



UtahStateUniversity™
STUDENT ASSOCIATION

EXECUTIVE COUNCIL MEETING MINUTES

11/28/2017 | 4:00 PM | USUSA Senate Chamber

CALL TO ORDER AND THE FIGHT SONG

Approval of minutes: VP Ambuehl: Moved / VP Aratari: Second / Passed

Officer accountability

PUBLIC FORUM

Ryan Jensen: USU is trying to brand a giving day. This year, they want to brand this day as a consecutive thing that happens every year. They are working on a design and everything for this. The biggest piece of that is current students and how it will involve them. I won't tell you what I got from Academic Senate, but we are looking for some feedback. We will be seeking donations, participation, and especially so for students. First, why, as a student, would you give money to the university? Would you even be willing to give on a giving day? I will tell you first off that it has to be at least \$5 with credit card processing fees and whatnot. Would you do it? Would you share a post about it?

President Peters: I would, but I'm curious, how have other universities marketed it? We need \$5? Or give \$5 and it's going to a cause?

Ryan: You would know which college or cause it is going toward.

VP Ambuehl: I wouldn't. I may be inclined as a student leader, but probably not. I would be much more willing if I knew it was going to CHaSS or religious studies, for example. If it was general, I don't think I would.

VP Yoshikawa: I want to say I would, but I don't know that I actually would. If there was a competitive aspect, I might. Like, if it was a competition between colleges.

Ryan: Competition seems to be a motivator. Between colleges? Between clubs?

VP Yoshikawa: I feel like colleges reaches a broader audience.

President Peters: I remember something that was really effective in high school. Penny Wars. It was a competition between the classes. There were four big jars that you could contribute, and coins were positive and dollars were negative. My only fear separating it into colleges are the sizes. Smaller colleges might have a more difficult time.

VP Brady: You could correct for that by basing it on percentage or participation.

VP B. Brown: I like the idea of students having a say in where their money goes. I would donate \$20 to the student lobbying program, but not necessarily to a general fund when I'm already paying tuition.

VP Ambuehl: I don't see a problem with students donating money. I think it's just the specifics--where it's going.

Ryan: We also want to see a theme in promoting it. Producing individual videos of you guys that you could use on your social media accounts. If we could meet this criteria, is that something you could get behind? Great. If you have questions or ideas, you can contact me.

VP T. Brown: Congratulations to Chelsea on getting engaged!

PRESIDENT'S REPORT

President Peters: Two things. One, you may have seen that from 11:30 to 2 p.m. the Field House is closed to students. That was to encourage faculty to go to the Field House during those hours. That didn't work, so students will have full access to the Field House again. Second, Code Blue, as important as that is, only about 30 percent of our campus is registered for it. Instead of it being an opt in, it is now going to be an opt out program. You will be signed up by default when you register at the university. One last point of business to bring up is... Within USUSA, all students are required to take 15 credits, with the exception of the officers. Right now, our threshold is 12. It would require a vote from the student body to change that to 15. Some, like the Spirit Squad, or concerned that they have to take 15 while we only have to take 12. I'm curious to hear your feedback on that.

VP Brady: I'm taking 12 this semester because I was originally taking 15. I ended up dropping a class because it wouldn't be working with my schedule.

VP Yoshikawa: Ambassadors only have to take 12, and that is a huge part of student involvement. I think it's fair for us to take less if needed.

VP Aratari: Why was it increased to 15 for everyone else?

Linda: They started this campaign, statewide, Fifteen to Finish. Last year we implemented 15 across the board, with the goal being to finish in four years, a la the campaign. Because the officers are through a constitutionally binding policy, it would require a constitutional change. You all sit on multiple university committees. You are not just regular students with your responsibilities. I see your involvement and what you're required by your charters, and other students on campus probably don't understand that as much. I asked President Peters to start a dialogue with Dr. James Morales.

VP Aratari: Are there ways you can bypass the 15?

Linda: If it's in the constitution, you can't bypass that unless you have a letter from your academic advisor. We don't want to waste money, and if that's all you need to graduate, your academic advisor can acknowledge that. A memo is all you need to keep your scholarship.

Assistant Johnson: I don't think 15 is particularly burdensome. I'm in 18 this semester and next semester and I can handle it alright.

Senator Olson: All credits are not required equal. My predecessor Olivia Binks failed her classes

due to being overwhelmed. Following her example, I delayed my graduation a year so I wouldn't have to take 15 per semester. I am also in SigEp and prefer to do things outside involvement. I don't think this threshold is necessarily reasonable. I understand that graduating in four years is an important goal, but it's not an important goal for me. I feel like I'm at my brim in terms of what I can do. That being said, I understand the need for uniformity, but not all credits are created equal, and I don't think it's reasonable to expect us to do that.

President Peters: There are other students that are experiencing this currently.

Senator Davis: I understand the whole Fifteen to Finish thing. My concern is why are these other USUSA representatives expected to take fifteen credit hours.

VP Ambuehl: Same thing. These other groups do a ton of work. I see right off the bat why they would be concerned. Maybe instead of moving us to 15, we should move them back to 12.

Senator R. Thomas: This is a concern for students in smaller programs or programs like my college, where some classes are only held in fall or spring. There are times when there are x number of classes left, and you can't take what you need, then it becomes you taking a class with the express purpose of fulfilling the 15-credit criteria. It just seems silly.

Senator Bess: The reason Fifteen to Finish was put into place was to get students through college quicker. They are trying to eliminate costs and student debt. But, like Senator Olson, I think it's important not to force that on students. I think we should be looking at other student groups taking 12 credits rather than moving us to 15 credits.

VP B. Brown: I am for equality. But I agree with Senator Bess, in that when you have a scholarship with something attached to it, like our leadership scholarships require office hours. Academic scholarships are different. With this, where we have attached responsibility, I might agree more with Senator Bess's point. Perhaps we should be at 12 instead of 15. I could see for another student, who's in engineering, who can only take 12 per semester to survive and do well and also able to be involved, that's more important than the Fifteen to Finish.

VP T. Brown: I can see both sides. One aspect I see is we need to be good role models for students. In theory, we could all be taking 15 credits, graduating in four years, and have a 4.0 GPA. I don't think that's a realistic expectation.

VP Harms: I think we should incentivize the best and brightest to be a part of USUSA. In order to do that, you should accommodate to credits.

President Peters: They are assuming 15 credits can't be dropped for other involvement groups.

Straw poll, including senators, on favorability to increasing credit requirements for officers to 15 / For: 13 / Against: 1 / Abstentions: 1

COUNCIL UPDATES

President Peters: We have a Dodgeball tournament this Friday at 5 at the Field House. There's a \$400 prize. We could do a USUSA team. Next week is Destress Fest. We are caroling next Thursday. For USA, we have a meeting this Friday at Dixie. We'll be doing the filming for videos that will be shared at Higher Ed day.

VP Harms: Make sure you are all doing your fee area meetings.

VP Ambuehl: The BYU game is this Saturday! We've got a blackout. 7 p.m. There will be 1,000 free shirts handed out 30 minutes before tip off. We are also giving out black latex gloves. We'll know by Saturday if we're going to a bowl game.

VP Yoshikawa: Thank you to Anuj and Brendon for sending people to the monthly club meeting. We've been working with clubs on setting up fund raisers. If you want to be involved in that with your committees, talk to me. We are gearing up for next semester and planning a few more events than what we have historically done in the past. Todd, we want to do a service event with our diversity cabinet. We have a lot of club funding, so we are putting on more club events. Club Rush is the first week of school, that Wednesday. I sent the sign up to everyone at this table. We are giving out cinnamon rolls and hot chocolate.

VP B. Brown: GRC had a lobbying retreat at the capital two weeks ago. Every member was able to meet one-on-one with legislators. We are ready to go in January.

VP Aratari: Thursday is Moonlight and Music. PoBev on Saturday. This week is Thank You Week that Megan Fisher put together. We've gotten great feedback about it. Tomorrow is Thank Your College Day. Boxes are going to be in individual colleges and at the Hub. Thursday is Thank Your Hidden Gems day. People who don't typically get recognized. Friday we are doing Thank You Cards to veterans and soldiers.

VP Ambuehl: Is Festival Trees this week?

VP Aratari: Next week. Decorate Monday night with cookies. Tuesday night is Sk80s night.

VP T. Brown: Thank you everyone for helping for Stuff-a-Bus. Nelda said this is the most she's ever seen helping. Way to go. We have our appreciation dinner coming up.

VP Brady: True Aggie night this Saturday.

Director Perry: There are questions about how to do videography. There is going to be a form, like design requests, that you can go in and fill out. They'll have office hours you can meet with. It's been a long process, but it's also working really well. We are getting a lot more engagement on social media. We outdid the USU Aggies account on engagement for the Aggie Heroes videos. I understand there's activation energy, but the payoff is great. Anuj has reached out about Yammer stuff, Jake has about the blackout. If you have anything for January, get your design requests in before December 1st. We are trying to get it all done before we leave for the break.

President Peters: Students have said this is one of the best years of publicity ever. Way to go, Spencer!

Senator Khasgiwala: Been working with Dr. Brian Merrill on the fee board. Regarding Yammer, I have been meeting with different deans from the colleges to get Yammer up and running. There has been a legal issue with the university about Yammer, so I am meeting with a legal advisor tomorrow morning. Once this is done, I am planning to meet the remaining colleges. The graduate studies administration are not supportive of Yammer anymore. I have not gotten any support from the grad school. That is the worst part of my position--that I never get any support from grad school. Never. Whatever initiatives I take, I am the alone fighter on those.

NEW BUSINESS

2018 Election Bylaws [Proposed bylaws attached as an appendix]

Tim: Yesterday in AS we read through all the bylaws with no time to discuss. Took about 30 minutes. We

can do that again, or if you'd like, I can touch on some of the major changes and we could have a discussion that way.

VP Harms: Move to include senators in this discussion / **VP Ambuehl:** Second / Passed

VP B. Brown: Move to invite senators to the table / **VP Aratari:** Second / Passed

VP Ambuehl: Point of information: Can freshmen run? Is there any sort of requirement that you have to have a year under your belt?

Tim: No. So some of the major changes: we have changed the definition of posters to include digital signage. Some buildings don't have places for poster boards.

Linda: This discussion is for review right now. It has not been through Eric or James. Next week it will come for final approval. There have been lots of changes. We have met with legal to make sure freedom of speech is not violated. That's why there is a major overhaul on this. This is solely for review right now. This will not go public until we get final approval. This is still in the working stages.

Tim: The legal team advised us that USU is going to be adopting a freedom of speech policy very similar to the University of Utah's. I can send that out as well. Let's see... Fines will be counted toward a candidate's value limit and must be included on financial statements. Whereas there used to be policies in place that you couldn't campaign within a certain number of feet of the TSC, now the policy simply references TSC building codes, etc. If you're in violation of those policies or facilities rules, you may be subject to fines, and those will be reflected on your financial statement. Here's where major changes take place:

[Read through Section V: Campaign Rules in attached appendix]

[Read through Section VI: Social and Electronic Media]

Tim: If you feel like going around the university and getting everyone's phone number and texting them, that is ok. [Chuckles]

President Peters: So it is allowed!

Tim: Questions? Comments? Outrage?

VP T. Brown: Earlier it said to advertise in buildings you need permission, but in Time, Place, and Manner it says you can do it in there. Do we need to put in there as a small thing in the end that you need permission?

Tim: The general policy is you need permission, and on top of that, the college can add time, place, and manner restrictions.

Senator Bess: I'm not planning on running, but I'm wondering if you would want to work with the deans offices on that. I just don't want inconsistency on what different candidates are hearing.

Tim: I've reached out to the colleges and I've heard back on a lot of them. Basically, my goal with this is to compile a list for the candidates that says this is the person you need to talk to in whichever college so there is consistency. CHaSS is the one college I've heard back from that has their departments do it.

Senator Bess: Any candidate for any position can use space in colleges?

Tim: Yes.

Senator Khasgiwala: From page 1, the GPA is 2.5, but it used to be 3.0

[Many]: It's always been 2.5.

Tim: We did remove the paragraph about [couldn't pick up from the recording.] The purpose of running for elections, that's unnecessary information.

Senator Davis: Why can't you offer devices to people when you're campaigning? Why is that still in there?

Tim: I think from our understanding from legal is that that's not allowed at voting stations. That can peer pressure people into voting one way or another.

Senator R. Thomas: That was one of the only positive feedbacks we got about elections was that candidates couldn't do that anymore. That was one of the only things we got positive feedback for.

VP Ambuehl: I was on a campaign team when you could use devices, and it was very, very peer pressurey when you could have an iPad there like, "Hey, you should vote! I can't click, but this person right here would be very good for you."

VP Harms: But is it constitutional?

Linda: Legal has said yes.

Senator Olson: Question on the definition side. It says committee members must be students at USU. Why couldn't my friend at the U help me?

Linda: It's liability for the institution. That was addressed a couple years ago--the security of the campaign. We could address that with legal again. I think we should. That's a great thing to bring up.

Senator Olson: Students aren't allowed, on page 6, to vote on *any* device at A-frames. By that wording, they couldn't even pull out their own devices and vote.

Linda: We need to change that. I have the right to vote on my phone whenever I want to vote.

VP Harms: I think you also need to include professors in that discussion. You can technically have professors support you in class.

Linda: That has been completely taken out of the bylaws--campaigning in the classroom. That is a major change while we're on that. Professors can support you. They have freedom of speech, too, and they control what happens in their classroom.

Assistant Johnson: I'm still stuck up on the whole devices thing. Senator Thomas, what was the positive feedback that was received?

Senator R. Thomas: We had a question about positive feedback on the survey about elections, and it was referenced by students that they were happy they were not offered devices at A-frames.

Assistant Johnson: So if it's students that are turned off by that, I just don't see a good reason for not allowing you to offer people your devices. You can choose not to vote for that person in front of them if it bugs you that much.

VP Brady: A lot of people aren't going to do that. A lot of people are going to feel pressured.

Assistant Johnson: But you can pressure people other ways, too. That's not the only way you're pressuring people to vote for you.

VP Brady: I feel like that can get very annoying.

Assistant Johnson: Yeah. Free speech can be annoying.

Linda: You're right. That's what they kept stressing. You can annoy people because you have the right to do that. You can still encourage people to pull out their phones in front of you. It's just a matter of pressuring this person to take mine. I want to know your opinion on that, too. There are still some things we can control, like the amount of money you spend on a campaign. There are still things we are legally able to control. I'd like to know everyone's opinion on that.

Senator Davis: Can I wait to make my comment until this discussion is finished?

President Peters: Yes. In fact, I would entertain a motion to suspend house rules.

VP Ambuehl: Move to suspend house rules for an open discussion / **VP Brady:** Second / **Passed**

[Minutes were not taken on the remaining part of the discussion that was not following parliamentary procedure]

ADVISOR ANNOUNCEMENTS

Linda: I would like to thank Rebecca, Spencer, Brayden O'Brien, and Tim for reading through the University of Utah's freedom of speech policies. He's taken it to legal and done a lot of great work. I want to commend all of you. It's not an easy task. We want to make sure we're doing it right for the students.

Tim: I would welcome more feedback on the bylaws.

ADJOURNMENT: **VP Yoshikawa:** Moved / **Senator Khasgiwala:** Second / **Adjourned**

IN ATTENDANCE: Linda Zimmerman, Tim Olsen, President Michael Peters, VP Blake Harms, VP Jakob Ambuehl, VP Todd Brown, VP Bridget Baldwin, VP Brendon Brady, VP Joseph Aratari, VP Chelsea Yoshikawa, Senator Anuj Khasgiwala, Director Spencer Perry, Assistant Dallin Johnson, Cy Robinson, David Higashi, Ryan Jensen, Jonathan Ambrose, Senator Erik Olson, Senator Rebecca Thomas, Senator Grant Bess, Senator Cody Davis

Utah State University Student Association Election Bylaws – Logan Campus

This document is ancillary to the USUSA Constitution.

The Utah State University Student Association election bylaws govern the election of both USUSA Candidates and referenda affecting the USU student body. These bylaws derive their authority from the USUSA Constitution Article III, Section 7.

Candidates, campaign committees and supporters, proponents, and opponents of referenda must follow all university policies, as well as local, state, and federal law.

Definitions:

Active Campaigning: engaging directly with students with the intent of pursuing their vote. Includes any action where a Candidate and/or their committee are directly soliciting students for votes (e.g. handing fliers directly to students, etc.)

Actual Cost: is defined as the cost presented on an official sales receipt.

A-frames: are defined as a freestanding object that must fit in an 8-foot by 8-foot by 8-foot (8'x8'x8') square.

Bribery: is defined as the act of offering, giving, receiving or soliciting any item of value that may influence the actions of a person.

Campaign Committee Members: are people who are specifically helping Candidates campaign; must be current students from USU.

Campaign Materials: are any images, text, or physical item with the purpose of garnering attention and increasing awareness for a specific Candidate or ballot item.

Candidate(s): are registered USU students at the Logan campus that are in Good Standing and have filed a Declaration of Candidacy.

Donations: are defined as any monetary contributions or physical goods used as Campaign Materials.

Fair Market Value: is an estimate of the value of property and services based on what an average buyer would pay to an average seller in the market.

Good Standing (behavioral and academic):

- Carrying a minimum of 12 credits per semester, or considered a full-time student by the School of Graduate Studies during their entire term of office, including the spring semester of election or appointment.
- Free from academic warning, probation, or suspension.
- Free from USU Student Code violations and/or student conduct probation, including any pending issues.

Passive Campaigning: is any action where a prospective Candidate is NOT posting or distributing Campaign Materials or speaking to organized groups. Prospective Candidates may communicate with organizations and individuals to learn the issues facing students to gain insight as to how to address those issues and concerns.

Poster(s): are printed or other types of Campaign Materials on paper to be hung in appropriate buildings on campus. This includes digital signage within appropriate campus buildings.

Slander: is defined as the spreading of an untruth about other Candidates or their campaigns in a way that may hurt their campaign or reputation.

Reception: a meeting organized by the Elections Committee where students meet the Candidates and ask the Candidates questions about their platform and goals

I. Candidate Requirements

A. All Candidates must be in Good Standing.

a. **Eligibility:** Any appeals to the eligibility criteria may be submitted to the Office of the Vice President for Student Affairs. Extenuating circumstances may be cause to appeal Candidate eligibility.

b. The Vice President for Student Affairs may grant exception to Candidate requirements based on circumstances. Those wishing to appeal Candidate requirements must see TSC 326. Any decisions made by this office are final.

B. Candidates must be at the mandatory campaign meeting held by the Elections Committee to review the election policies and procedures. Absence will result in automatic forfeiture of candidacy unless prior approval of the Election Co-Chairs. While campaign managers are encouraged to attend the meeting, they cannot take the place of the Candidate.

C. **College Senatorial Positions:** Candidates for the office of a college Senator must be registered in the college they wish to represent as of the filing deadline for Declaration of Candidacy. Graduate students may run for a senatorial position in their respective college.

D. **Graduate Studies Senator:** Candidates running for Graduate Studies Senator must be a current, fully matriculated graduate student in the School of Graduate Studies by the filing deadline. Matriculation requires the student to be in Good Standing and taking graduate courses.

E. **Write-In Candidates:**

a. Must file a Declaration of Candidacy and abide by election bylaws, but are not required to pay the \$20 filing fee.

b. Will not be included in ads, pictures, or biographies paid for by the Elections Committee.

c. Must notify the Elections Committee if they choose to participate in forums and debates during USUSA Elections Week.

d. Will not be present on the primary election ballot and will only be included on the final election ballot if:

i. A Candidate comes in either first or second in total vote count, is eligible to hold office;

and

ii. reaches or exceeds 10 percent of the vote total in the respective election. (See EC Bill 2014-06)

II. **Timeline**

A. **Deadlines:**

a. A Candidate must sign a Declaration of Candidacy. The current USUSA officer holding the position should sign the form. This allows the Candidate to discuss the position with the incumbent officer and to more fully understand the position for which they are applying.

b. If the current officer is unavailable, or is a Candidate, then the USUSA advisor that advises the Candidate's position may sign the form.

c. This form and \$20 non-refundable filing fee are due in TSC 326 on the date set by the Elections Committee.

i. Any student may apply for a waiver of this \$20 fee through a written appeal to the Student Involvement and Leadership Center (SILC).

ii. The \$20 filing fee is for processing purposes and publicity by the Elections Committee.

d. To withdraw a Declaration of Candidacy, Candidates must submit a document in writing to the Election Co-Chairs prior to the announcement of final election results. After the Election Co-Chairs have received the withdrawal, the Candidate cannot be reinstated and the \$20 filing fee is forfeited.

e. If after the filing deadline, there are no constitutionally qualified Candidates for an office(s), the Elections Committee shall reopen the filing process for that particular office(s), accepting Declaration of Candidacy forms at the date set by the Elections Committee. Notice of the secondary deadline shall be advertised in The Utah Statesman.

III. **Voting**

A. **Plurality to Elect:**

a. The names of the two Candidates on the primary ballot receiving the greatest number of votes shall be placed on the final ballot.

b. In final elections and special elections, the Candidate or ballot item that has the greatest number of votes will be declared the winner.

B. **Ballots:**

a. Ballots will be accessed via www.vote.usu.edu

b. The names of all Candidates for each office shall be placed on the ballot in alphabetical order by last name, along with a space(s) for write-in Candidate(s). Permanent nicknames, however, may be approved by the Elections Committee (e.g. Bob for Robert, Sue for Susan, etc.).

C. **Eligibility to Vote:**

a. **Logan Campus students**

i. All registered students

ii. In USUSA Presidential election and select referenda, Elections will be open to all Regional Campus students.

b. In senatorial races, students are only eligible to vote for senators of their respective college.

i. If a student has declared a major in two or more separate colleges, they are eligible to vote for the senatorial candidates running to represent each college.

c. Only matriculated graduate students can vote for the Graduate Studies Senator.

- d. Proxy voting is prohibited.
- D. Counting Votes:
 - a. Votes shall be tabulated immediately following the closing of the polls.
 - b. No ballots will be accepted after the published time of closing. Votes are tabulated and verified by a committee of two student involvement advisors, one staff member of the Information Technology (IT) department, Election Co-Chairs, and the USUSA President.
 - i. In the event the current USUSA President is running for office, the officer following the line of authority shall take their place.
 - c. Tie-Breaking Procedures: Should an exact numerical tie occur between any candidates running for a USUSA elected position, the following procedure has been outlined and established as the method of breaking the tie.
 - i. Upon announcement of the final elections results, the tied candidates will be brought together by the Election Co-Chairs, the current officer in the position of the tied candidates, and at least one of the Student Involvement advisors to follow these tie-breaking procedures.
 - ii. The tied candidates will be given one hour to choose, at their discretion, whether they would like to participate in a coin toss by neutral party or in a special one-day election to break the tie.
 - iii. This election will occur within two weeks of the final announcement, will be on the selected day from 9 a.m. to 3 p.m., and all election bylaws shall apply (including remaining within the given budget allotment).
 - iv. If the candidates cannot come to a consensus within the hour given, the choice will be removed and a special one-day election will occur.
 - v. If a second numerical tie should occur between the same candidates, the tie-breaking procedure will be a coin toss by a neutral third party.
- E. On-Campus Voting Locations
 - a. The Elections Co-Chairs will have voting locations throughout campus for the convenience of students.
 - b. Candidates and their Committee Members may not offer any devices to students for voting.
- F. Results:
 - a. All results are final after votes are tabulated and verified. This extends to Candidates, initiatives, referenda, or any other matter submitted to the USU student body for a vote.

IV. Money and Finance:

- A. Campaign Value:
 - a. The campaign value limit is \$400 for Executive Council Candidates and \$200 for Senatorial Candidates. Candidates violating the campaign value limit (overspending) will be disqualified.
- b. Audits
 - i. Candidates must submit to the Elections Committee by the specified audit deadline, original receipts and a complete list of all campaign expenditures, Donations and the Fair Market Value of materials purchased or used in their campaign ("Financial Statement"). Candidates failing to submit their Financial Statement by the specified audit deadline will be disqualified.
 - ii. Candidates will be audited twice: once during primary elections and once during final elections. Candidates may be subject to additional audits if deemed necessary by the Elections Committee.
 - iii. If a receipt for a campaign expenditure is not available, or if the item has been donated, it will be assessed at Fair Market Value by the Elections Committee.
- c. Fair Market Value (FMV)
 - i. It is the responsibility of the Candidate to obtain from the Elections Committee a FMV for any Campaign Material not appearing on an FMV list provided at the mandatory Candidate meeting.
 - ii. Should a Candidate feel that FMV has been determined inaccurately or unfairly, they may submit a written appeal to the SILC Director and the Student Advocate VP who will then decide the FMV. All decisions by the SILC Director and Student Advocate VP will be final. The FMV will be communicated to the Election Co-Chairs.
 - iii. If the Student Advocate VP is running for office, the SILC Director will select an elected student body officer to take their place.
- d. Fines
 - i. Any fines levied against the Candidate and/or Campaign Committee Members –

either by a University or city entity – count towards the Candidate's Campaign Value Limit and must be reflected on the Candidate's Financial Statement.

V. Campaign Rules:

A. Campaign Committee and Meetings

a. Social and electronic media may be used for the purpose of communicating with Campaign Committee Members, but must follow Election Bylaws.

B. Campaigning within campus buildings

a. Campaigning in or around the Taggart Student Center must be in compliance with the Taggart Student Center Policy Manual (available at tsc.usu.edu).

b. Campaigning within campus buildings is subject to the approval and reasonable limitations of the appropriate colleges and/or departments. It is the Candidate's responsibility to receive permission prior to any campaign-related activity.

C. Signs, Literature and Structures

a. General Policy

i. The University shall provide reasonable space indoors and outdoors for the posting of signs, notices and posters by Candidates and Campaign Committee Members. Such signs, notices and posters may deal with any subject matter including, but not limited to, notices of meetings or events and expressions of positions and ideas on social or political topics, and must clearly identify the author or sponsor of the materials.

ii. Further information can be found by visiting usu.edu/facilities and reading their "Signage Standards" document.

b. Time, Place and Manner Restrictions

i. Candidates and Campaign Committee Members may post signs, notices and posters on bulletin boards and kiosks maintained by the University and located on the campus. Signs, notices and posters shall not be attached to trees, buildings, walls or other University structures unless otherwise expressly authorized by University Facilities.

ii. Messages or slogans of any kind shall not be painted or otherwise written on trees, buildings, grounds, fountains, walls or other University structures or surfaces, or on the personal property of others.

c. Candidates and Campaign Committee Members may also post signs, notices and posters on designated bulletin boards and kiosks maintained by the academic and administrative departments of the University subject to the approval and reasonable limitations of the appropriate departments. Colleges and departments may adopt reasonable time regulations limiting the time for display of signs, notices and posters on bulletin boards maintained by colleges and departments to maximize everyone's opportunity to use designated areas for signs, notices and posters and may prohibit attaching signs, notices or posters to walls and other surfaces in order to prevent damage to walls and other surfaces.

d. Any sign, notice or poster must be removed within 24 hours of the posting of the Election results. Failure to comply may result in a fine.

e. Responsibility for Content of Signs, Notices or Posters

i. Candidates and Campaign Committee Members shall be personally responsible for any signs, notices or posters they sponsor or post on campus. By posting the sign, notice or poster on campus, the person or organization agrees to hold the University harmless for any assessed damages or liabilities incurred as a result of the sign, notice or poster.

D. Distribution of Handbills, Fliers, Petitions, Stickers and Other Written Material

a. General Policy

i. Candidates and Campaign Committee Members may hand out and distribute non-commercial handbills, petitions or other written material on campus without prior approval, so long as such distributed materials clearly identify the author or

sponsor of the materials.

- a. Stickers must not be affixed to any university grounds or property. The prospective Candidate is responsible for removal of any sticker affixed to university grounds or property. Failure to comply with this rule could result in a fine.
 - b. Time, Place and Manner Restrictions
 - i. Distribution outside of University buildings is permissible but must not interfere with the entrances to the University buildings or the normal flow of pedestrian or vehicular traffic.
 - ii. Distribution inside buildings is permissible so long as those distributing handbills or other written materials do not disrupt the functioning of the University or interfere with the rights of other members of the University community.
 - iii. The Candidate is responsible for learning and following all building-specific rules and regulations (such as the TSC Policy Manual).
 - iv. Handbills or other written material may not be attached or affixed to private property without the owner's permission.
 - c. Responsibility of Handbills
 - i. Candidates and Campaign Committee Members distributing handbills or other written material shall be personally responsible for the content of the material and hold the University harmless for any assessed damage or liability incurred as a result of the distribution of the material.
- E. A-frames On Campus
- a. Assigned areas for two (2) A-frames will be granted to Candidates during primary elections. Those same A-frame locations will be permitted during final elections.
 - b. A-frame locations will be assigned in the order of candidacy declaration. Please see the map included in the Elections Packet for designated A-frame areas.
 - c. If there is snow, A-frames must be on grass areas to ensure that facilities can clear walkways.
 - d. A-frames cannot be moved without Election Co-Chairs approval.
 - ii. A-frames must not lean against or be attached to trees, shrubs, or list posts. No stakes or signs stuck into the ground are allowed.
 - iii. A-frames must be constructed so they are not a hazard.
 - iv. USUSA is not responsible for any lost, stolen, or damaged A-frames during the course of Elections.
 - v. Candidates must respect each other and not vandalize A-frames or other campaign material. This also applies to Campaign Committee Members, as well as those affiliated with the Candidate.
 - vi. USUSA Candidates and their respective Committee Members are not allowed to have students vote at the A-frame area.
 - vii. Each Candidate must use their table only and will not be permitted to share with another Candidate.
 - e. Responsibility for Content and Safety of A-frames
 - i. Candidates and Campaign Committee Members shall be personally responsible for the content and use they make of the A-frames they erect on campus. By erecting any structure on campus, the Candidate or their representatives agree(s) to hold the University harmless for any assessed damages or liabilities caused by the structure itself or caused by libel or slander in the message it conveys.
- F. Clean-Up
- a. Primary Candidates not advancing into final elections are responsible for removal of all Campaign Materials within 24 hours of the announcement of the primary election results.
 - b. Final election Candidates are responsible for the removal of all Campaign Materials within 24 hours of the final election results.
 - c. A \$50 fee will be charged to any Candidate who does not clean up all of their Campaign Materials by the appropriate time set by the Elections Committee. If the student does not abide by this regulation, the USUSA Hearing Board will meet with the student accordingly.
 - d. The USUSA Hearing Board will investigate any charges of vandalism. USU is not

responsible for any acts of vandalism committed by Candidates, their campaigns, or their supporters.

e. **Copyright and Trademark Infringement**

- i. Use of USU, USUSA, and all affiliated organizations' copyrighted material is prohibited.
- ii. All campaign material must comply with copyright and trademark laws. Candidates assume full responsibility for failure to comply.
- iii. USUSA, USU SILC, and/or USU claim no responsibility for the illegal use of copyrighted or trademarked materials by Candidates.

G. **Bribery and Slander**

a. The foundation of USUSA elections rests on campaign ethics. Therefore, Candidates, campaign committees and supporters, and proponents and opponents of referenda must follow all university policies and local, state and federal laws. This includes, but is not limited to, a prohibition of:

- i. Bribery, in any form, either to voters or other Candidates.
- ii. Slander.

H. **Off-Campus Campaigning**

a. Candidates and Campaign Committee Members must have the permission of the building or apartment owner/landlord/manager prior to door knocking, displaying or distributing any Campaign Materials.

- i. The policy for off-campus banners and signs comes directly from the Logan City Land Development Code Section 17.40 and is included as an appendix to these bylaws (this policy is subject to change).

VI. **Social and Electronic Media:**

A. **Social Media**

- a. Candidates and Committee Members may use social media platforms to promote their candidacy, however, they must use personal accounts. Use of any official university affiliated or departmental social media accounts is prohibited.
- b. Throughout the election process, Candidates are not allowed to post on any official university or departmental Facebook pages or groups (e.g. USU, USUSA, College of Humanities and Social Sciences, Huntsman School of Business, etc.).

B. **Election Video**

- a. A video will be made by the Elections Committee of the Candidates' platforms. This video will be added to the USUSA website and social media accounts.

C. **Election Website**

- a. All final Candidates' election information (one picture, campaign platform, goals, and qualifications) will be uploaded to the USUSA website.

D. **Mass messaging**

- a. Use of USU mailing lists (e.g. Canvas or class contact information) is strictly prohibited.

VII. **Violations and Penalties:**

A. **Fines**

- a. Any fines levied against the Candidate and/or Campaign Committee Members – either by a University or city entity – count towards the Candidate's Campaign Value Limit and must be reflected on the Candidate's Financial Statement.

B. **Hearing Board**

a. **Jurisdiction**

i. Pursuant to Article V of the USUSA Constitution, the USUSA Hearing Board will hear all Election grievances. The USUSA Hearing Board will render a decision on each grievance, and will assess a penalty if necessary.

c. **The Violation Process will be as follows:**

i. During Elections Week, any charges of violation of campaign regulations will be submitted in writing to the USUSA Hearing Board within 24 hours of the incident, but no later than the closing of the polls.

ii. If an elections bylaw violation comes to light after the final election results have been announced, a complainant may file a grievance until noon on the day of inauguration.

a. Prior to Election Week, there is no time limit, although the USUSA Hearing Board will not meet regularly, and will hear cases on an as-needed basis.

iii. In the event of a violation, or a grievance being filed, both the accuser and accused must be called before the

USUSA Hearing Board together. Upon hearing both sides, the USUSA Hearing Board will render a decision and assess a penalty if necessary.

- iv. Election results for the office(s) in question will not be made public until all grievances have been heard by the USUSA Hearing Board, ruled upon penalties assessed, and the Candidate(s) notified of the decision.
- v. Candidates will be responsible for submitting grievances for their own campaign.
 - a. Any student must file an election grievance who was affected by, or a direct witness to, any violation of election bylaws by campaigns or those campaigning for ballot issues.
- vi. The burden of proving that a bylaws violation occurred is on the person filing the grievance.
- vii. Explanation of how to file a grievance will be discussed at the mandatory elections meeting.
- d. Penalties
 - i. Penalties from which the USUSA Hearing Board may choose are as follows:
 - ii. Confiscation and/or restriction of Campaign Materials (e.g. only one sign as opposed to two);
 - iii. Restrictions on campaign times (e.g. not being allowed to attend town hall meetings or campaign on campus during certain times);
 - iv. Budget restrictions;
 - v. Ordering a new election for a particular office pursuant to Article III, Section 1 of the USUSA Constitution;
 - vi. Disqualification of Candidate(s);
 - vii. Or fines to be paid if the violation is discovered after the election has already taken place.
 - viii. Fines shall not exceed the respective Candidate's campaign expenditure limit (see Article IV.A.a.).

VIII. Appeals Process

- A. One faculty member, and one professional staff employee to serve as the Appeals Board for the upcoming academic year. The faculty member shall serve as chair.
- B. The decision of the USUSA Election Grievance Board may be appealed by the student who was found to have committed a USUSA Election Bylaw or a Misconduct violation. The Appeal must be made in writing to the Director of Student Conduct within three (3) days from the date of the USUSA Hearing Board's decision.
- C. If no appeal is filed within the time provided, the decision shall become final.
- D. If an appeal is made, the Director of Student Conduct shall refer the matter, with all supporting documentation, to the chair of the Appeals Board. The Director of Student Conduct shall inform the parties of the names of the members of the Appeals Board.
- E. The parties involved shall have the opportunity to challenge the Appeals Board for bias in the case.
- ☐ Guidelines for the Appeals Board are as follows:
 - F. An appeal shall be limited to a review of the initial hearing and supporting documents for one or more of the following purposes:
 - a. To determine whether the decision reached regarding the student was based on substantial evidence; that is, whether the facts in the case were sufficient to establish that it was more likely than not that a violation occurred or that the imposition of an election sanction was warranted.
 - b. To determine whether the penalty imposed was appropriate for the violation which the student was found to have committed.
 - c. To consider new evidence, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such evidence and/or facts were not known to the person appealing at the time of the original hearing.
 - G. If new evidence and/or facts could be the basis for altering either the decision or the penalty, the matter shall be remanded to the original USUSA Hearing Board for reopening of the hearing to allow reconsideration of the original determination and/or penalty; the USUSA Hearing Board shall report its conclusion to the Appeals Board for further review in the appeal process.
 - H. If new evidence and/or facts are not presented, the Appeals Board may confirm or modify the decision of the USUSA Hearing board and/or may uphold or reduce the penalty imposed by the USUSA Hearing Board. The Appeals Board may also remand the case to the original USUSA Hearing Board to reconsider whether the penalty should be increased; the USUSA Hearing Board shall report its determination to the Appeals Board for further review in the appeal process.
 - I. Upon conclusion of an appeal in a case involving an election violation, the Appeals Board shall forward its finding to the Vice President for Student Affairs.

