

Baylor University School of Law Student Bar Association

Student Bar Association Board of Governors Election Code

ARTICLE I: ELECTIONS, GENERALLY

SECTION 1: STUDENT BAR ASSOCIATION CONSTITUTION: All of the provisions in the Baylor University School of Law Student Bar Association Constitution regarding elections and term requirements are so incorporated into this Election Code.

SECTION 2: ELECTIONS, GENERALLY:

- A. General elections shall be held twice per academic year as follows:
 - a. In the fall quarter for a term of office lasting the duration of the subsequent winter and spring quarters, and in the spring quarter for a term of office lasting the duration of the subsequent summer and fall quarters.
- B. Unless otherwise enumerated in the Student Bar Association Constitution, all seats will be vacant and open for election in each General Election.

SECTION 3: TERM OF OFFICE: The term of office for all members of the Board of Governors shall commence on the first day of the quarter immediately following the quarter in which a student was elected and shall continue for two consecutive quarters.

SECTION 4: ELECTION COMMISSIONER:

- A. The Election Commissioner shall be the most recent 3L President, unless that student is running opposed in the upcoming election.
- B. If the 3L President is ineligible to serve as the Election Commissioner, the Election Commissioner shall be the most senior, eligible member from the current Board of Governors as follows:
 - a. Executive President;
 - b. Executive Vice President;
 - c. Executive Secretary;
 - d. Executive Treasurer;
 - e. 3L Vice President
 - f. 3L Secretary;
 - g. 2L Class Officers;
 - h. 1L Class Officers, and so on. .
- C. The Election Commissioner shall not be a candidate in a contested race or have any other conflict of interest with the candidates running in the General Election. The

Student Bar Association advisor shall review the Election Commissioner prior to the general campaign period to ensure no conflict of interest exists.

SECTION 5: ELECTION COMMITTEE

- A. The Election Committee shall be made up of the Election Commissioner and two other senior members of Board Governors not involved in a contested race, determined by the same seniority process as described in Article I, Section 4, Subsection B.
- B. The Assistant Dean of Student Affairs shall supervise the Election Committee. If the Assistant Dean of Student Affairs is unavailable, the Associate Dean of the law school shall supervise the Election Committee.
- C. The Election Committee shall determine all disputes that arise throughout the General and Runoff Elections.

ARTICLE II: ELIGIBILITY

SECTION 1: FULL TERM COMPLETION

- A. All members of the Board of Governors must be willing and able to complete the full term of their office. Any student who cannot fulfill a full term of office shall be ineligible to stand for election or take office.
- B. If any student is scheduled to graduate mid-term, meaning in the Summer or Winter quarters, then that student shall be ineligible to stand for election.

SECTION 2: GOOD STANDING REQUIREMENT:

- A. All Board of Governors members shall be students in good standing, as determined by the Baylor Law School administration at the time of both election and taking office. Board of Governors members may be subject to a minimum grade point average requirement, enacted by a majority vote of the Board of Governors.
- B. If a candidate is unsure of the candidate's own good standing status, the candidate shall meet with the Associate Dean of the law school before declaring candidacy in the General Election.

SECTION 3: EXPECTATIONS FOR BOARD OF GOVERNOR MEMBERS:

By running in the General Election, candidate are committing to attend meetings, communicate with the Executive President and the remainder of the Board of Governors, table throughout the quarter, attend all mandatory SBA events, represent the respective class' opinions and feedback inside of the Board of Governors, and represent Baylor Law well to the administration and general public through any other communications and actions.

ARTICLE III: ELECTION TIMING AND DECLARATION OF CANDIDACY

SECTION 1: ELECTION TIMING

- A. Elections shall take place each Spring and Fall quarter for the upcoming term.
- B. Voting for both elections, the General Election and Runoff Election, shall take place **at least** seven (7) days before the quarter ends.

SECTION 2: NOTIFICATION OF DECLARING CANDIDACY

- A. Notification of Upcoming General Election: Immediately prior to the candidate declaration period, an email (or other appropriate form of notification as determined by the Elections Committee) shall be delivered to the members of the Student Bar Association stating:
- a. The date of the upcoming election;
 - b. The offices which will be filled during that election;
 - c. The dates candidates may declare that they will stand for election and the duration of the sign-up period;
 - d. The method for declaring candidacy;
 - e. That any questions can be directed to the Election Commissioner; and
 - f. The name and contact information for the Election Commissioner.

SECTION 3: CANDIDACY DECLARATION

- A. The candidate declaration period shall not occur until the Notification of Upcoming General Election has occurred.
- B. The declaration period shall last a minimum of forty-eight (48) hours, running concurrent to at least two (2) full class days.
- C. The method of declaring candidacy is determined by the Election Commissioner, upon the advice of the Assistant Dean of Student Affairs and the current Executive President.
- D. No candidate may stand for more than one office in the same election.

SECTION 4: MANDATORY CANDIDATE MEETING

- A. Upon the end of the candidate declaration period, the Election Commission shall hold a mandatory candidate meeting.
- B. The Election Commissioner shall conduct the meeting, and the Election Commission shall be present.
- C. Election rules and procedures shall be communicated to the candidates.
- D. Any candidate who does not attend the mandatory candidate meeting without giving prior notice to the Election Commission shall be immediately disqualified.
- E. Campaigning by any candidate prior to the mandatory candidate meeting is strictly prohibited.

ARTICLE IV: GENERAL ELECTION RULES

SECTION 1: FINANCES

- A. No candidate may spend more than \$50 as a part of his or her campaign for office. If the candidate **pre-buys** campaign materials that exceed \$50 before the candidate attends the campaign meeting held by the Election Commissioner, then the candidate must meet with the Election Commissioner, subtract the amount of election materials that he/she bought until he/she meets the \$50 limit. The Election Commissioner will hold the extra campaign materials until after all elections and any run-off elections have ended at which point, the candidate may have the materials back. Exceeding the \$50 limit includes any campaign materials that are bought that include shipping expenses, taxes, etc. If a candidate buys campaign materials that exceed \$50 **during** the campaign, this may then qualify as a violation

of the election rules and will be dealt with by the Election Commissioner according to Article VII, Section 2. The Election Commissioner may still confiscate the difference in materials or may take more serious actions such as the candidate's disqualification from the election.

- B. Candidates shall save all receipts of money spent on campaigning and shall email copies of those receipts to the Election Committee by 5 PM the day before voting.
- C. The only receipts candidates are not required to turn in to the Election Committee are PawPrints used to post campaign signage. Candidates shall submit any other receipts, including other printing sources like FedEx, Kinkos, etc., to the Election Commission.
- D. Pooling of campaign finances between candidates is prohibited.

SECTION 2: CAMPAIGN MATERIAL

- A. All physical campaign material must be removed by 5 PM the day before voting. No candidate may continue campaigning after 5 PM the day before elections. This includes taking down all campaign materials such as posters and signs around the school, no longer posting any other posts on social media, and not holding informational meetings with fellow students to discuss their candidacy. This last requirement means that no candidate may hold a formal or informal meeting/discussion/group chat/text message conversation about why the candidate's classmates should vote for him/her, should vote for another candidate running in a different position, or should not vote for other candidates running for the same position as the candidate. It is the responsibility of the candidate to ensure that all campaign materials, social media posts, and conversations regarding their candidacy cease immediately at 5 PM the day before elections. These rules will also apply for the 5 PM cut-off time the day before any run-off elections.
- B. Physical campaign material may be posted inside the law school in the following locations:
 - a. Bulletin boards throughout the school;
 - b. Glass or boards in the student lounge;
 - c. In the locker room, but not on individual lockers unless the locker belongs to the individual candidate; and
 - d. Other appropriate locations.
- C. Physical campaign material shall NOT be posted inside the law school in the following locations:
 - a. Elevators;
 - b. Painted surfaces;
 - c. Bathrooms;
 - d. On potted plants;
 - e. Paintings or framed photographs; and
 - f. Other inappropriate locations.
- D. If a candidate is unsure whether a location is appropriate for campaign signs or materials, the candidate shall ask the Election Commission.
- E. If a candidate places physical campaign material on painted surfaces, the candidate will be personally billed for the expensive paint touch up that will be required.
- F. Candidates may post campaign material on social media. Candidates shall stop posting individual campaign material at 5 PM on the day before voting. Any further posts shall only contain reminders about voting, but no specific candidate information.

SECTION 3: MISCELLANEOUS

- A. Candidates may not run “on the same ticket”. Candidates shall campaign for their office individually. By ‘running on the same ticket,’ this means that no candidate may team up with another candidate in a different position and run together. Meaning, a candidate may not post promotional advertising around the school, on social media, in group chats or text messages, or verbally promote both their own candidacy and another candidate in a different position to other classmates.
- B. Candidates shall remain professional and uphold Baylor Law School core values throughout the entirety of the elections. If any candidate posts inappropriate material, the Election Commission may remove signage and/or impose sanctions on the offending candidate.
- C. Candidates are strictly forbidden from loitering near or around the polls to solicit votes or from instructing others to do so for them.

ARTICLE V: VOTING DAY/PROCESS

SECTION 1: GENERAL ELECTION VOTING

- A. If the election is conducted by paper ballot, the polls shall remain open for at least six (6) hours during the class day.
- B. If the election is conducted by electronic or other means, the polls must remain open for at least twenty-four (24) hours running concurrent to a class day.

SECTION 2: RUNOFF ELECTION VOTING

- A. The Runoff Election shall take place after the General Election.
- B. If the election is conducted by paper ballot, the polls shall remain open for at least three (3) hours during the class day.
- C. If the election is conducted by electronic or other means, the polls must remain open for at least twenty-four (24) hours running concurrent to a class day.

SECTION 3: GENERAL VOTING GUIDELINES

- A. Polls shall be manned by the SBA Board of Governors members or other individuals appointed by the Board of Governors.
- B. No candidate running in a contested race shall man the polls.
- C. While manning the polls, no poll worker shall advise or recommend for or against a specific candidate or issue on the ballot. The comments of poll workers shall remain professional, informative, and no more extensive than is necessary to convey appropriate and neutral information to voters.
- D. Names shall be placed on the ballot in alphabetical order, or in another random appropriate manner as decided by the Election Commission.

SECTION 4: VOTING PROCESS

- A. If any candidate is unopposed in his or her race for office, he or she will be automatically deemed the winner of that election at the mandatory election meeting.
- B. If two or more candidates run for an office, a candidate must receive a majority (>50%) of the votes cast to win.

- C. In the event that no candidate for a particular office receives over 50% of the votes cast in the initial balloting, a Runoff election will be conducted in the following manner:
- a. The runoff will be between the two candidates who received the most votes.
 - b. In the event that there is a tie for first place between two or more candidates in the initial balloting, then only the candidates tied for first will be in the runoff.
 - c. In the event that there is a tie for second place with only one candidate placing first, then all those candidates who tied for second will be in the runoff with the candidate who received the most votes.
 - i. Only one runoff election shall be held. If more than two candidates must advance to the runoff, the candidate with the greatest number of votes shall be declared the winner.
 - ii. If two candidates tie in the Runoff Election, the position shall remain vacant, and the newly constituted Board of Governors at its first meeting of the next quarter shall vote to determine which candidate shall be the winner.

ARTICLE VI: RUNOFF ELECTION RULES

SECTION 1: RUNOFF ELECTION RULES

- A. All of the General Election Rules stated in Article IV apply to the Runoff Elections.
- B. An additional \$25 is allowed for the run-off campaign. In the initial campaign, a candidate may not aggregate their \$50 spending limit with this run-off \$25 spending limit for a total of \$75. Meaning, in the initial campaign, a candidate may not spend more than \$50, advance to a run-off election, and argue that they are not violating an election rule because they are allotted an extra \$25 spending limit. The candidate must separate the two spending limits and only spend up to \$50 in the initial campaign and only spend up to \$25 in the run-off campaign. If the candidate pre-buys or at any time during the initial campaign buys campaign materials that exceed the initial campaign \$50 spending limit as described in Article IV, Section 1, Sub-Section A, and the Election Commissioner confiscates the difference in materials so the total of the candidate's spending does not exceed \$50, the candidate may not use that confiscated material for any run-off campaign.

ARTICLE VII: ELECCTION VIOLATIONS

SECTION 1: REPORTING VIOLATIONS

- A. The violation of any rule as stated in this Election Code, the Student Bar Association Constitution, or Student Handbook may be reported by any student or candidate.
- B. To report a violation, the student should email the entire Election Commission stating:
 - a. What the violation is;
 - b. When the violation occurred; and
 - c. A picture (if necessary).

SECTION 2: SANCTIONS

- A. Upon notification or observation of a violation of an election rule, the Election Commission shall determine the sanction to be imposed.
- B. The Election Commission shall notify the candidate in writing of the violation and sanction to be enforced.
- C. Sanctions imposed by the Election Commission can range from the removal of campaign material through disqualification. The severity and conscious disregard of the violation shall determine the severity of the sanction.
- D. In extreme cases, a recommendation may be made to the Office of the Dean that the fraud or misconduct committed be assessed as a violation of the Honor Code. Malicious false reports of violations may also be considered.

ARTICLE VIII: ELECTION RESULTS

SECTION 1: ELECTION RESULTS

- A. Ballots shall be counted by at least two of the Election Commission members.
- B. Any person who has been a candidate for a contested seat or involved in a campaign for a contested seat shall not participate in the counting or handling of ballots.
- C. The names of those elected shall be announced to the student body via email.
- D. Vote totals and percentages for individual candidates shall not be released to the student body.
 - a. Vote totals and percentages shall only be available upon request to the Assistant Dean of Student Affairs by a candidate following the election results announcement to the student body.
- E. Storage of the election results shall remain in the possession of the Assistant Dean of Student Affairs for two (2) weeks following the election. Following that time period, the results may be destroyed as the Assistant Dean sees fit.

SECTION 2: APPEALS PROCESS

- A. All complaints regarding electoral fraud or misconduct shall be submitted to the Election Committee by seventy-two (72) hours following the emailed results.
- B. The allegedly injured candidate for office must make all complaints in writing.
 - a. The Election Committee has the option to hold a hearing on the electoral fraud or misconduct. If such a hearing is required, such hearing shall be open to any student or faculty member.
 - b. The Election Commissioner shall sit as the presiding officer at such hearing, unless the accused misconduct is against the Election Commissioner. In that case, the current Executive President shall sit in the commissioner's place as the presiding officer of the hearing.
 - c. The presiding officer of the hearing shall hear all relevant testimony and evidence from any candidate alleging electoral fraud and misconduct, with an opportunity for the accused to make a statement defending oneself.
 - d. The Assistant Dean of Student Affairs and Associate Dean of the law school shall be present, if possible, at the hearing.
- C. Following the complaint, and hearing if necessary, the Election Committee shall make a decision and convey the decision in writing to the allegedly injured candidate.
- D. If the candidate is unsatisfied with the Election Committee's decision, the candidate may appeal the Election Committee decision to the Assistant Dean of Student

Affairs. The Assistant Dean's decision may then be appealed to the Associate Dean of the law school.

- E. If a candidate does not follow this appeals procedure or skips any step in this process, the candidate forfeits their right to complain or contest the election results.

SECTION 3: SPECIAL ELECTIONS

- A. Calling Special Election: If questions must be submitted to the entire membership between general elections, a special election may be called by the Executive President upon the approval of a two-thirds majority of the Board of Governors.
- B. If a Special Election is necessary, the Election Committee shall determine the policies and procedures that shall govern the conduct of that election.