

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, than 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.
- B. If a candidate is unsure of the candidate's own good standing status, the candidate shall meet with the Assistant Dean of Student Affairs or the Associate Dean of the law school before declaring candidacy in the General Election.

SECTION 3: EXPECTATIONS FOR BOARD OF GOVERNOR MEMBERS:

Running in the General Election, candidates 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 DELCARATION 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 no later than seven (7) days before the last class day of the quarter.

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 dates candidates may declare that they will stand for election and the duration of the sign-up period;
 - c. The method for declaring candidacy;
 - d. That any questions can be directed to the Election Commissioner; and
 - e. 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 concurrently with 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 (or Associate Dean if the Assistant Dean of Student Affairs is unavailable) 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 in the manner specified by the Election Commissioner shall be immediately disqualified.
- E. Campaigning by any candidate prior to the mandatory candidate meeting is

strictly prohibited, and may result in a Sanction as detailed in Article VII, Section 2.

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.
- 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.
- 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 or textured surfaces;
 - c. Bathrooms;
 - d. On potted plants;
 - e. On the inside or outside of the courtyard entrance doors of the law school;
 - f. Paintings or framed photographs; and
 - g. 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.
- 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: 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.

SECTION 2: 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 3: RUNOFF ELECTION VOTING

- A. As specified in Section 1 of this Article, if a Runoff Election is necessary, 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 4: 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.

ARTICLE VI: RUNOFF ELECTION RULES

- A. All of the General Election Rules stated in Article IV apply to the Runoff Election.
- B. An additional \$25 is allowed, on top of the initial \$50 allowed for the General Election, for Runoff Election campaigning. Receipts must be turned in to the Election Commission in the same manner.

ARTICLE VII: ELECTION 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 alleged violation is;
 - b. When the alleged violation occurred; and
 - c. any supporting evidence of the alleged violation.

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, if any.
- 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 Assistant Dean of Student Affairs (or Associate Dean if the Assistant Dean of Student Affairs is unavailable) 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

- 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 (or Associate Dean if the Assistant Dean of Student Affairs is unavailable) 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 (or Associate Dean if the Assistant Dean of Student Affairs is unavailable) for two (2) weeks following the election. Following that time period, the results may be destroyed as the Assistant Dean (or Associate Dean if the Assistant Dean of Student Affairs is unavailable) sees fit.

ARTICLE IX: APPEALS PROCESS

- A. All complaints regarding electoral fraud or misconduct shall be submitted to the Election Committee no later than 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 Associate Dean and Assistant Dean of Student Affairs 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 (or Associate Dean if the Assistant Dean of Student Affairs is unavailable). If the Assistant Dean renders a decision upon appeal, the unsatisfied candidate may appeal the decision to the Associate Dean. If the Associate Dean renders a decision upon appeal, the unsatisfied candidate may appeal the decision to the 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.

ARTICLE IX: SPECIAL ELECTIONS AND RESULTS

- 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.