

APPENDIX III - UNIVERSITY STUDENT CONGRESS ELECTIONS

I. Election Process Guidelines

A. Candidate Eligibility

1. All candidates for elective office in the University Student Congress must meet all eligibility requirements outlined in the University Student Congress Constitution for membership.

II. Balloted Candidates

A. In order for a presidential, vice presidential, or legislative candidate's name to appear on the official University Student Congress elections ballot, the following steps must be followed:

1. The candidate(s) must file a Declaration of Candidacy form with the Elections Commission by a deadline to be determined by the Elections Commission Chair; the Elections Commission shall provide copies of the Declaration form.
 - a. A majority vote of the Elections Commission may extend this deadline under extenuating circumstances.
 - b. A candidate for president and a candidate for vice president who submit this form together shall be considered a presidential/vice presidential ticket.
2. Copies of the University Student Congress Constitution, Bylaws, and any other elections materials must be given to any candidate or ticket upon submission of a Declaration of Candidacy. These materials shall be distributed electronically unless a paper copy is requested by the candidate or ticket
3. Signature forms for validation for the presidential/vice presidential debates will be distributed to each ticket upon receipt of a Declaration of Candidacy form by the Elections Commission.
4. Candidates must attend an Orientation Session conducted by the Elections Commission Chair or their designee.
5. Orientation Sessions will be held following the deadline for declaration of candidacy but not later than six (6) weeks prior to the University Student Congress elections.
6. The Orientation Sessions will be used for as a time for questions to be raised by candidates.
 - a. The Elections Commission Chair will also explain the grievance process at Orientation Sessions.
 - b. At the conclusion of an Orientation Session, candidates who wish to continue with the process to being named on the official ballot must sign a statement certifying that they understand the rules and regulations of the University Student Congress elections; statements must be returned to the Elections Commission Chair no later than three (3) business days following the Orientation Session.
 - c. All balloted candidates must attend the official elections kick-off event hosted by the Elections Commission.
 - d. A candidate who misses this event may be excused by the Elections Commission if their absence was due to academic or familial obligations, medical problems, or other unforeseen circumstances.
7. Candidates who are part of a presidential/vice presidential ticket must file all relevant forms together, need not attend the same Orientation Session (though both must attend such a session), and must attend the official elections kick-off event.
8. All candidates must provide a written platform of at least one typed, double-spaced page in both paper and electronic form by a deadline to be determined by the Elections Commission.
9. Candidates completing all of the aforementioned requirements shall be considered official candidates.

B. Write-in Candidates

- C. Write-in candidates are those candidates for elective office who have not followed the outlined procedure for their name to appear on the official ballot.

- D. Write-in candidates are bound to follow all University Student Congress Constitution, Bylaws, and all Elections Guidelines, excluding the process for their name to appear on the ballot.
- E. Write-in candidates on a presidential/vice presidential ticket shall not be entitled to representation in the Validations Committee meeting.
- F. Write-in candidates may be subjected to the same sanctions as balloted candidates and their candidacy may be invalidated by the Validations Committee.
- G. Write-in candidates may not participate in any official event hosted by the Elections Commission.

III. Presidential and Vice Presidential Debates

- A. All balloted candidates for president and vice president may participate in presidential and vice presidential debates, subject to the following conditions:
 - 1. Each ticket must submit valid student signatures equal or greater in number to two hundred and fifty (250)
 - 2. Student signatures will be validated by the Elections Commission through the appropriate University offices; a valid signature will be composed of the following elements: legible printed name, signature, and the last four (4) digits of the ID number only.
 - 3. Illegible names, signatures, and/or ID numbers will disqualify a signature from the required total. This statement shall be printed in the elections packet on the top of each signature page. The signature sheets should be turned in with the elections packet by a deadline to be determined by the Elections Commission.
- B. All candidates for president and vice president who have followed the prior procedures in order to have their names appear on the official ballot must participate in the debates in order for their names to remain on the ballot.
- C. All debates will be moderated by a neutral, preferably non-student party chosen by the Elections Commission Chair and confirmed by the Elections Commission.
- D. The Elections Commission will have final say over debate format, including time, location, length of speaking time and rebuttal, and the number of questions the moderator will ask.
- E. Debate questions and issues:
 - 1. The Elections Commission Chair and the moderator will determine the pre-set questions to be asked at the debate.
 - 2. All debate questions and/or issues will be kept confidential until posed at the debate.
- F. Questions may be posed at the debates by the student body, compliant with the following restrictions:
 - 1. All questions must be submitted in writing to the moderator.
 - 2. The moderator has sole discretion over the asking/not asking of each submitted question.

IV. Campaigning

- A. Campaigning shall not begin until after the Student Congress Elections Kick-Off Event.
- B. Active campaigning shall be understood as any verbal solicitation, physical handouts, and holding signs for the purpose of promoting a candidate or a candidate's platform or ideas.
- C. Passive campaigning shall be understood as wearing articles of clothing or accessories that promote a candidate or a candidate's platform or ideas.
- D. Candidates violating University posting policies or Elections Commission campaign regulations may be subject to disciplinary action and/or invalidation of candidacy by the Validations Committee.
- E. Candidates violating University policies or Elections Commission campaign regulations may be subject to disciplinary action and/or invalidation of candidacy by the Elections Committee. The official version of the regulations are located on the Oakland University Student Congress website at www.oakland.edu/ousc. This online version of these regulations will be considered the definitive source of information and supersede any other revision or copy, physical or electronic.
- F. No campaigning may be done with OUSC resources, lists, or websites including but not limited to: email addresses, residential addresses, first or last names, or telephone numbers.

- G. No active campaigning is permitted while representing OUSC at OUSC sponsored events or University events, regardless of if the campaigner is a candidate. Passive campaigning is permitted at these events (by supporters, not candidates), unless they are involved in any way with the preparation or execution of the event. This excludes events put on by the Elections Commission.
 - 1. Candidates and their supporters shall not actively or passively campaign during legislative body meetings of Student Congress.
- H. Electronic and tangible items may not be hung up, posted, or circulated until after the Elections Kick-Off Event.
- I. Campaign materials:
 - 1. All campaign materials will be governed by the Oakland University posting regulations, as well as the additional stipulations listed below.
 - 2. No campaign materials may be within one hundred (100) feet of official polling stations. No active campaigning may take place within one hundred (100) feet of official polling stations. The Elections Commission will notify all candidates of polling station locations at least one week prior to the opening of polling, and make public notice of the location for the benefit of write-in candidates. Boundaries will be clearly demarcated by the Elections Commission; violations will be noted by the Elections Commission and submitted to the Validations Committee.
 - 3. Destruction, removal, or relocation of a candidate's campaign material by another candidate or their representatives is strictly prohibited. Violations should be reported to the Elections Commission immediately.
- J. Candidates and their supporters must follow all Oakland Center, Center for Student Activities (CSA), Housing, and University policies.
 - 1. Candidates will receive the most updated copies of these policies at the elections orientation conducted by the Elections Commission's Chair.
 - 2. If there are any changes to these policies, the Chair shall distribute new copies of these policies to all the campaigns as soon as they become available.
- K. Candidates and their supporters shall not provide personal electronic devices for student use for the purpose of voting in the Oakland University Student Congress elections. Candidates and their supporters shall not request, encourage, and/or mandate students to vote in the presence of either the candidate(s) or their supporters.
- L. All elections related questions, comments, and concerns should be directed to the Student Congress Elections Commissioner. The only contact methods that may be utilized are:
 - 1. Official office telephone
 - 2. Official Oakland University E-mail (with an @oakland.edu suffix)
 - 3. Posted Office Hours in the Oakland University Student Congress office, 62 Oakland Center.
 - 4. Details regarding contact methods and office hours will be distributed at Candidate Orientation and posted outside the Oakland University Student Congress office at 62 Oakland Center.
- M. The use of sound amplification devices is strictly prohibited in any instance except for official elections events, only by the Elections Commissioner and his or her designee(s). Examples include, but are not limited to, megaphones, microphone and speakers systems, boom boxes or other sound amplification devices.

V. Grievances

- A. Any Oakland University student may file a grievance if a candidate for president, vice president, or legislator, including write-in candidates, is perceived to have violated any of the University Student Congress Elections Guidelines.
- B. Grievance Forms will be made available by the Elections Commission beginning after the official campaign kick-off event and will be available throughout the official campaign period.
- C. Grievance Forms will contain the following:

1. Name of complainant.
 2. Name of accused violator.
 3. Alleged violation with specific citation of rule broken.
 4. Relevant date, time, and location of alleged violation.
 5. Witness signature.
 6. Signature of Commission Chair or Commissioner who accepted form.
 7. Statement as follows: "This formal complaint will be submitted to the Validations Committee. The Committee may wish to follow up on your complaint in person and as such it is requested that you be available at the time of the Validations Committee meeting; the Elections Commission will notify you of the date, time, and meeting place of the Validations Committee meeting. If you are unable to attend this meeting, please notify the Elections Commission Chair prior to the meeting so other arrangements can be made or your complaint may be dismissed."
 8. Complainant signature and date of submission.
- D. All Grievance Forms must be submitted to the Student Concern Box, repurposed for the collection of formal Grievance Forms, outside the Student Congress Office, by 5 pm Monday immediately following the week when the violation on the Grievance was observed.

VI. Balloting

- A. Balloting will take place at times and places decided upon by the Elections Commission Chair and Elections Commission each year, as outlined in the Elections Commission Guidelines.
- B. Balloting will take place online at the official University Student Congress polling website; the website may be accessed from any computer or from official polling stations.
- C. Each student shall be allowed votes for a presidential/vice presidential ticket and legislators as outlined in the University Student Congress Constitution.
- D. Legislative write-in candidates must obtain a vote total equal to at least five percent (5%) of the total number of ballots cast to be eligible to assume a seat in the University Student Congress Legislature.
- E. Multiple write-in votes for the same legislative candidate by the same voter shall count as one vote.
- F. Write-in candidates for president and vice president must appear in ticket form (president/vice president) and names of all write-in candidates, including legislators, must be spelled correctly.
 1. Abbreviated names will be considered valid with the prior approval of the Elections Commission.

VII. Validations Committee

- A. Purpose and Jurisdiction of the Validations Committee
 1. The Validations Committee shall assemble to validate all University Student Congress annual elections and special elections.
 2. The Validations Committee shall have original jurisdiction over all University Student Congress elections validations.
 3. The University Student Congress Legislature shall have appellate jurisdiction over all University Student Congress elections validations.
- B. Membership
 1. The voting membership of the Validations Committee shall be as follows:
 - a. Four (4) Oakland University students-at-large who are not members of the Elections Commission or the University Student Congress Executive Board, Legislature, or Judiciary.
 - b. One (1) Oakland University Administrative Professional.
 - c. One (1) Oakland University Clerical/Technical or Maintenance Worker.
 - d. One (1) Oakland University faculty member.
 - e. All voting members of the Validations Committee shall be nominated by the Elections Commission Chair and confirmed by the University Student Congress

Legislature; nominations must be made no later than three weeks prior to any election.

- f. The Validations Committee shall select from its membership a chairperson and a secretary who shall retain all the rights and responsibilities of voting committee members.
- g. The Elections Commission Chair shall hold ex-officio and non-voting status on the Validations Committee.
- h. Validations Committee members may not have declared support, public or private, for any candidate for any elective office; student-at-large committee members also may not have been a candidate for any elective office during the elections cycle.
 - a. Committee members who have violated this regulation may be removed by a majority vote of the Validations Committee; the accused shall not receive a vote in the matter.
 - b. Any person who has been previously removed from any Elections Commission or Validations Committee in any year shall be ineligible for membership on the Validations Committee.

C. Structure and Procedure

- 1. Validations Committee meetings shall be formal and structured.
- 2. The Validations Committee meeting shall take place after to the counting of the ballots; no person aside from the Elections Commission and Validations Committee should know the elections results until such time as the Validations Committee has been able to determine that all campaigning and balloting was conducted in accordance with all required guidelines.
- 3. The Validations Committee reserves the right to call a meeting into closed session by a two-thirds (2/3) vote at any time in accordance with the Michigan Open Meetings Act and various Attorney General opinions.
- 4. Each presidential/vice presidential ticket listed on the official University Student Congress ballot shall be permitted to send one representative to the Validations Committee.
 - a. Representatives shall remain seated in the gallery and may only address the Committee when requested to do so.
 - b. Representatives shall defend their candidates against any charges filed against them during the elections cycle; copies of such charges will be provided to the representative by the Elections Commission Chair prior to the Validations Committee meeting.
- 2. Legislative candidates shall represent themselves against charges filed against them; prior notification must be given to the candidate so that if they cannot be present, other arrangements for testimony can be made.
- 3. The Validations Committee will receive copies of all charges filed during the elections process at the time the polls close.
 - a. Committee members shall review the submitted charges prior to the Validations Committee meeting and any Committee member may request the presence at the Validations Committee meeting of any person who has filed charges.
 - b. Requests for the presence of those who have filed charges must be made no later than six (6) hours prior to the Validations Committee meeting.
 - c. If a person who has made charges fails to appear, the Validations Committee may summarily dismiss their charge unless prior arrangements have been made through the Elections Commission Chair.
 - d. The Validations Committee shall not accept testimony given via phone, video, or e-mail unless prior arrangements have been made for such testimony.

- e. The Elections Commission Chair shall notify the Validations Committee if a person who has filed charges is unable to be present, as well as what form of testimony the person will submit in place of a personal appearance.
 - 4. Evidentiary Hearing:
 - a. The first portion of the Validations Committee meeting shall consist of an evidentiary hearing; the Committee shall hear testimony and examine all evidence related to individual submitted formal charges.
 - b. All defendants in the course of the Validations Committee hearing shall be deemed innocent until they are proven guilty.
 - i. The burden of proof to prove the defendant guilty shall be upon the complainant.
 - c. Charges will be examined one by one; committee members should take notes for discussion during the Adjudication Hearing.
 - d. Validations Committee members must ensure that due process has been and is afforded to all candidates who have had charges submitted against them.
 - e. The Validations Committee may request additional information as needed from witnesses, candidates, and/or the Elections Commission Chair. Any individual asked to provide additional information should answer questions directly – verbose narrative and unneeded details and statements should be avoided.
 - f. The Validations Committee will not hear any charge related to “unethical practices” by a candidate; the Committee is assembled only to ensure that no violations of the Elections Guidelines took place.
 - g. The Validations Committee may only discuss and render judgment on the stated bylaw infraction(s) described in a submitted grievance.
 - 5. Adjudication Hearing:
 - a. The second portion of the Validations Committee meeting shall consist of an adjudication hearing; the Committee shall render its decisions with regard to the charges examined during the Evidentiary Hearing.
 - b. For a candidate to be found guilty of a charge will require simple majority of the voting committee members; in the event of abstentions leading to a tie, the accused shall be found not guilty of the charge as the vote did not garner a majority.
 - c. As the Committee votes on individual charges, it will assign individual sanctions for each guilty verdict; a simple majority of the voting committee members agreeing to a particular sanction is sufficient to impose that sanction.
 - 6. Congressional Address:
 - a. A representative of the Validations Committee shall convey all summary report of the meeting’s actions, as well as any sentences necessary as outlined by the Validations Committee, to the University Student Congress Legislature at its next meeting following the Validations Committee meeting.
- D. Sanctions and Sentences**
- 1. Sanction points:
 - a. If a candidate or ticket is found guilty of a charge, the Committee will assign sanction points on a scale
 - b. From + 0 to 5, one being least in severity and five being the maximum, based on the perceived severity of the infraction; a simple majority agreement is necessary to decide the assigned point value.
 - c. Upon completion of all point assignments, each candidate’s or ticket’s total points will be added to build respective cumulative sanction point totals. The Validations Committee shall observe the following point scale once total points are determined:

- i. 0 to 5 points: Verbal Reprimand and deduction of 2% per point accrued of candidate's or ticket's total votes.
 - a. Verbal Reprimand: the candidate or ticket will be verbally sanctioned and the sanction will be noted in the Committee records.
- ii. 6 to 10 points: Formal Reprimand and deduction of 3% per point accrued of candidate's or ticket's total votes.
 - a. Formal Reprimand: the candidate or ticket will receive a written reprimand and the sanction will be noted in the Committee records.
- iii. 10+ points: Candidate or Ticket shall receive a Congressional Reprimand; the Validations Committee is strongly urged to consider declaring the candidacy or ticket to be invalid; deduction of 4% per point accrued of candidate's or ticket's total values.
 - a. Congressional Reprimand: the candidate or ticket will receive a written reprimand, a copy of which will be transmitted to the University Student Congress Legislature, where the Reprimand will be read aloud and copied into the Congressional Record at the Legislative Body meeting immediately following the Validations Committee meeting, as well as transmitted to any relevant media outlets.
- iv. Invalidation: if a candidate or ticket is declared invalid, the Elections Commission shall be directed to dismiss all ballots cast for that candidate or ticket when tallying ballots.
- v. All sentences above a verbal reprimand will be carried out following the opportunity of appeal.

E. Appeals

1. If a candidate or ticket wishes to appeal a conviction of guilt on any individual charge, they may do so by filing a formal written appeal to the University Student Congress Legislature.
2. Appeals must be filed in a timely fashion in order to be heard publicly by the University Student Congress Legislature at its next meeting following the Validations Committee meeting.
3. The Congress' Steering Committee shall place any appeals prior to the Congressional Address by the Validations Committee representative.
4. Should the Legislature overturn the conviction on an individual charge, the candidate's or ticket's sanction points will be re-added and new sanction(s) imposed if necessary; any change in reprimand shall be noted in the Congressional record.
5. To overturn a conviction on an individual charge or a sentence imposed by the Validations Committee shall require a 2/3 vote of the University Student Congress Legislature.
6. If the result of an appeal changes the outcome of an election, a new victor shall be immediately declared.
 - a. There will be no "re-appeals" by ousted candidates aimed at re-convicting a candidate or ticket.
 - b. There will be no further appeals after the first University Student Congress Legislative Body meeting following the Validations Committee meeting.

F. Ballot Initiatives:

1. If one or more ballot initiatives was found on a ballot, the Validations Committee shall certify that the proper process for placing them on the ballot was followed; documentation should be submitted by the Elections Commission Chair.

2. If material promoting or opposing a ballot initiative was found to violate any of the Elections Guidelines posting policies, the Committee may declare the results invalid and call for a new vote on the issue.

G. New Elections

1. Should all balloted candidates for an office be declared invalid and no write-in candidates are able to or acquiesce to assume the office, the Validations Committee shall reassemble and formally request that a new election be held for that office by the end of the Winter semester; all timelines may be abbreviated accordingly without consequence.

IX. Guidelines of the Elections Commission

A. Elections Commission Chairperson

1. Eligibility

- a. The Elections Commission Chairperson shall be the Administrative Assistant, in accordance with the University Student Congress Constitution
- b. The Elections Commission Chair may not declare support, public or private, for any candidate or referendum for any elective office in the University Student Congress
- c. The Chairperson is ineligible to run for any elective office in the University Student Congress during their term as Chair
- d. If the chair violates or neglects any of their duties, responsibilities, or any eligibility requirement, they must be immediately removed by the Legislature and a replacement must be nominated
- e. Any person previously removed and proven guilty from any Elections Commission or Validations Committee in any year shall be ineligible to hold this position
 - i. No actions taken prior to the enactment of these guidelines shall be grounds for ineligibility of the Elections Commission Chair

2. Duties and Responsibilities

- a. Nominate members to the Elections Commission no later than the final University Student Congress meeting of January
- b. Nominate members to the Validations Committee no later than three weeks prior to an election
- c. Ensure the integrity and freedom of all campus-wide balloting by enforcing all rules and regulations related to Congressional elections set forth in the University Student Congress Constitution, University Student Congress Bylaws, and Elections Guidelines
- d. Ensure equal and fair opportunity for all students to run for elective positions on the University Student Congress
- e. Select and publicize the date(s) of all campus-wide balloting, including yearly elections, ballot initiatives, and other special balloting, as necessary
- f. Publicize all important dates associated with any campus-wide balloting, including, but not limited to:
 - i. Filing deadlines
 - ii. Signature submission deadlines
 - iii. Elections orientations
 - iv. Campaign events
 - v. Debates
 - vi. Press conferences
 - vii. Select the dates, times, and locations of campus polling stations
 - viii. Assemble elections packets and make them available for candidates

- ix. Post all elections guidelines, rules, and regulations in a public place for perusal by the Oakland University population and have such materials available on request for students-at-large and write-in candidates
- x. Receive any grievances against any candidate, campaign, or ticket filed by a member of the Oakland University community and submit them to the Validations Committee for consideration
- xi. Prepare all balloting results for publication within twenty-four (24) hours of the end of the Validations Committee meeting
- xii. Prepare a year-end report on the University Student Congress elections and submit it to the Legislature

3. Enumerated Powers

- a. May introduce items of business to the University Student Congress Legislature pursuant to the current University Student Congress Constitution
- b. May vote in Elections Commission meetings only to break a tie vote
- c. May issue a formal reprimand to candidates who the Elections Commissioners or Elections Commission Chair have apprehended in violation of the Elections Guidelines; this reprimand shall carry the weight of a Grievance Form during the Validations Committee hearing

B. Elections Commissioners

1. Membership

- a. The Elections Commission shall consist of a minimum of five voting members, but not more than nine voting members
- b. Commissioners shall be selected by the Elections Commission Chairperson and confirmed by a 2/3 vote of the University Student Congress Legislature

2. Eligibility

- a. Elections Commissioners may not be members of the University Student Congress Legislature or Executive Board
- b. Commissioners may not declare support, public or private, for any candidate for any elective office in the University Student Congress
- c. Commissioners are ineligible to run for any elective office in the University Student Congress during their term of office
- d. Commissioners who violate or neglect any of their duties, responsibilities, or eligibility requirement shall be immediately dismissed by the Chair and a replacement nominated; the dismissed shall be publicly reprimanded after they have had an opportunity for appeal
- e. Dismissed members shall have a chance to appeal to the full Elections Commission; appeals must take place at the next meeting following the dismissal
- f. Any person previously removed from any Elections Commission or Validations Committee in any year shall be ineligible to hold this position

3. Duties and Responsibilities

- a. Assemble to administer all campus-wide balloting
- b. Assist the Elections Commission Chairperson in all of their outlined duties and responsibilities and in any other capacities requested
- c. Assist the Elections Commission Chairperson in the selection of polling station workers; Elections Commissioners are eligible to work at polling stations
- d. May draft a yearly Elections Commission Code of Ethics under which the Commission, Commissioners, and/or Chair may voluntarily operate; the Chair shall have an equal say and vote in the drafting of such a Code

4. Enumerated Powers

- a. Vote to finalize all proposed elections-related dates and other decisions proposed and/or selected by the Elections Commission Chairperson

C. Elections Commission Advisor

1. The University Student Congress Advisor shall serve as the Advisor to the Elections Commission
2. The Advisor shall be an ex-officio and non-voting member of the Elections Commission
3. The Advisor is bound by all decisions made by the Elections Commission and may not take unilateral action in relation to the University Student Congress elections; such actions shall be considered invalid unless the Advisor is acting to correct an infraction against the policies of Oakland University

D. Elections Commission Operation

1. A simple majority of the Commission shall equal quorum; quorum is necessary for any official business and voting to take place
2. All Commissioners shall be allotted two (2) absences per semester; absences in excess of two (2) warrant immediate removal and replacement
3. The term of the Elections Commission ends once all elections results have been approved and made public
4. If the Elections Commission is assembled to administer a special election prior to the yearly elections, Commissioners will retain their seats for the annual elections cycle unless they formally resign their position
5. All Elections Commission meetings shall operate on following guidelines:
 - a. All meetings except the final (ballot-counting) meeting shall be open meetings
 - b. A 2/3 vote of the Elections Commission may vote to move a meeting into closed session at roll call in accordance with the Michigan Open Meetings Act and various Attorney General opinions
 - c. Meetings shall be structured; gallery members shall remain from the Elections Commissioners and will give appropriate opportunities to address the Commission