

**THE ELECTIONS PROCEDURES HANDBOOK
OF THE
STUDENT BAR ASSOCIATION
OF THE
AMERICAN UNIVERSITY
WASHINGTON COLLEGE OF LAW**

THE ELECTIONS PROCEDURES HANDBOOK

PREAMBLE

The election of Officers of the Student Bar Association shall be fair, open, unbiased, and held to the highest ethical standards of democratic electoral conduct for candidates, Elections Commission members, and Student Bar Association members. All terms shall run from 12:00AM on May 1st of a given calendar year to 11:59PM on April 30th of the following calendar year.

ARTICLE I. ESTABLISHMENT OF THE COMMISSION

Section A. The Student Elections Commission (Commission) shall be an independent subsidiary entity of the Student Bar Association, charged with the effective and unbiased operation of elections for the Student Bar Association.

Section B. The Commission shall be directed by a Chairperson, appointed by the President, in consultation with the Vice President.

Section C. The Chairperson of the Commission may appoint a Vice Chairperson to assist in the fulfilment of their duties.

Section D. The Chairperson may appoint commissioners sufficient to organize and oversee the various process requirements associated with the elections process, subject to confirmation by the Senate.

Section E. Commissioners, the Vice Chairperson, and the Chairperson may appoint staff members to assist them in the completion of their duties.

Section F. No member of the Commission, shall at any time during the duration of their term on the Commission, serve as an officer of the Student Bar Association in any other capacity.

Section G. The term of members of the Commission shall be effective upon the member's appointment or confirmation, and shall expire upon the certification of the final election results at the last meeting of the Senate of the academic year.

Section H. The Commission shall meet within a week of the beginning of Spring Semester to determine a schedule for the spring election season.

Section I. The Commission shall have the authority to call elections, referenda, and plebiscites of the Washington College of Law student body, as requested by, or by the advice and consent of, the Senate.

ARTICLE II. QUALIFICATIONS

Section A. Any matriculated student of the American University Washington College of Law in good standing may seek election to the Student Bar Association, for offices which their class year or full time/part time status qualifies them to hold.

Section B.

To become an official candidate on the ballot, such matriculated students as referenced in *Section A* must acquire twenty-five (25) signatures on the Election Declaration Form.

ARTICLE III. ELECTIONS

Section A. General Election of Officers

- Subsection 1. The election for the President, Vice President, and Senators of the Student Bar Association shall take place in the spring semester of the academic year no fewer than 12 days prior to the scheduled Sine Die Meeting of the Senate.
- Subsection 2. The President and Vice President shall be elected by simple majority vote of the student body.
- Subsection 3. Senators shall be elected by plurality vote of students of the corresponding constituency of the senate seat.
- Subsection 4. The seats for First Year, Transfer Student, and LLM Student constituencies shall be elected and certified in the fall semester of the academic year, within the two weeks following the first Senate meeting of the year.
- Subsection 5. The Commission shall establish, maintain, and publicize the procedures to be abided by for administering Association elections, and shall organize, conduct, and monitor all elections.

Section B. Voting

- Subsection 1. All popular elections and referenda shall be decided by secret ballot, either in person, electronically, or both as determined by the Commission and approved by the Senate.
- Subsection 2. Upon the conclusion of campaigning, the polls shall be open for forty-eight (48) hours.
- Subsection 3. Voters may only cast one (1) vote for a single candidate in a particular race. Write-in vote slots shall be provided for all elections.
- Subsection 4. In the event of a tie, there shall be a special election.

Section C. Certification & Report of the Elections Commission

- Subsection 1. Within twenty-four (24) hours of the polls closing, the Commission Chair shall publish unofficial results to the candidates. Challenges to these results must be filed with the chair of the Commission within seventy-two (72) hours of the publishing of the unofficial results.
- Subsection 2. The Senate shall consider the certification of the election results at the next regular meeting.
- Subsection 3. The Commission shall submit a report to the Senate to aid in the certification of the election results detailing the number of participants, elections violations, and their associated sanctions, and any other items incident to the administration of elections procedures.

Section D. Special Elections

- Subsection 1. The Senate may authorize, by legislation, the calling of an election in the event of a tie in the spring executive and legislative elections, the fall legislative elections, and to fill a

vacancy in the office of the President and Vice President and any seats in the Senate.

Subsection 2. The Commission shall coordinate and facilitate special elections in the most efficient and expeditious manner possible.

Subsection 3. Absent any appeals, the Senate shall consider the certification of the election results at the next regular meeting.

Section E. Campaign Procedures

Subsection 1. The Commission may to set all relevant procedures and guidelines for campaigning during the election process.

Subsection 2. The Commission shall submit a Public Memorandum of Process, which outlines all the relevant rules governing campaigning, which must include, but is not limited to the following:

- (i) Time frame when campaigning is permitted
- (ii) Guidelines for expenditures for campaign materials
- (iii) Locations where campaigning is allowed
- (iv) Prohibited activities during the campaign and voting process
- (v) Dates of mandatory meetings for candidates
- (vi) Procedures for candidates who are unable to attend the mandatory meeting
- (vii) Disciplinary Guidelines for those who break rules, in addition to but not conflicting with those procedures which may be outlined in this document, the Student Bar Association Constitution, or Bylaws.
- (viii) Any other reasonable regulations or rules germane to the elections process.

Subsection 3. The Commission must publish the Public Memorandum of Process for the Spring election cycle at least thirty (30) days prior to the election itself.

Subsection 4. The Commission must publish the Public Memorandum of Process for the First Year and Transfer Student election cycle within the two weeks following the first Senate meeting of the Fall semester.

ARTICLE IV. THE STUDENT ELECTIONS COMMISSION

Section A. The Student Elections Commission shall be comprised of seven (7) student members, including a chairperson, who shall – while serving as members - not be permitted to stand as candidates in any election held during their service on the Commission.

Section B. The members of the Commission shall be nominated by the President and confirmed by a simple majority vote of the Senate.

Section C. At no time may a justice of the Supreme Court, member of the Senate, or officer of the Executive Branch serve on the Commission.

Section D. Terms of commissioners shall run concurrently with the Senate session in which they are appointed, and shall conclude at the close of the final

election cycle. Vacancies shall be publicly announced and open for application.

Section E. The Commission shall review the Elections Handbook annually and updates and amendments shall be presented to the Senate by a two-thirds ($\frac{2}{3}$) vote of the Commission.

Section F. The Commission may establish, subject to review and approval by a simple majority vote of the Senate, rules and guidelines for the administration of Student Bar Association elections, and shall publish these rules in a timely fashion, prior to the fall or spring election cycles.

Section G. The Commission may, by two-thirds ($\frac{2}{3}$) vote, enact variances as exceptions to the election rules in response to a timely election variance petition submitted in writing. Such variances shall be applicable to all candidates, and upon prompt communication to the Senate, be deemed valid for the specific election cycle for which they are enacted, and may be reviewed, amended, or rejected by a simple majority vote of the Senate.

Section H. The Commission shall adjudicate all disputes under the Elections Handbook and enforce appropriate sanctions. This enforcement authority is not limited to the election cycle itself, or only to named candidates. Any infractions or disputes which occur outside of the election cycle will only be subject to the rules contained within this handbook, the Student Bar Association Constitution, and ByLaws. The Commission may not create rules and apply them ex post facto to disputes.

Section I. Sanctions and adjudications by the Commission are appealable to the Senate, who shall be the final authority on substantive election-related adjudication, i.e., voting irregularities, sanctions, disqualifications. The Supreme Court of the Student Bar Association holds sole jurisdiction over questions on the interpretation of uniform procedural rules, applicable Senate legislation, and due process.

Appendix A:
Relevant Sections of Student Bar Association Constitution

The Student Bar Association includes the following elected representation:

President

Vice President

One (1) senator of each section in the First Year class

Seven (7) senators for the entire Second Year full-time class

Seven (7) senators for the entire Third Year full-time class

Seven (7) senators for the Evening students, First Year part-time students
excepted

One (1) senators for the transfer students

Two (2) senators for the LLM students

STUDENT BAR ASSOCIATION ELECTIONS DECLARATION FORM

Full Name: _____

Student ID #: _____

Email Address: _____

Position Sought: _____

By completing, signing, and submitting this Declaration form, I agree to be bound by the Constitution and Bylaws of the Student Bar Association prior to and during the election.

Signature: _____

Date: _____

Student Petition:

Name

Student Email

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