Election Rules for the 2018 Employee-Elected Trustee Special Election

Adopted by the Trustee Nominating Committee on Wednesday, 3 March 2010.
Amended Thursday, 3 February 2011; Tuesday, 6 March 2012; Monday, 10 February 2014, January 21, 2016.

Preamble

Candidates and their supporters must follow all election guidelines outlined in this document. Failure to do so may result in disqualification of candidates by the Trustee Nominating Committee, hereafter referred to as the committee.

Section I: Candidate Information

1.1. Eligibility

1. Candidates must meet all of the petition requirements by the petition deadline specified in the official calendar for the election in which they wish to run to be eligible to participate in that election as candidates.

2. All petitions may be reviewed in the Office of the Assemblies (109 Day Hall, Monday-Friday from 9am-12:15pm, 1pm-4:30pm) by any member of the community who wishes to examine them. Petitions may not be photocopied. The Office of the Assemblies will contact petitioners within 48 hours of the petitioning deadline if their petitions are deemed invalid.

3. The following rules apply to both student and employee candidates:

   a. All candidates must attend mandatory meetings or send a proxy on their behalf. If they fail to do so, they will be disqualified from the election.

   b. All elected trustees are expected to remain in residence at the Ithaca or Geneva campus for the full duration of their terms.

   c. Only the official petition forms issued by the Office of the Assemblies will be accepted.

4. The following rules apply only to student candidates:

   a. Student candidates must be full-time students in residence at the Ithaca
campus and be enrolled in or admitted to a course of study that will allow them to remain so until May in the final year of their two-year term as trustee. Students enrolled at the Geneva campus of the University are considered Ithaca students for the purposes of these rules. Undergraduate students may run for trustee in odd years and graduate or professional students may run for trustee in even years.

b. Each petition must have 200 valid, distinct signatures. Only signatures of those eligible to vote in the election shall be valid. It is recommended that candidates collect more than 200 signatures in the event that some cannot be validated.

5. The following rules apply only to employee candidates:

   a. Employee candidates must work full-time or part-time in a non-exempt, exempt, or academic non-professorial staff category;

   b. Employee candidates must work at the Ithaca or Geneva campus; and,

   c. Employee candidates must plan to remain so for the duration of their four-year term as trustee.

6. Each petition must have a total of 100 valid, distinct signatures. Only signatures of those eligible to vote in the election shall be valid. It is recommended that candidates collect more than 100 signatures in the event that some cannot be validated.

1.2. Online Registration Form

1. Each candidate must complete the online candidate background questions and statement. Statements will be posted at the Trustee elections website, used on the ballot, and published in campus publications.

2. The Office of the Assemblies, located in 109 Day Hall, will take photographs of candidates prior to the petitioning deadline on the calendar. These photos and other candidate information will appear in campus publications, on the web and on the ballots. Candidates may also submit their own photograph for use in these official materials, per the size/resolution restrictions on the registration form.

Section II: Election Guidelines

2.1. Maintaining a Fair Environment
1. Candidates and their supporters shall comply with the election rules stated here.

2. They shall not create an intimidating or uncomfortable environment for other candidates, students, or employees.

3. They must notify the committee of any potential violations immediately after they occur by emailing the Office of the Assemblies [assembly@cornell.edu].

4. They shall rectify any violations to the best of their ability upon notification by the committee.

5. Candidates and their supporters may not interfere or interact with other people who are in the process of voting and they must take reasonable measures to avoid the possibility or appearance of such behavior. Specifically, candidates and their supporters may not:
   
   a. offer their personal computers or electronic devices for others to use in voting or operate voting booths and kiosks;
   
   b. watch, speak with, or hover around people whom they know, or reasonably should know, to be in the process of voting with electronic devices or otherwise;
   
   c. engage in campaigning activities at computer labs or in any other environment where people appear to be in the process of voting; or,
   
   d. troubleshoot others’ election difficulties or attempt to explain to others how to prepare and cast a ballot.

6. Candidates and their supporters should direct those who report difficulty voting to the Office of the Assemblies for support.

7. Candidates and their supporters may not exceed $50 for out-of-pocket spending and value of donations of materials and professional services. Candidates must submit a Candidate Expenditure Statement Form along with any receipts and proof of fair market value to the Office of the Assemblies, 109 Day Hall, by the deadline specified in the elections calendar.

8. Candidates may be reimbursed for up to $50 of allowable campaign expenses. Common allowable campaign expenses include: chalk, photocopies from on-campus vendors, domain name fees, and web hosting fees. Candidates should
receive preclearance on expenditures to ensure that they are reimbursable. Only
expenditures that are submitted on the official candidate expenditure statement
form with the original receipt will be reimbursed.

9. Candidates and their supporters may not as an explicit or implicit condition for
initiation to, admission into, affiliation with, or continued membership in a group
or organization compel any person to endorse their candidacies, assist their
campaigns, or act as supporters.

2.2. Early Campaigning

1. Candidates and their supporters must refrain from the following campaign
activities until campaigning officially begins:

   a. disseminating printed or electronic campaign materials,

   b. advertising candidacy by chalk, poster, electronic, or other means, or,

   c. making speeches or statements about their candidacy to student
      organizations, employee organizations, campus organizations, university
      departments, or classes.

2. Candidates and their supporters should consult with the Office of the Assemblies
if they are unsure whether an action they are considering or undertaken might
constitute early campaigning.

2.3. Compliance with Campus Life Policies and Conduct Codes

1. Candidates and supporters acting on their behalf must be aware of and comply
with all applicable campus policies and conduct codes, including but not limited
to:

   a. University Postering & Chalking Policy,

   b. Campus Life policy for posting in Residence Halls,

   c. Dining hall policies, including a prohibition on distributing printed
      campaign materials in dining halls without permission from authorized
      staff, and,

   d. Campus Code of Conduct.

2. Violations can result in disciplinary referral by officials responsible for their
enforcement. In addition to any sanctions available to such officials under the
terms of such policies and codes, officials may discipline candidates who violate
these policies as provided in these rules and the committee may disqualify
candidates in response.

2.4. Campus Mail

Use of Campus Mail to distribute campaign materials is prohibited.

Section III: Petition and Campaign Penalties

The committee shall determine whether or not a candidate has committed a campaign
violation. Campaign violations may result in appropriate remedial measures determined
by the committee up to and including disqualification of a candidate. Should the
committee decide that a violation or series of violations have been committed on such a
scale as to alter the fairness of the election, it may disqualify a candidate by two-thirds
majority vote of members present. Any concerns or complaints may be sent to the Office
of the Assemblies [assembly@cornell.edu].

Section IV: Election Procedures

4.1. The Elections Calendar

   1. The committee shall adopt a calendar for spring elections. The committee may
      adopt different calendars for the student and employee elections, if both are held
      in the same semester.

   2. Consideration shall be given to any religious holidays that may fall during the
election period, so that the right to free religious observance is afforded to all
potential candidates.

4.2. The Trustee Nominating Committee

   1. Committee members are expected to abide by the highest standards of personal
      conduct and integrity. Members must refrain from endorsing, campaigning,
      participating in any activity or deliberation associated with the endorsement of
      candidates. Members should recuse themselves from any committee deliberation
      that may present a conflict of interest.

   2. The committee shall meet as soon as possible after each challenge deadline.
3. The committee shall verify election results.

4.3. The Office of the Assemblies

1. The Office of the Assemblies by delegation from the committee shall prepare all printed material and distribute election materials.

2. The Office of the Assemblies shall validate petitions as follows:
   a. Check each petition for the required number of signatures and validate candidates and signatures as to eligibility to sign petitions.
   b. Bring any petitions it finds invalid to the committee for action.
   c. Make petitions available to any member of the community who wishes to examine them.

3. The Office of the Assemblies will set a deadline by which students must be fully registered to be eligible to vote. Only full time students who have no holds on their registration before this deadline may vote in the election.

4.4. Conduction of Election and Tabulation

1. The order in which names appear on the ballot shall be randomly selected.

2. The Office of the Assemblies will tabulate votes using the Hare System.

3. The Office of the Assemblies will post preliminary results as soon as possible after the committee has ruled on any challenges.

4. A printout of election results shall be available in the Office of the Assemblies, 109 Day Hall, for one year.

4.5. Challenges

1. Any member of the Cornell community, except members of the committee, may submit a challenge.

2. Petition challenges must be submitted to the Office of the Assemblies, 109 Day Hall, by the petition challenge deadline specified in the elections calendar.

3. Election challenges must be submitted by the election challenge deadline
4. No challenges or further supporting documentation will be accepted after these deadlines.

5. Challenges must be in writing and accompanied by the following supporting documentation:
   a. challenger’s name
   b. candidate’s name
   c. date of challenge
   d. reason for challenge and supporting evidence

6. The Office of the Assemblies will send an email notifying anyone who is named in an election challenge.

7. A challenged candidate may review challenges in the Office of the Assemblies, 109 Day Hall and address written statements in response to the committee. The deadline for responses is set in the elections calendar.

8. The committee will schedule a meeting to review challenges in closed session. For each challenge, the committee will determine:
   a. whether a preponderance of evidence substantiates each alleged violation; and,
   b. which, if any, substantiated violations or combination thereof altered the fairness of the election to the extent the challenged candidate should be disqualified.

9. For each challenge, the committee will report to the challenger(s) and the challenged candidate all evidence received, any violations substantiated, and any decisions to disqualify the challenged candidate.

10. An appeal process is provided to assure challenges are fairly decided in a manner consistent with these rules. Appeals must be submitted to the Judicial Codes Counselor (the reviewer) by email no more than 24 hours after the preliminary report has been provided to parties to the challenge. The reviewer must review the preliminary report and associated documents and issue a decision that either upholds the preliminary determination or requests reconsideration. The reviewer
must provide a copy of the decision to members of the committee and all parties to the challenge. The reviewer may request that the committee reconsiders its preliminary determination if they find:

a. the committee committed a prejudicial error in interpreting these rules;

b. the committee rendered a decision clearly against the evidence; or

c. new evidence was discovered after the preliminary determination and could not have readily been discovered before the determination, which would change the outcome.

11. The determination of the committee after resolution of appeals shall be final. The committee will release a final, public report identifying all violations substantiated and any decisions to disqualify challenged candidates.

12. Members of the committee and parties to a challenge may not share the contents of challenges, evidence, or decisions submitted to or received from the committee, except when explicitly permitted by these rules or by the committee. Unauthorized disclosure of confidential information may result in a disciplinary referral.

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i The proxy must identify the candidate whom he or she represents when attendance is taken.

ii Professional services are defined as services provided in exchange for financial compensation. Services donated by current Cornell students are excluded from this limitation.