

THE CLARKSON UNIVERSITY STUDENT ASSOCIATION
ELECTION BY-LAWS
November 2019

Whereas A.C. is defined as Academics and Policies Committee.

Section 1 - Qualifications

A) Candidates who know they are taking a semester away in the upcoming year may not run for a CUSA Executive Board position. Candidates who know they are going to be taking a semester off in the fall can not run for a CUSA Senator position, but they can run for a CUSA Senate position if they are only going to be away for the spring semester. If a candidate knows they are going to be gone for the spring semester, a campus wide election hosted on Knight Life will take place at the end of the fall semester. If a CUSA Senate or CUSA Executive Board position is vacant at the start or end of the spring semester, the position will be filled through a majority vote of the CUSA Senate. Candidates who are on a semester away in the current year but will be back for the full upcoming year may run for a position.

B) One graduate student representative will be appointed by the Graduate Student Association to serve on the Senate. These representatives will have no voting privileges on any matters.

C) Class designation shall be determined by Cohort year with the exception of a Clarkson School Representative. The Clarkson School Representative will be elected by the Clarkson School Council and will serve on the CUSA in a voting capacity.

Section 2 - Time of Elections

A) Elections shall be held for a minimum of 48 hours.

B) In the event of a failure of Knight Life to be up and running for at least 4 hours each day, votes will be null and re-elections will be held a week later with an announcement email sent to all students notifying them of the change at least five days before the re-election.

(C) In the fall semester, six incoming freshmen shall take their seats as the freshman CUSA Senators no later than the fifth week of the academic year through a general election of the freshman class.

(D) In the spring semester, CUSA Executive Board officers will be elected through a general election by the CUSA. These offices should inclusively consist of President, Vice President, Treasurer and Public Relations Coordinator. Nominations for these positions shall take place no later than four weeks before the start of the final exam week in the spring with elections taking place the following week.

(E) In the spring semester, general elections will be held to elect six students from the three returning cohorts by their respective cohorts. The nomination of these individuals shall be closed no later than four weeks before the beginning of final exam week with elections taking place the following week. All newly elected CUSA Senators shall take their seats and begin their term of office following the last meeting of the CUSA Senate of the spring semester.

Section 3 - Nominating Procedure

A) The petition mentioned here is the Nominating Form from the Election Candidate Packet. This packet must be made available for a minimum of one week prior to the close of nominations.

B) A nominating petition must specify the name and student email of those persons signing the petition, as well as the name, student number, class and office of interest of the nominee.

C) A nomination for the position of CUSA Senator shall be made by a petition having at least fifty hundred valid signatures of undergraduate students. A nomination for any CUSA Executive Office shall be made by a petition having at least one hundred valid signatures of undergraduate students.

D) At the close of nominations, the A.C. Chair shall review the submitted petitions for the purpose of formal recognition of candidates. Non-recognition is not considered disqualification. At this time the A.C. shall notify all persons who have submitted petitions of their status.

Section 4 - Campaigning

A) Campaigning is defined as an event designed to make a candidate known to their constituents.

B) Campaigning shall begin one week before the close of nominations and end when the polls close.

C) A candidate's campaign expenses must be paid by the candidate and must not exceed the maximum allowed for the respective office. Candidates for an office of the CUSA Executive Board and or Senator may spend a maximum amount of \$50.00 for campaign expenses. Executive Board candidates will only be reimbursed up to \$30.00 and Senator candidates \$20.00. All candidates who are not disqualified by the CUSA Senate will be reimbursed for their expenditures up to the allowed maximum amount.

D) All candidates must keep a complete record, including receipts and bills, of all campaign expenses and submit this to the Finance Committee within one business day after the polls close if they wish to be reimbursed for campaign expenses. The A.C. shall contact all winning write-in candidates and shall allow them twelve hours after that contact to submit an expense account.

E) Campaign expenses will not be used for purchasing of items for any party or other social events.

F) No elected officer of the CUSA Senate shall be forbidden from publicly endorsing any candidate or group of candidates. However, no elected officer of the CUSA Senate shall use the powers, duties and privileges of their CUSA elected or other offices for the purpose of campaigning for any candidate including themselves.

G) Candidates shall not in any way deface college property or violate any college regulations, or any local, state or federal law while campaigning.

H) No campaign material is to be attached to trees or placed or written in classrooms. No campaign material shall be placed on any painted surfaces or on any windows. Campaign material may not be placed on any surface in such a way to damage college property. Campaign material is permitted to be placed on cafeteria tables. Candidates are to remove all campaign material after elections have ended.

I) Candidates running as a group or slate shall keep individual expense accounts.

J) Audio equipment may not be used while classes are in session.

K) All other details concerning campaigning shall be determined by the A.C. as deemed necessary.

L) Candidates shall not provide an electronic device for people to vote on while personally campaigning.

M) A campaign worker will be defined as a knowing participant, with the candidate's consent or request, whose actions help in the election of the specified candidate. All candidates are required to give a list of campaign workers names and emails to the A.C. Failure to report a campaign worker(s) on said list 24 hours prior to an election will result in disqualification.

Section 5 - Web ballots

A) The order of names on the ballot shall be randomized via Knight Life.

B) The candidate's profile must include their submitted name and summary.

C) A concise summary of the voting rules shall appear on the ballots of all elections.

D) Space must be provided on all ballots for write-in candidates in all regular elections.

E) All ballots will be counted electronically by Knight Life. The count shall be reviewed by the A.C. and upon approval will be presented to the CUSA Senate.

Section 6 - Voting Procedures

A) Voting shall be by secret ballot and supervised by election officials appointed by the Chair of the A.C.

B) In CUSA Senatorial elections, the voter may cast a maximum number of votes equal to the number of CUSA Senate positions available in their class with no more than one vote per candidate.

C) An eligible voter shall receive a ballot only after they have successfully logged into Knight Life.

D) If there is any suspect of votes being tainted by hacking or any related procedure, all votes shall be null and cast out. The Office of Student Life shall be notified of the incident and upon their guarantee of Knight Life being secured; a new vote shall take place with an announcement

email being sent out to the student body notifying them of the incident and new voting time and date. This email must be sent at least a week prior to the new vote.

Section 7 - Rules of Conduct

- A) No person shall destroy, deface, or alter any official notice posted by the A.C.
- B) No person shall complete more than one ballot in any election.
- C) No person shall interfere with the orderly conduct of any election by any disturbance, loitering or interference with an election official.
- D) The Chair of the A.C. shall have authority to enforce the provisions of these Rules of Conduct.

Section 8 - Disqualification of Candidates

- A) Any candidate who fails to meet all of the qualifications for office as stated in the Constitution, By-Laws and Clarkson Undergraduate Regulations, will be recommended to the A.C. for consideration for disqualification.
- B) Violations by a candidate of the Election By-Laws or the rules established by the A.C. may result in the candidate's disqualification. The A.C. shall have the power to investigate any instances of the above violations of which it becomes aware. However, the A.C. shall be held responsible for investigating only the written complaints of violations which are received within forty-eight hours after the polls close.
- C) The A.C. shall provide the candidate of concern with a list of the alleged violations by the following Monday at 9:00 a.m., before the candidate is recommended to the CUSA Senate for disqualification. The candidate will have the option to meet with the A.C. to discuss the alleged violations within forty-eight hours.
- D) The A.C. may recommend disqualification by a majority vote. A recommendation for disqualification will be presented, in a separate motion, to the CUSA Senate by the A.C.
- E) Disqualification will render the offender ineligible to hold or be a candidate for election or appointive positions in the CUSA Senate for the current and following semester.

F) In a regular election, if the candidate in question is running for a CUSA Executive Board position, the candidate involved has won and the decision is for disqualification of the candidate, the election is invalid and a reelection will be held.

G) If the candidate in question is running for a CUSA Senate position, the candidate involved has won a position and the decision is for disqualification of the candidate, the remaining candidate with at least twenty-five votes will fill the unoccupied position. This will include write-in candidates.

H) Should a particular CUSA Senate seat become vacant due to: a disqualification or resignation and then remain vacant; or due to a lack of candidates running for that class in the regular election, then there will be a special election held in the Fall Semester in accordance with Article 9 section 5 of the CUSA constitution.

I) If the decision is against disqualification of a candidate, then a new election will be held only if the CUSA Senate does not accept the results. Only after the recommendation for disqualification has been voted on by the CUSA Senate may the A.C. results be presented to the CUSA Senate.

J) Any person who actively interferes with or sabotages a candidate's campaign will be subject to the review of the A.C and if it is found appropriate, submitted to the Dean of Students.

Section 9 - Run-Off Elections

A) A run-off election will be held in the event that:

- 1) There is a tie between the two top candidates.
- 2) No candidate for a CUSA Executive Board Officer obtains forty percent of the votes cast.
- 3) The winner of an election for a CUSA Executive Board Officer is disqualified and the runner-up has not obtained forty percent of the votes cast.

B) Run-off elections are to be treated as any regular election. Therefore, all previously stated By-Laws apply to run-offs, with the exception of those areas covered in this section.

C) The A.C. shall specify when campaigning may begin and is responsible to inform all candidates of this time in writing.

D) Votes with write-in candidates will be declared invalid.

E) In the event that the winner of an election for a CUSA Executive Board Officer is disqualified, the runoff will be held between the first and second runners-up from the regular election who have received 25 votes.

Section 10 – Reversion to Paper Ballots

In the case of a Knight Life malfunction and the subsequent decision of the A.C. Chair and the CUSA Executive Board to revert to a paper ballot election, the following provisions shall take effect:

A) The Chair of the A.C. or their designee as the web ballot maker shall be responsible for the printing of the ballots and their security until the election.

B) Voting shall be by secret ballot and supervised by election officials appointed by the Chair of the A.C.

C) While working at a polling place, election officials may not, in any way, discuss the candidates.

D) Voting Rules:

1) The mark must be placed clearly within the space provided on the ballot. Any doubt by the E.C. as to the intent of the voter will render the ballot invalid.

2) A vote is automatically disqualified if the mark shows any sign of having been erased, scratched out, or in any way having been altered.

3) A ballot is automatically invalid in which more votes are cast than is specifically allowed.

4) Write-in or sticker votes will be counted only if the candidate's name is clearly written in or fastened to the ballot according to the rules stated above. Any ambiguous names will be automatically disregarded.

E) Sealed ballot boxes shall be used in all elections and under no circumstances shall there be any ballots counted or otherwise looked at until the polls have closed.

F) If a ballot is mismarked according to the voting rules, the ballot must be presented to the appropriate election official who must void it and issue another ballot. Otherwise, the vote may be declared invalid.

G) The election officials shall open and close the polling places at the designated times and supervise the voting procedure. They shall set up the election area and make sure that all candidates are instructed to remove campaign materials.

H) During regular elections, absentee ballots shall be made available to students with extenuating travel circumstances, health problems, religious conflicts, or their reasons justifiable to the Chair of the A.C. Requests for absentee ballots shall be honored if a written petition to that effect along with the reasons for the request is presented to the Chair of the A.C. no later than five days before the election at 4:00 p.m. The Chair shall certify their signature on all ballots to be used in such cases, shall see to their appropriate distribution in sealed envelopes, and shall check off the voter's name on an official college registration list. Such ballots must be returned to the Chair or an election official before the polls close in order to be valid. The provisions of this clause shall be made public at least two weeks before each regular election.

I) All ballots will be counted under the sanction of the A.C. The count shall then be reviewed by the A.C. and upon approval will be presented to the CUSA Senate. The A.C. shall have full and final say in the counting of ballots. No candidate may be present during the counting of ballots but he or she may have one representative present. Only members of the E.C. and election officials may participate in actually counting the ballots.

J) Completing the count:

1) Upon completion of the numerical count, the following candidate(s) shall be considered elected (except notes elsewhere) subject to the approval of the CUSA Senate or a request for a recount:

- a) The six elected candidates for CUSA Senator of each cohort year, not inclusive of the freshman class, receiving the greatest popular vote;
- b) The six elected candidates for freshman CUSA Senator receiving the greatest popular vote;
- c) In the event that one or more positions for CUSA Senator remains unfilled as a result of part (a/b), those write-in candidates for CUSA Senator with the greatest popular vote and at least twenty-five votes;
- d) Those candidates for the CUSA Executive Board Officer with the greatest popular vote and at least 40 percent of the votes cast.

2) The Chair of the A.C. shall then secure all ballots until the CUSA Senate has taken final action on the election. The ballots may only be brought out in the necessity of a

recount and upon completion of the recount, must once more be placed under the Chair's security until final action of the CUSA Senate.

3) The Chair of the A.C. will be responsible for announcing the results of each election within two hours after the numerical tabulation is completed, unless he/she deems it necessary to investigate any aspect of said election. In such cases, he/she shall announce the results with two hours after completing the investigation and making a decision. The Chair shall make every effort to inform the candidates involved in the election results before making the results of the election known to the Public Relations Coordinator for release to campus media, and at their discretion the general public.

4) Upon completion of the above procedures, the count is considered complete.

K) Recount:

1) A recount shall be held at the written request of any candidate after the completion of the count by the Friday following the closing of the polls at 4:00 p.m.

2) No candidate may be present during a recount but he or she may be represented by one (1) witness.

3) The results of the recount shall be considered final subject to approval by the CUSA Senate.

L) Other Paper Ballot Provisions

1) The Chair may use their discretion for all paper ballot issues not addressed in this document.

Section 11 - Referendum and Recall

A) Unless otherwise noted in the Constitution and By-Laws, referendums and recall elections shall be conducted in the same manner as regular elections.

Section 12 - CUSA Senate Approval

A) The Chair of the A.C. must present the report of the election to the CUSA Senate at its next regularly scheduled meeting following the count of the ballots. If a recount or protest investigation is in process, no action will be taken at that time by the CUSA Senate on the protested elections until the completion of the investigation.

B) If the CUSA Senate accepts the report, the election will be considered complete, and the ballots and nominating petitions will be destroyed.

C) If the CUSA Senate rejects the report, the election will have to be held again and the CUSA Senate may make such directives to the A.C. as it sees fit in order to insure an efficient, equitable and convenient election. However, such directives must be in accordance with the Constitution and By-Laws.

Section 13 - Amendments

A) Any amendments to these Election By-Laws must be approved by the CUSA Senate at least two weeks before any regular CUSA Senate election.