



Campaigns and Elections Act of the CLAS Student Government of Brooklyn College, CUNY

Ratified: Fall, 2017

Adopted: Spring, 2018

Section 1: Definitions

1. Generally, and for the purpose of this Act, the term:
 - a. “Assembly” means the Assembly of the Student Government of the College of Liberal Arts and Sciences; and
 - b. “Government Operations Committee” means the standing committee of the Assembly so entitled; and
 - c. “College Wide Elections Review Committee” means the student election review committee established pursuant to Section 15.2(d) of the Bylaws of the Board of Trustees of the City University of New York; and
 - d. “CLAS” means the College of Liberal Arts and Sciences and the students duly registered therein.
 - e. “Violation” and “Infraction” mean a breach of this Act
2. As used in this Act:
 - a. References to “function” or “functions” shall be deemed to include references to duty, obligation, power, authority, responsibility, right, privilege, activity, or the plural thereof, as the case may be; and
 - b. References to “perform” and “performance” when used in relation to functions shall be deemed to include the exercise of power, authority, rights and privileges; and
 - c. References to any provision of law, governance documents, Constitution, Bylaws, Rules, Charter, and titles shall be deemed to include as appropriate, references thereto as now or hereafter amended or supplemented.
3. In references to elections, for the purpose of this Act, the term:
 - a. “Elections” means a general or special election conducted for the CLAS Student body;
 - b. “Candidate” means a CLAS Student who seeks election to office, whether such a student is elected or not.
 - c. “Student Government Office” means any of the following: The Office of President and Vice President of the CLAS Student Body, the Office of Representative in the CLAS Student Assembly, the Office of Delegate or Alternate Delegate to the University Student Senate, and the Office of CLAS members to the Student-Faculty Disciplinary Committee of Brooklyn College.
 - d. “Party” means a maximum of seven (7) and a minimum of three (3) candidates that campaign together for CLAS Student Assembly and share a common platform.
 - e. “Power” means the ability to influence the behavior of others; related to “authority”
 - f. “Day” is defined as a time period beginning at midnight and ending at 11:59 PM the following night.

Section 2: Time

1. The CLAS Student Government election shall take place over a seven-day period no earlier than March 15 and no later than April 30 for all CLAS Student Government offices.
2. Petitioning will start no later than five (5) weeks prior to the election, for referenda, and four (4) weeks prior to the first day of election week, for candidates. Petitioning will start no earlier than eight (8) weeks prior to the election. The petitioning period will last two (2) weeks for referenda and one (1) week for candidates. The entire petition shall begin at noon on the first day and end at noon exactly fourteen (14) days later.
3. A signature validation period shall extend for one (1) week after the end of petitioning.
4. The CLAS Student Assembly shall inform the student body of the dates of the election and of petitioning through on campus advertisement.

Section 3: Election Commission

1. The CLAS Student Assembly shall appoint the members of the CLAS Student Government Elections Commission (hereinafter referred to as the "Commission"), pursuant to Article XV of the Rules of the CLAS Student Assembly.
2. Office space for the Commission shall be provided in the Student Center.
3. The provisions of Article XV of the Rules of the Assembly shall provide for and govern the Establishment; Composition; Appointment; Qualifications, and Removal of Commissioners; Officers of the Commission; Commission Procedures; and the Powers, Duties, Responsibilities, and Functions of the Commission.
4. The Commission shall have full control of all monies budgeted for the CLAS Student Government elections, as contained in the CLAS Student Government Budgets and/or funds/revenues of the Brooklyn College Association.
5. The financial service is directed to establish a distinct and independent account for the Commission and transfer to it all funds allocated for conducting the CLAS Student Government election. To conform to the procedures of the financial service, the Commission shall choose from among its members a Chairperson, a Secretary, and a Treasurer.
6. The funds transferred by financial service to the Election Commission Account shall be used for all necessary and proper expenses of the Commission, as determined by the Commission, to conduct a fair and honest election. This shall include but not limited to expenditures for:
 - a. Contracting for a reputable balloting organization.
 - b. The preparation, documentation, and copying of relevant electoral documents (petitions, rules, receipts, copies of this Act, etc.)
 - c. Administrative/Operating Expenses of the Commission (Telephone, reimbursable expenses, transportation, mailing, etc.)
 - d. Security and Maintenance items.

7. Commissioners of Elections have the sole power to preside over the Student Government Elections. This power shall not be questioned by any faculty or administration, nor influenced by the same. The Commission's decisions as well as their interpretation of this Act are final with the exception of an appeals process. Any appeals on the Commission's decisions must go through the student-run College Wide Election Review Committee (C.W.E.R.C.) The C.W.E.R.C. is the only body (other than the President of Brooklyn College) with the authority to overturn the Commission's decisions, and their findings may not be questioned or unduly influenced as mentioned above. Doing so is a violation of this Act.

Section 4: Campaign Protocol

1. The provisions of this bill are, in their whole a permanent Campaigns and Elections Act. They may, however, be amended by future Assemblies.
2. No rules shall be established by the faculty or the administration regarding the procedures and protocol for Student Government campaigns and elections. All rules established regarding elections as well as all amendments and revisions to this act must be reviewed and passed in the Government Operations Committee, and then by the CLAS Assembly. The amendment and revisions made to this act go into effect the next election following their passing. All participants in the Student Government elections are only bound to the rules prescribed in this Act.
3. Rules
 - a. Only CLAS students may sign petitions for candidates and/or vote in CLAS elections.
 - b. Only CLAS students with at least one semester left may run for any office.
 - c. No graduating student will be permitted to run for any office.
 - d. Students shall be allowed to sign an unlimited number of petitions for candidates and referenda. All signatures must be accompanied by the student identification number (EMPLID) to be recognized as valid.
 - e. Each student must be permitted to vote for no more than twenty-nine (29) candidates running for full year terms for the Office of Representative in the CLAS Student Assembly.
 - f. Students must be permitted to vote for a President and Vice-President as a single ticket.
 - g. Students must be permitted to vote for a Delegate and an Alternate Delegate to USS.
 - h. Students must be permitted to vote for Student Disciplinarian and Alternate Student Disciplinarian.
 - i. Students must be permitted to write-in a candidate for any office stated above. Write-in candidates are required to receive a minimum of one-hundred and fifty (150) votes, during the election, to be recognized as valid candidates.
 - j. Students running for President and Vice-President must attend an executive training session, during the petition validation period, to be recognized as valid candidates.
 - k. Each party is prohibited from running more than seven (7) candidates for the twenty-nine (29) full year seats contested at each general election for Representative in the CLAS Student Assembly.
 - l. Each party is prohibited from running more than one (1) candidate for any of the following offices: University Student Senate Delegate, University Student Senate Alternate Delegate, Disciplinarian, Alternate Disciplinarian

4. Petitions

- a. Groups or individuals seeking to sponsor referenda on the ballot shall submit a written copy of the proposal referenda to the Commission. The Commission shall then draw up petitions containing the form of the referenda desired and distribute them to the groups or individuals concerned.
- b. All petitions not submitted in accordance with these regulations shall be immediately declared null and void.
- c. Petitioning requirements shall be four-hundred (400) valid signatures for President and Vice-President and one-hundred (100) valid signatures for each other candidate running for office. Petitioning requirement for all referenda shall be ten (10) percent of all CLAS students, as pursuant to Article 2, Section 2, subsection (b) of the Constitution of the CLAS Student Body.
- d. All petitions taken out shall carry, on each page, the name of the candidate, the office being run for, and the term of office. Candidates are prohibited from changing any of this information, which shall be filled out in the presence of a Commissioner of Elections, at the time the petition is taken out. Any alteration of said information shall render the entire page of signatures invalid.

5. Parties

- a. Each party shall submit in writing a roster which includes their candidates no later than noon on the last day of the validation period. Each roster must include the first and last name, EMPLID, and signature of the candidates as well as a signature of the party representative submitting the roster.
- b. Each party shall submit in writing the order in which they wish their valid candidates to appear on the ballot, no later than noon on the last day of the validation period. If any party fails to submit such a list, their candidates shall appear alphabetically on the ballot by surname. Ballots shall not indicate a candidate's party unless their name appears on that party's list of candidates. No valid candidate may be removed from a party's list or from the ballot without their consent in writing, delivered personally to a Commissioner of Elections.
- c. No change in a party's name or candidate roster shall be permitted after the party ballot order has been submitted. Withdrawals shall be permitted without substitution until the Friday prior to the start of elections. Each party shall be permitted to make substitutions for a withdrawn candidate until ten (10) days prior to the start of elections.

6. Advertising

- a. There shall be limits for advertising at each gate (Hillel. Bedford Ave., Campus Road near the bike rack and Ocean Avenue).
- b. The space assignment of candidates, parties, and referenda sponsors will be assigned by random ballot.
- c. Commissioners of Elections are required to immediately remove any advertising that is not placed in an authorized area.

Section 5: Election Procedure

1. Petitions must be picked up by each candidate in person; at which time the candidate will be required to sign a waiver empowering the Commission to certify that they are registered in

the CLAS division of the college and are in good academic standing in the pursuit of a degree with a minimum Brooklyn College cumulative index of 2.0. Each candidate for office shall also have completed a semester immediately prior to the election semester in the CLAS division of the college. Students running for office are considered public figures regardless of whether they have reached the requisite number of petitioners.

2. Sponsors of referendum and candidates running for office shall receive a copy of the Campaigns and Elections Act from the Commission.
3. Upon return of petitions, the candidate shall receive a receipt from the Commission. The receipt shall contain the following information:
 - a. Candidate name
 - b. Number of signatures submitted
 - c. Date and time of submission
 - d. Signature of at least one Commissioner of Elections and the candidate
4. The Commissioners of Elections shall make copies of each receipt; the original being kept by the Commission, one copy being kept by the candidate and the other copy being placed in the custody of the Campus Security Office or the Division of Student Affairs, on the same day as the receipt is made. Copies of all petitions shall also be made on the day of the receipt; the copies being placed in the custody of the Campus Security Office or the Division of Student Affairs. The originals shall be retained by the Commission. When receiving returned petitions, the Commission shall only accept petitions that have the requisite number of signatures and accompanying student identification numbers. This initial count does not determine validity or invalidity of signatures and accompanying student identification numbers.
5. Ballot lines shall be assigned by the Commission on a coin-toss that shall be held immediately after the petitioning deadline. The coin-toss will be broadcast on a live stream.
6. Immediately after voting is completed, the votes shall be tabulated in a room in the Student Center to be designated by the Commission. Only the following persons may be present at the tabulation; the Commissioners of Elections, the C.W.E.R.C., employees of the balloting organization conducting the election, and no less than one (1), but no more than three (3) candidates per party running who are designated by the parties at some time during the election. Independent candidates may also be present, as well as one (1) representative of each referenda sponsoring group. After the tabulation begins, there shall be no communication between anyone in the room and anyone outside the room. The Commission may request College Security Personnel to cordon off the machines from other persons as the votes are recorded.
7. When tabulation is completed, the Commission shall announce the results to all present, including persons not previously permitted inside, who may be admitted once the tabulation has ended.

Section 6: Campaign Violations

1. The following are established as Campaign Violations:
 - a. Removal of an opposing signs.

- b. Attaching posters or signs with glue or paste. Use of scotch tape, masking tape, staples, and thumbtacks is permitted.
 - c. Attaching posters or signs to trees or inside the Library.
 - d. Making defamatory or libelous statements.
 - e. Use of Student Government space, offices, or other facilities, for storage of campaign materials. For purposes of this section, Student Government shall be defined as the entire office space located on the third floor of the Student Center and all facilities therein.
 - f. Use of the any of the following college owned equipment:
 - i. Copying machines and printers not publicly available to all students. Publicly available college equipment includes but is not limited to the printers in the library and library cafe, machines from clubs and offices.
 - ii. Mailing lists provided by a Brooklyn College administrative office
 - iii. Mailing lists provided via Blackboard
 - g. Use of bullhorns or electric sound equipment during any time except for common hours.
 - h. Threatening or harassing candidates or Commissioners of Elections
 - i. Physical assault of candidates or Commissioners of Elections.
2. Campaign Violation Procedure
- a. Upon report of an alleged violation, the Commission shall investigate the allegation.
 - b. Any group(s)/individual(s) accused of a violation must be notified in writing prior to the investigation by the Commission. The notification must include names of group(s)/individual(s) who are filing each complaint to the Commission.
 - c. On the day following the conclusion of the election, a hearing shall be held by the Commission. Each violation will be considered individually. The complainant(s) and the alleged violator(s) shall be present. Each party in the election may send one representative. All witnesses to the alleged violations shall also be present.
 - d. In each case, the Commission must meet in executive session immediately after presentation of all evidence. The Commission shall then determine beyond all reasonable doubt by majority vote whether a violation has occurred. If such a determination is made, the Commission shall then immediately determine the applicable penalties pursuant to Section 6, Subsection 3 of this Act.
 - e. The Commission must then inform the violator(s) of the findings, which may be appealed to C.W.E.R.C.
 - f. Hearings by the Commission on alleged violation(s) shall be concluded within seven (7) days following the conclusion of the election. The Commission shall then immediately transmit a report on each case to C.W.E.R.C.
3. Campaign Violation Penalties
- a. Revocation of the offender's candidacy. If the offender won election for office when the violation occurred, said office is to be awarded to the candidate with the next highest number of votes.
 - b. Permanent loss of eligibility from holding any offices, elected and appointed, within CLAS Student Government.
 - c. The offender shall have the right to apply for eligibility to participate in CLAS Student Government one (1) year after conviction; and upon being denied may reapply for said eligibility on a yearly basis. Each application will be presented before the Commission in a public hearing.
 - d. The Commission shall keep written minutes of all campaign violation proceedings and issue written opinions explaining the circumstances surrounding each violation conviction. These records shall be delivered to the CLAS Student Government Secretary on or before the last day of the Spring semester.

- e. In the absence of the Secretary, the records will be delivered in the following order:
 - i. Deputy Speaker of CLAS Assembly
 - ii. Speaker of CLAS Assembly
 - iii. Chair of the Government Operations Committee of CLAS Assembly
 - iv. President of CLAS Student Government
 - f. Future Election Commissions can take into consideration previous infractions and thus can choose to limit the involvement of an offender in future elections.
4. The Commission shall not exercise jurisdiction over any case involving a Commissioner of Elections or a person deputized by the Commission, as a plaintiff, or witness. Cases in which complaints have been filed by members and appointees of the Commission must be referred directly to the C.W.E.R.C.