The electronic balloting system will be hosted and administered by UBLinked through the

Office of Student Engagement.

7. In order to access the electronic ballot, voters must sign in with their UBIT name and password, which will be authorized via a list created by the Division of Student Life.
8. No voters may log into the electronic ballot page prior to the opening of polls.

5. VOTING PROCEDURES

1. Every graduate student represented by the GSA whose name is on the voter list generated by the Division of Student Life is entitled to vote. In order to exercise that vote, all students must login using their UBIT name and password.
 - A. If a graduate student wishes to vote and their login is not recognized, the student shall contact the GSA liaison in the Office of Student Engagement to verify their status. Once Student Engagement has verified the student's status, the student will be added to the database and allowed to login and vote. Students who experience difficulty with login should contact Student Engagement as soon as possible to resolve the issue via the contact information available on the voting website.
2. No student may vote more than once for each Executive Board office.
3. Polling will open at 12:00 AM on Monday, April 6 and remain open continuously until 11:59 PM on Thursday, April 9, 2020.
 - A. A link to the electronic ballot page will be made available beginning Friday, April 3 on the GSA website.
 - B. A link to the electronic ballot page will be posted to GSA social media during the polling week.
 - C. The GSA will send out two (2) email reminders to GSA listservs, one on the morning of Monday, April 6, and a final reminder to vote the morning of Thursday, April 9.
4. UBLinked will monitor site traffic and activity for security purposes.
 - A. The EC will be notified immediately of a detected security breach or other anomaly.

6. TABULATIONS

1. If any mechanisms are determined by the UBLinked and EC to have been tampered with, votes after the time of the breach may be declared invalid with advice of legal counsel for the University or GSA.
2. The electronic ballot software will tabulate votes automatically. Final results will be downloaded and screen-captured Friday, April 10, 2020 in the presence of a majority of EC members and UBLinked, as well as any additional representatives from other University offices or bodies such as may be deemed necessary or appropriate to be present by the EC, the ECC, or ECD with the advice of legal counsel.
3. In the event of proven fraud or tampering with votes, it is within the powers of the EC to re-run the election using means such as it is deemed appropriate and as approved by the Board of Directors.
4. The winner of each position shall be the candidate who received the most votes. In the event of a tie, the GSA Board of Directors will meet at a scheduled time and place with each representative receiving one vote to determine the winner.
5. After tabulation, all election-related materials shall be kept for seven (7) days for public inspection until Friday, April 17, 2020. After 8:00 AM that morning, all paper materials will be destroyed and electronic materials deleted from hard drives and web servers and databases.

7. CAMPAIGNING

1. Campaigning should begin only after the announcement of candidates at the March Board of Directors meeting.
2. The end of campaigning is at the discretion of individual candidates.
3. Parties are not allowed. Joint campaigning with other candidates who are running for a different position is not allowed at any time before or during the campaign and election process.
4. Candidates should send copy materials to the ECC for printing in the GSA office, for a maximum of 100 copies.
5. The content of campaign materials does not need to be approved by the EC.
6. Candidates must remove all campaigning materials from all locations by 6:00 PM Friday, April 17, 2020. Failure to comply with this will result in penalties as listed under Section 11.
7. Any and all forms of campaigning are permitted so long as all Student Conduct rules; University Standards and Administrative Regulations; Student Union policies, procedures, rules, and regulations; Computer and Network Policies; and New York State Penal Law are abided by. Candidates are responsible for observing all of the above listed policies, procedures, rules, and regulations. Copies of UB policies are available either online or in the GSA office. (See Section 11)
8. There will be no campaigning allowed within 50 feet of any public computing site, such as the Lockwood Cybrary.
9. No loudspeaker or otherwise amplified campaigning can be used by any candidate or their representative within 300 feet of computing sites.
10. The Candidate Debate will be held on Wednesday, April 1, 2020, to coincide with the scheduled GSA Board of Directors meeting, where member(s) of the EC, or the ECD will moderate it.
 - A. The use of personal attacks and solicitation are prohibited.
 - B. Debates relating to the election will allow fair and equal representation to each candidate. Candidates will be courteous to one another and to the moderator. The debates will be attended by EC members and moderated by a member of the EC.
 - C. All candidates will be allowed equivalent time and/or space in all EC sponsored advertisements and events.
11. Candidates will be allowed to post a statement of 500 words or less of their own design on the GSA website. One URL to a personal website may be included with a candidate's statement on the GSA website.
 - A. Candidates are allowed free use of Facebook, Twitter, and any other social networking websites, so long as they do not include pornography, obscenities, or allusions to illicit activities.
 - B. Candidates may *not* link directly to the electronic polling website, but may direct voting traffic to the GSA website.
 - C. Campaign materials on the internet are also subject to penalties for violations as listed in Section 11.
12. The EC will send electronic messages to the GSA graduate student population in order to announce a call for candidates, platforms, the GSA website address, and election dates. Each candidate may submit one short line, fifteen (15) words, for transmittal in those messages, and may include one URL. The EC will also send reminders during polling days to GSA listservs.

13. Every candidate will be responsible for any and all uses of their name by campaign workers and/or agents. Inappropriate election behavior will result in violations that will be dealt with on a case-by-case basis.
 - A. Major violations as defined in Section 11 of these rules may result in immediate dismissal of candidate(s) at the discretion of the EC.
 - B. Minor infractions as defined in Section 11 of these rules will result in penalties.
 14. There should be substantial proof of an alleged breach of election rules in order for the EC to hear a complaint.
 15. EC members shall monitor campaigning practices. The EC members shall make decisions as a group and not individually.
 - A. All listserv campaigning must include a CC: to the members of the EC. Failure to do so may result in penalties as established in Section 11.
8. POWER OF THE ELECTION COMMITTEE
1. The EC will be empowered by the Board of Directors to make and enforce additional rules or regulations as they become necessary in order to ensure a fair and impartial election.
 2. The EC has the final decision as to the interpretation of the Code of Conduct and the Election Rules and Regulations, and their applicability to specific or special situations that may arise during the official election period.
 3. In the event of a tie vote on a decision within the committee, the ECC shall be granted an extra vote to break the tie.
 4. Failure to abide by New York State Penal Law, UB Rules and Regulations, the Code of Conduct, or the Election Rules and Regulations shall result in a suitable penalty to be decided upon by the EC.
 5. The EC has the power to schedule a hearing for an alleged violation by a candidate witnessed by the EC without a written complaint, but must contact the candidate concerning the violation and hearing details at least 24 hours prior to the scheduled hearing.
 6. Upon determining that violation(s) of New York State Penal Law, UB Rules and Regulations, the Code of Conduct or the Election Rules and Regulations has occurred, the EC has the power to impose the following punitive measures:
 - A. Removal of candidates from the election;
 - B. Public censure; and/or
 - C. Public acknowledgment and apology.
 7. The EC may refer violations of the Election Rules and Regulations to, at first, the full GSA Board of Directors, then to the Student-Wide Judiciary (SWJ), but at any time may contact the University Police.
9. COMPLAINTS
1. A complaint made against a candidate or against the EC must be a written allegation of a violation of these Rules stating the candidate involved and all specifics relating to the alleged violation.
 - A. All complaints against the EC must be reported to the GSA Board of Directors.
 - B. At the latest, complaints must be filed within 24 hours of the close of polling. Complaints must be presented to the EC or the ECC. The EC shall render a decision on all complaints within 24 hours following a hearing. When possible, a hearing will be held within 72 hours of any complaint.
 2. In any election dispute regarding alleged violations of these rules, the candidate accused is presumed to be innocent until proven guilty.

3. All alleged violations will be judged by the EC and can be appealed to the GSA Board of Directors. Only after a hearing in the Board of Directors may complaints be appealed to the SWJ.
 - A. The Board of Directors appeal process will follow the procedures set forth in the EC Hearings, Section 11, numbers 1 through 4. The Board of Directors can question the relevant parties for no longer than fifteen (15) minutes and the proceedings can only be altered by a Board of Directors vote.
4. Those persons lodging complaints will be responsible for producing evidence and witnesses pertaining to the alleged violations.
5. The accused will receive a copy of the complaint at least 24 hours before the hearing and have the opportunity to defend themselves against the allegations at the hearing. The 24 hours may be waived by the individual involved with written consent.

10. EC HEARINGS

1. In the event a hearing is scheduled, the format will be as follows:
 - A. The complainant will submit evidence for no longer than fifteen (15) minutes;
 - B. The respondent will follow with their case for no longer than fifteen (15) minutes;
 - C. The complainant will have five (5) minutes for a closing statement;
 - D. The respondent will follow with five (5) minutes for their closing statement;
 - E. The EC may then question parties for no longer than fifteen (15) minutes in total.
 - F. These times will be strictly adhered to and only extended by a vote of the EC.
2. An individual candidate may present their case or may name a spokesperson. The name of the spokesperson must be presented to the ECC no later than 24 hours after a hearing is granted.
3. If witnesses are used, they will be included in the fifteen (15) minute evidence section only.
4. Any discourteous conduct or interruption of others will be severely penalized, including, but not limited to, expulsion from the hearing.
5. A simple majority of the EC must be present at any hearing. Decisions will be rendered by a majority vote of the EC members present.
6. The ECC or ECD will supervise all hearings and meetings of the EC in connection with the election. It is the responsibility of the ECC or ECD to enforce these Rules at hearings, and the ECC or ECD will have the necessary authority to take appropriate measures in order to secure them, including dismissing complaints or expelling individuals from hearings.

11. VIOLATIONS OF NEW YORK STATE PENAL LAW, UB RULES AND REGULATIONS, CODE OF CONDUCT, AND ELECTION RULES AND REGULATIONS

1. Minor infractions will result in one or a combination of the punitive measures listed in Section 8.6 (barring dismissal, unless persistent minor violations occur) and possible referral to the GSA Board of Directors. Minor infractions are not subject to hearings.
2. Major violations will result in serious punitive measures including dismissal from elections and possible referral to the GSA Board of Directors, the SWJ, and/or University Police.
3. Major violations include, but are not limited to: defamation (i.e., libel, slander); misinformation; obscenity against another candidate; bribery; gratuity; physical or verbal threat or action; harassment; persistent minor violations; defacement of property or posters.
4. Penalties for other violations will be determined, as the EC deems appropriate. The penalties will reflect the severity of the infraction and/or candidate's disregard for New York State Penal Law, UB Rules and Regulations, the Code of Conduct, and/or the Election Rules and Regulations.

12. ADOPTION

1. These rules will be considered to be in force after approval by the Board of Directors on Wednesday, November 6, 2019.

13. DISSOLUTION

1. The preceding Rules will remain in force following the polling days and lasting until the announcement of the elected officers and after the resolution of any complaints.
2. The EC will disband seven (7) days after the election results have been finalized and the official report is sent to all graduate students.

Amendment- Approved by the GSA Election Committee on March 25, 2020

As per the direction of the SUNY Board of Trustees received on March 22, 2020 all student government elections and referendum votes are being postponed until the Fall, 2020 semester. As such, the GSA Election Committee will reschedule the GSA's Spring 2020 elections to take place September 14, 15, 16 and 17, 2020 as allowed under their powers indicated in Section 8.1.

As this relates to Section 2: The petition deadline will not be reopened and only currently validated candidates will be allowed to run in this election.

As this relates to Section 4.3: The verification of the ballot layout will take place accordingly during the September 9, 2020 GSA Board of Directors meeting.

As this relates to Section 5.3: Polling will open at 12:00 AM on Monday, September 14, 2020 and remain open continuously until 11:59 PM on Thursday, September 17, 2020.

- A. A link to the electronic ballot page will be made available beginning Friday, September 11 on the GSA website.
- B. A link to the electronic ballot page will be posted to GSA social media during the polling week.
- C. The GSA will send out two (2) email reminders to GSA listservs, one on the morning of Monday, September 14, and a final reminder to vote the morning of Thursday, September 17.

As this relates to Section 6.2: Tabulation will now occur on Friday, September 18, 2020.

As this relates to Section 6.5: All election-related materials will be kept for public inspection until Friday, September 25, 2020.

As this relates to Section 7.6: All campaign materials must be removed by Friday, September 25, 2020.

As this relates to Section 7.10: The Candidate Debate will be moved accordingly to September 9, 2020 to coincide with the scheduled GSA Board of Directors meeting

All other policies and regulations shall remain in force as stated.