

The Elections Code of the
Student Union of John Carroll University

Article I

The Election of the Executive Officers of the Student Union

Sec. 1. Members of the Student Body shall nominate from the floor of the Student Union Senate members of the Student Body whom they consider best qualified for the offices of President, Executive Vice President, Vice President for Business Affairs, Vice President for Judicial Affairs, Vice President for Student Organizations, Vice President for Diversity, Equity, and Inclusion, Vice President for Programming, and Vice President for Communications of the Student Union. These nominations shall be made at the second-to-last regularly scheduled Senate meeting in the month of October.

Sec. 2. During the last scheduled meeting of the month of October, nominations for President, Executive Vice President, Vice President for Business Affairs, Vice President for Judicial Affairs, Vice President of Student Organizations, Vice President for Diversity, Equity, and Inclusion, Vice President for Programming, and Vice President for Communications of the Student Union shall be reopened. All nominations must be seconded at least once by a member of the Student Union Senate. After nominations are closed, nominees will either accept or decline the nomination. A nominee becomes a candidate upon accepting his or her respective nomination. Nominees may appoint a proxy to accept and speak on his or her behalf at any time during the nomination proceedings. Students wishing to run for a Student Union position may run for no more than one office during each election.

Sec. 3. Candidates for the Student Union Executive Board positions must submit a platform statement by 5:00 pm on the Friday before the General Election.

Sec. 4. On the Wednesday and Thursday of the first week of November, the names of the candidates for the offices of President, Executive Vice President, Vice President for Business Affairs, Vice President for Judicial Affairs, Vice President for Student Organizations, Vice President for Diversity, Equity, and Inclusion, Vice President for Programming, and Vice President for Communications, shall be submitted to the Student Body for a General Election. Write-in candidates shall be permitted to compete in the General Election. Each student who votes have a valid Banner ID in order to access the General Election ballot. The Student Body shall then vote for the offices of President, Executive Vice President, Vice President for Business Affairs, Vice President for Judicial Affairs, Vice President for Student Organizations, Vice President for Diversity, Equity, and Inclusion, Vice President for Programming, and Vice President for Communications.

Sec. 5. Procedure for Runoff Elections. If two candidates are running for a single office, the winner will be determined by a plurality of votes. If there is a tie for the winner, only those candidates involved in this tie shall enter into a Runoff Election. The candidate who wins the

plurality of votes in the Run-Off Election shall be named the winner of the election for his or her particular office.

Sec. 6. The outgoing Executive Officers must train the Officers-Elect prior to winter break. Attendance at said officer transition process is mandatory for all outgoing Executive Officers and Officers-Elect.

Sec. 7. The Executive Officers-Elect shall assume office upon their Inauguration during the first week of the following spring semester.

Sec. 8. The Executive Officers-Elect of the Student Union shall take an oath of office publicly at their Inauguration. The oath is to be administered to each officer separately.

a) First, it is to be issued by the outgoing President to the incoming President.

b) The Vice President for Judicial Affairs of the Student Union shall take an oath of office at the Inauguration, to be administered by the outgoing Vice President of Judicial Affairs of the Student Union, which is as follows:

"I, [officer's name],/ do solemnly swear/ that I will faithfully execute/ the office of Vice President of Judicial Affairs of the Student Union,/ and will act in that capacity/ as a fair, impartial, and responsible judge,/ in all cases referred to the Hearing Board of the Student Union./ So help me God."

i) Should the Vice President for Judicial Affairs be entering his or her second consecutive term, he or she shall have the oath of office administered by the newly-inaugurated Student Union President.

c) The newly inaugurated Vice President of Judicial Affairs is to administer the oath to the incoming Executive Vice President, Vice President for Business Affairs, Vice President for Student Organizations, Vice President for Diversity, Equity, and Inclusion, Vice President for Programming, and Vice President for Communications of the Student Union, which is as follows:

"I, [officer's name]/ do solemnly swear/ that I will faithfully execute/ the office of [officer's position] of the Student Union,/ and will to the best of my ability/ preserve, protect, and defend/ the Constitution and traditions/ of the John Carroll Student Union./ So help me God."

d) A President entering his or her second consecutive term shall have the oath of office administered by a member of the University community of his or her choosing.

Sec. 9. The Justices of the Hearing Board, as they are appointed and ratified, shall be administered an oath in private by the Vice President for Judicial Affairs of the Student Union,

which shall read exactly the same as the Vice President for Judicial Affairs' oath, inserting the words "Justice of the Hearing Board," in place of: "Vice President for Judicial Affairs."

Article II

The Election of Class Senators

Sec. 1. In order to secure a place on the ballot, a candidate must submit to the Elections Chairperson a letter stating his or her candidacy for a Class Senator position, name as it is to appear on the ballot, and current phone number and email address, no later than the date selected by the Elections Committee.

a) The Elections Committee shall make official letters of intent available at least one month prior to the scheduled General Election of the respective Class Boards. These letters must state the official time that the letters are due to the Elections Committee.

Sec. 2. The election of Class Senators will be held in the same manner as Executive Officers of the Student Union, except that Class Senator elections will be held the Wednesday and Thursday of the third week of November.

Sec. 3. The six candidates receiving the most votes in the Senate Elections will represent their class in the Senate.

Sec. 4. The Senator-Elect with the most votes is automatically named the President of their respective class. If the Class President-Elect declines the position or is unable to fulfill his or her term in office, the candidate receiving the second-highest amount of votes in the General Election shall become Class President, and so on until the position is filled.

Sec 5. Graduating Seniors shall retain their voting privileges and carry out any existing obligations, other than those appointments given by the outgoing Executive Board, such as committee chair positions.

Sec 6. All voters in the General Election must have a valid Banner ID in order to cast a ballot. Voters may only cast ballots for candidates sharing their academic year.

Sec 7. Write-in candidates are permitted in the General Election. If a write-in candidate succeeds in securing an office with at least the minimum number of votes (10), he or she must acknowledge his or her acceptance of the office to the Elections Chairperson within 24 hours of the polls' closing. If the acceptance is not acknowledged, the vacant office(s) shall be filled by the Class President of the affected Class Board with the approval of a majority of the Board, according to Article II, Sec. 6, of the Constitution, at the earliest possible time.

Sec. 8. All members of the Student Union Senate shall take an oath of office either at Inauguration or during the first Senate meeting of the spring semester or his or her appointment to the Senate, which is as follows:

"I, [Senator name],/ do solemnly swear/ that I will faithfully execute/ the office of Senator of the Student Union,/ perform such duties as are entrusted to me,/ effectively represent my constituency,/ and to the best of my ability/ preserve, protect, and defend/ the Constitution and traditions/ of the John Carroll Student Union./ So help me God."

Article III

Election Procedures for Executive and Class Elections

Sec. 1. Membership of the Elections Committee shall be comprised of the Elections Chairperson, the Vice President for Judicial Affairs, the Executive Vice President, and President.

- a). The Vice President for Judicial Affairs, Executive Vice President, and President shall not be on the Elections Committee if that person is running for elected office in the Student Union during that election cycle.
- b). If the Vice President for Judicial Affairs is not able to serve on the Elections Committee, then a member of the Hearing Board, who is not running for elected office, shall be chosen by the Elections Chairperson.
- c) If the Executive Vice President or President is not able to serve on the Election Committee, then a member of the Senior Board shall be chosen by the Elections Chairperson.

Sec. 2. In each election, the Elections Chairperson must hold a meeting for all candidates. At each meeting, the Chairperson of the Elections Committee must pass out an official sheet outlining the procedures governing Student Union elections.

- a) This official sheet must include regulations regarding the placement of campaign literature. Any changes made to this sheet at any time must be approved by the Elections Committee within 24 hours and a new sheet outlining these changes must be submitted to all candidates within the above timeline.

Sec. 3. A debate will be held for the office of President of the Student Union. Each Vice Presidential candidate is required to deliver a 2 minute platform statement and introduction before the beginning of the Presidential debate.

- a) The debate shall take place on the Tuesday before the Executive Board General Election, and shall be moderated by a member of the Elections Committee. It is the responsibility of the Elections Chairperson to announce and publicize the time and place of the debate.

Sec. 4. Executive and Class Elections must be publicized as follows:

- a) The Elections Chairperson must adequately publicize both the forthcoming Student Union General Elections for both Executive Officers and Class Senators as well as the Presidential Debate.
- b) Publicity efforts may include but are by no means limited to: advertising in the Carroll News, distribution of flyers in mailboxes, and news briefs to the television station.

Sec. 5. In the case of a tie in any General Election Run-Off:

- a) For the offices of President, Executive Vice President, Vice President for Business Affairs, Vice President of Judicial Affairs, Vice President for Student Organizations, Vice President for Diversity, Equity, and Inclusion, Vice President for Programming, or Vice President for Communications, another election shall be held the Monday and Tuesday following the first General Election. If a tie reoccurs, at Student Union's next regularly scheduled meeting, the Senate shall determine winner of the office in question from the candidates on the first General Election ballot by a majority vote with at least two-thirds present and voting.
- b) For Class Senator positions, a Run-Off Election shall be conducted according to the same procedures as the Executive Board General Election. The Run-Off Election shall be held the Monday and Tuesday following the Thanksgiving holiday break for those persons involved in the tie. If another tie occurs, a second Run-Off Election shall take place in the same manner as the first. If a tie occurs in the second Run-Off Election, the Class Board-elect for that class shall vote by secret ballot, with the Elections Chairperson present to verify the results, by the Friday of the same week of the second Run-Off Election, and shall determine the winner by majority vote.

Sec. 6. If any candidate withdraws or is denied his or her candidacy between the start of the General Election and the time the Elections Committee publishes the result of the elections, a Run-Off election will be held for that office. When a Run-off election is called, the procedure will follow the regular election by-laws as stipulated in this Elections Code.

Sec. 7. The Elections Chairperson, at least two other members of the Elections Committee and the Associate Director of Student Engagement shall have access to voting results in all elections. Each candidate in the election must receive a minimum of 10 votes. Result totals shall be made public upon tabulation.

Sec. 8. In addition to qualifications established in Article III of the Constitution, a Senator elected to a Class Board must be a member of the academic class which he or she represents at

the time of his or her election to the office and during the entire term of his or her office, or else forfeit his or her seat in the Student Union Senate.

Sec. 9. Candidates and those campaigning for a candidate may not solicit votes in the DJ Lombardo Student Center or use any form of digital technology to get students to vote while in their presence.

Sec. 10. In all Student Union General Elections and Run-Off elections, polls shall open at 8:30 a.m. on the on the Wednesday of the week of elections and close at 7:30 p.m. on Thursday, the following day, (subject to change in the event a conflict arises regarding University scheduling).

Sec. 11. All elections shall be conducted online. A direct email shall be sent to all students by 8:30 am the day of the elections with voting instructions and information on candidates.

Sec. 12. All violations of the Elections Code shall be reported to the Elections Committee. Any candidate has the right to appeal any decision made by the Elections Committee to the Hearing Board for a final decision.

a) If a candidate is found in violation of the Elections Code, that candidate shall be subject to appropriate sanction(s) by the Elections Committee. Sanctions may be appealed to the Student Union Hearing Board in writing within 24 hours of the Elections Committee's decision.

Article IV

Regulation of Campaign Practices in Executive and Class Elections

Sec. 1. No student seeking office is permitted to campaign before he or she attends his or her respective candidate meeting.

Sec. 2. Campaign advertising shall be defined as any promotional material for one or more candidates. Political advertising, but is not limited to, includes: campaign material, literature, posters, flyers, large signs. This does not include personal contact except as specified in a) and b) of Sec. 2 of this article.

a) Candidates in a General Election, Class Election or a Run-Off Election are allowed one poster board sign in each of the Residence Halls during the time of that election, which is to begin following candidate meeting. A large sign's size and content is subject to all posting regulations as enforced by the Office of Residence Life.

b) Campaign advertising, aside from that which occurs in residence halls, may only be posted on designated bulletin boards in specified areas per the Office of Student

Engagement. There shall be no placement of campaign advertising on the first floor of the Administration Building.

c) Campaign advertising may also be posted on the FYI boards maintained by the Office of Residence Life in the residence halls. Signs may not be posted on any public walls, doors, or windows either inside or outside residence halls. Any student who lives in the residence halls and supports a particular candidate may post signs for that candidate on his or her door. Campaign material may not be distributed to residents without express consent of that resident. This includes, but is not limited to, posting on or placing under a resident's door.

d) No candidate's expenditures for Class Elections may exceed \$150.00; no candidate's expenditures for Executive Office Elections may exceed \$250.00.

i) Campaign expenditures include all resources used during the campaign, whether personally purchased or received as a gift in kind.

ii) Receipts and invoices for all purchases and gifts in kind, valued at fair market prices, must be made turned in to the Elections Committee by noon of the final day of voting during the election cycle in which a candidate is taking part.

e) All campaign materials must follow posting guidelines, including the University Posting Policy, which must be explained to all candidates at the candidate meeting.

f) Executive Board candidates are allowed to produce one banner campaign advertisement to be displayed in the LSC Atrium with approval from the Office of Student Activities.

Sec. 3. No campaign advertising is permitted in the DJ Lombardo Student Center, Grasselli Library, on any vending machines, on any doors not previously designated, on any windows, or on University bulletin boards not previously designated unless previously specified.

a) For all Student Union General Elections, campaign advertising and specific personal contact for the purpose of campaigning, either door to door in residence halls, at organizational meetings, or any other form of personal contact, may begin immediately after the candidate attends the Senate Candidate Meeting.

b) The definition of personal contact as well as sanctions for violations will be at the discretion of the Elections Committee consistent with Article III, Section 13, subject to appeal to the Hearing Board.

Sec. 4. Campaign advertising in The Carroll News must be budgeted into the amount for the candidate's campaign as stated in Article IV, Section 1, Subsection d.

Sec. 5. Campaign emails for individual campaigns must be conducted in the following manner:

a) The Elections Chairperson will prepare an all-student email with all of the names of the candidates and the position each is seeking, as well as any other information, as requested by all the candidates, equally.

b) Any reported use of the John Carroll University Student Directory, John Carroll email system, or the groups and messaging capabilities of any John Carroll University Facebook pages will not be tolerated and will subject the candidate to the sanctions set forth in Article III, section 13 of the Elections Code.

Sec. 6. Each candidate is fully responsible for the actions of his or her campaign volunteers and for all solicited persons acting on his or her behalf, so long as it can reasonably be proven that the candidate was previously aware of the infraction before it was committed and did nothing to prevent it and/or the candidate was involved in the orchestrating of the infraction.

Sec. 7. If a candidate feels that his or her candidacy has been negatively affected by any individual or group during an election period, the candidate can submit a formal complaint in writing to the Elections Committee, which will decide the matter and sanction according to the policies set forth in Article III, Section 13.

Sec. 8. All campaign advertising must be removed by 6:00 p.m. on the Friday following the General Election or Runoff Election. Failure to comply subjects the candidate to the provisions of Article III, Section 13 of the Elections Code.

Sec. 9. Failure to list all campaign expenditures upon request subjects the candidate to the provisions of Article III, Section 13 of the Elections Code.

Sec. 10. Interpretation of this article and its contents shall be vested in the Elections Committee and any violations will be investigated on a case-by-case basis. Appeals of Elections Committee decisions may be made to the Student Union Hearing Board.

Sec. 11. All campaign materials need to uphold the standards of John Carroll University. Any campaign materials deemed inappropriate, offensive or that violate the University Code of Conduct will be subject to provisions of Article III, section 13 of the Elections Code.

Article V

Recall Procedures

Sec. 1. Any member of the Senate shall be subject to recall under the following provisions:

- a) To order a recall, a petition requesting that "Name, Senator, (Class Office held) be subject to a recall election" on the "state the grounds/reasons" must be signed by those circulating the petition and shall be drawn up by the Elections Chairperson. A minimum of 175 signatures from that Senator's academic class must be obtained and returned to the Elections Committee within two weeks.
- b) To be valid, the petition must contain the signatures and Banner IDs of 300 members of the student body. Upon the return of a petition to the Elections Chairperson, the Chairperson shall certify that the necessary numbers of signatures have been obtained and shall subsequently validate the petition.
- c) Upon certification, the Chairperson shall notify the Senator subject to recall and schedule the referendum for the next Monday and Tuesday.
- d) A majority of votes shall determine the issue, although no Senator shall be removed from office unless half of his or her academic class has voted. Should the seat be declared vacant by the Elections Chairperson, the seat will be filled according to Article III, Sec. 11, of the Constitution.
- e) Any member of the Senate recalled more than once will be subject to the following provisions
 - i) A majority shall decide the issue, although no Senator shall be removed from office unless 40% of his or her academic class has voted. Should the seat be declared vacant by the Elections Chairperson, the seat will be filled according to Article III, Sec 11 of the Constitution.
 - ii) A Senator shall not be subject to more than one recall election per semester.

Sec. 2. Any officer of the Executive Board shall be subject to recall under the following provisions:

- a) To order a recall, a petition requesting that "Name, (Executive Board Position held) be subject to a recall election" on the "state the grounds/reasons" must be signed by those circulating the petition and shall be drawn up by the Elections Committee Chairperson. Once this petition is circulated, a minimum of 400 student signatures must be obtained and returned to the Elections Committee within two weeks.
 - i) The Executive Board of the Student Union Programming Board may sign a petition to recall the Vice President for Programming by the majority signing a petition and submitting it to the Elections Committee Chairperson.
- b) To be valid, the petition must contain the signatures and Banner IDs of those wishing to recall the Executive Board officer. Upon the return of these petitions to the Elections

Chairperson, the Chairperson shall certify that the necessary numbers of signatures have been obtained and shall subsequently validate the petition.

c) Upon certification, the Chairperson shall notify the Executive Board Officer subject to recall and schedule the referendum for the next Monday and Tuesday.

d) A majority shall decide the issue, although no Executive Board Officer shall be removed from office unless the total of voters is equal to or greater to the total number of students that voted for President in the previous election. Should the seat be declared vacant by the Elections Chairperson, the seat will be filled according to Article III, Sec. 12 and Sec. 13, of the Constitution.

e) An Executive Board Officer may not be subject to a recall more than once per term.

Article VI

Petition to Referendum

Sec. 1. The Student Body may, at any time, petition the Student Union to hold a binding referendum of all undergraduate students. The topic of the referendum must be one that has already appeared in a bill before the Student Union Senate.

a) Prior to circulating the petition, the petitioners must submit the proposed initiative or referendum along with 100 student signatures and Banner IDs to the Vice President of Judicial Affairs for approval. The Vice President of Judicial Affairs will verify the validity of the petitioners' signatures, and ensure that the petition possesses cogency of language as well as parallel grammatical structure to the existing Student Union legislation.

b) Prior to circulation of the petition, a sentence must appear at the top of every copy specifically declaring the choices available to the voters and/or the issues of the referendum as it will appear on the official ballot. The petition must also display the names and Banner IDs of those proposing the petition.

c) A minimum of 500 signatures must be obtained and returned to the Elections Committee within two weeks of the approval of the Vice President for Judicial Affairs to circulate the petition for a ballot vote.

d) Once a petition has been approved for ballot vote, the votes necessary for approval of the measure must obtain a plurality of affirmative votes.

e) The validation of petitions shall be determined by the Elections Committee within two weeks of submission of the petitions.

f) Within two weeks of validation of the petitions by the Elections Committee, the referendum shall be held.

g) Referenda are subject to the same voting procedures stipulated in this Elections Code.

h) Any campaign advertising concerning a referendum is subject to the same regulations as stipulated in Article IV of this Elections Code (except those which deal with campaign expenditures).

Sec. 2. Any decision of the Elections Committee concerning the execution of referenda procedures is subject to appeal to the Hearing Board.

Article VII

Elections Code Review

Sec. 1. The Elections Committee shall submit recommendations/suggestions for continual improvement for the elections process to the Student Union Executive Vice President after the elections process is finalized.

Passed by the Student Union Senate September 19, 1967 (B-7-F67 the Elections Code of the Student Union Act), and as amended December 12, 1967 (B-30-F67), and as amended February 6, 1968 (B-6-S68), and as amended April 2, 1968 (Art. IV, Sec. 2), and as amended May 8, 1969 (B-50-S69), and as amended April 7, 1970 (A-22-S70), and as amended April 28, 1970 (A-44-S70), and as amended September 15, 1970 (B-13-F70), and as amended January 25, 1972 (B-25-S72), and as amended April 28, 1972 (B-17-S72), and as amended October 22, 1974 (A-1-F74), and as amended February 3, 1976 (A-2-S76), and as amended October 18, 1977 (A-3-F77), and as amended (A-1-F80), and as amended (A-1-F82), and as amended September 22, 1987 (HR-1-F87), and as amended (ECB-1-S88), as amended June 16, 1993 (ECB-1-S92), and as amended April 21, 1998 (HR-1-S98), and as amended February 1, 2001 (ECB-1-S01) and as amended April 24, 2001, and as amended February 4, 2003 (ECB-1-S03), and as amended March 11, 2003 (ECB-2-S03), and as amended October 28, 2003 (ECB1- F03), and as amended October 19, 2004 (ECB-1-F04), and as amended September 27, 2005 (ECB-1-F05), and as amended April 28, 2009 (ECB-1-S09) and as amended (ECB-1-S11), and as amended October 20, 2015 (ECB-9-F15), and as amended November 14, 2017 (ECB1 to 9-F17).