

**VERMONT LAW SCHOOL STUDENT BAR ASSOCIATION  
STANDING RULES**

**ARTICLE III. ELECTIONS**

Section 1. Elections Committee

Pursuant to the SBA Bylaws Art. VIII, Sec. 8.1, the Elections Committee (Committee) shall conduct all regular elections, special elections, and referenda according to these rules and procedures.

A. All violations of these rules and procedures shall be reported to the Committee. The Committee shall promptly investigate violations and enforce all election Standing Rules included in this Article. The Committee shall be empowered to take whatever steps necessary to ensure compliance.

B. A grievance brought regarding the nomination procedure and/or ballot errors and omissions shall be investigated and rectified before the election is held. In the event that resolution cannot be made prior to the scheduled date of election, the position in dispute shall be withdrawn from the ballot until resolution, and a new election for that position shall be conducted.

C. All grievances and requests for recounts shall be made to the Committee by 5 PM of the first class day following publication of the official results of the posted election.

D. A challenge to a ruling of the Committee or to the validity or propriety of an election must be brought to the SBA Senate by 5 PM of the first class day following publication of the results. An investigation committee shall be formed and open to all SBA members. A prompt investigation shall be conducted.

E. All provisions requiring publication of information will be satisfied by posting the information on the SBA bulletin board and the SBA Website.

F. In the event that the Chair cannot serve during an election because of a potential conflict of interest or to avoid the appearance of impropriety, the Chair shall appoint an acting Chair with majority approval of the SBA Senate.

G. The Committee shall be responsible for providing access to all election material to interested students. A file should be maintained in the Library to provide necessary access.

Section 2. Scheduling of Elections.

The following shall be elected:

A. Officers, Student Representatives to the Board of Trustees, and the Town Liaison no later than the first Friday of April. Ample time should be allowed for a Run-off Election.

B. Elections for J.D. Senators from the continuing classes shall be held at the same time, or within 10 days of the elections listed in Article VIII, §8.2 (A) of the SBA Bylaws.

C. Notwithstanding the duties enunciated in Article IV, §4.2(B)(1)(d) of the SBA Bylaws, other responsibilities of J.D. Senators may include, but are not limited to: representing their respective class at regularly scheduled meetings of the Senate; notifying the Secretary when they will be unable to attend regularly scheduled or special meetings or SBA sponsored events (excused absence); meeting with their constituents at least once each semester; and appearing at scheduled time for SBA sponsored events.

D. Five Senators for the First Year Class shall be elected no later than four full weeks after the start of classes in the Fall.

E. One representative from each Class shall be appointed to at least one SBA Standing Committee pursuant to SBA Bylaws, Art. VI §6.3.

F. One representative from each J.D. class shall be elected to all current Vermont Law School Committees (such as the Code of Conduct, Curriculum, Faculty Hiring, and Honor Code). These elections should occur simultaneously with the J.D. Senator elections, but not later than six full weeks after the start of classes in the Fall.

G. The following shall be conducted as needed and in accordance with this Article.

1. Special Elections: A Special Election is needed or called for when the conditions of Bylaws §4.4(A) are met.

a. Mid-term vacancies: In the event an elected position becomes vacant during its term, there may be a Special Election in accordance with Bylaws §4.4(A).

b. Post-election vacancies: In the event that there are open positions left after a regular election, a Special Election may be held in accordance with Bylaws §4.4(A)(1) and Section 6(E) of this Article.

c. Runoff elections: In the event that there is a tie for a Class Senator position or Vermont Law School Committee positions, or, that there is less than 50% plus 1 for President, Vice President, Treasurer, Secretary, Student Trustees and Town Liaison, there shall be a special runoff election.

2. Referendum: All SBA members reserve the right, under Bylaws §3.5(A), to submit a petition for a referendum. Referendum procedures are discussed in Bylaws §8.3.

### Section 3. Election Procedures.

A. The Elections Committee will publish a notice of election at least seven days prior to the date of an election. Such publication will include a roster of offices to be filled, and instructions on the nomination procedure, including closing date and time.

B. All nominations must be in writing and deposited with the Committee by the posted closing time to be considered valid. The nomination box shall be placed at the Library Circulation Desk and shall be the official depository.

- C. Nominations will run for at least seven days after the posting of the notice required in Section 3 (A). All nominees must be notified of their nomination, in writing by the Secretary. Written notification shall be placed in the nominee's school mailbox. Such notification is intended to avoid the election of nominees not desiring to serve in the SBA and related positions.
- D. Withdrawal of nominations must be made no later than 48 hours after the close of nominations. All withdrawals shall state the name of the nominee and the office and be signed by the withdrawing nominee. Withdrawal statements must be placed in the official depository prior to the deadline as determined by the Committee.
- E. A list of qualified candidates shall be posted within 72 hours of the close of nominations. Guidelines for all candidates (see Section 5 of this Article) and the location and time for voting shall also be posted. The posting shall be on both the SBA bulletin board and website, and remain there until the close of the election.
- F. If no qualified candidates are nominated or accept a nomination for any office within the allotted time, the Committee may declare the office vacant. The SBA Senate may then fill the vacancy by appointment or by special election.
- G. The Secretary shall ensure that there is an open forum debate before all regular elections. Candidate attendance and/or participation is optional. The purpose of this debate is to foster an informed voting process, particularly for first year students, LLM's, and MSEL's. The SBA should aggressively advertise this debate.
  - 1. At the discretion of the Secretary, there may be an open forum debate for special elections.
- H. On election days, the polls will be open from 10:00 AM to 2:00 PM, at a minimum. There should be a minimum of three election days. In order to foster student participation, and to accommodate varying student schedules, it is highly recommended that elections run for a full five-day school week.
- I. At the polling place, each student shall initial next to his or her name on the signature list prior to receiving a ballot. Prior to placing the ballot in the official balloting box, the poll sitters must check the voter's name against the official registration roll.
- J. Students shall be afforded the opportunity to cast their ballots in privacy. The purpose of this subsection is to prevent others (other voters, poll sitters, passers-by) from being able to view individual votes being cast. At a minimum, there shall be a physical barrier between the voters and the poll sitter(s). The design of the polling place shall be determined by the Secretary in order to meet these minimum standards.
- K. Candidates may file a signed statement with the Committee setting forth their positions or opinions on any topic they deem relevant to the election. These statements will be posted on the SBA bulletin board and website

and remain posted until the close of the election. In the case of a run-off, only position statements of run-off candidates will remain posted through the end of the run-off election.

- L. The Committee may hold a Candidate's forum for nominees seeking elections. The Committee shall determine necessary rules for conducting the forum.
- M. The SBA Senate shall certify all elections within one week of the publication of the results of an election. Certification of an election shall mean the approval of the then existing SBA Senate, by a majority vote, of the overall propriety by which an election has been conducted.

#### Section 4. Ballots.

- A. All general and special elections will be held by secret ballot. Candidates will be grouped by office and listed randomly.
- B. Absentee ballots shall be available for the General Election of the Officers of the SBA, Student Trustees and Town Liaison to students enrolled in the Semester-in-Practice programs and upon written request by any student who will be off-campus on the date of any election. The following procedures should be followed:

1. Seven days prior to the date of an election, the Committee shall provide electronic notice to the SBA at large of the availability of absentee ballots and the procedures for obtaining and casting absentee ballots.

2. The ballot shall be cast via electronic voting pursuant to Bylaws, Article VIII, §8.6 and these Standing Rules.

3. The Chair shall be the official recipient of the absentee ballots. The Chair should hold the ballots in the electronic vote account until the date of the deadline for return.

4. At a meeting called by the Chair, the sender's name on the electronic vote shall be checked against the list of qualified voters and checked off as having voted.

5. The electronic votes should then be read. The ballots should then be read and counted and the results verified by the Chair for presentation to the Senate. The Senate shall include any absentee ballot procedures in the certification referenced in Article III, Section 3(L) of these Standing Rules.

- C. The Committee will be responsible at all times for the maintenance of the voting registration rolls and the allocation of ballots at the polls. A member of the Committee or a member of the SBA Senate will be present at the polls during the elections.

#### Section 5. Guidelines for Candidates.

- A. Members holding a position on the Senate and other SBA positions are expected to devote considerable time and energy to meet their responsibilities. In view of the commitment required, persons nominated should consider withdrawing if they cannot devote the considerable time and energy expected or if their academic standing may be jeopardized.

- B. Candidates may run for only one executive office in each election. A candidate may, however, run for two positions concurrently pursuant to Article VIII, §8.2(D) of the Bylaws. VLS committees are not considered offices, therefore while candidates may run for only one executive office, they may run for one or more committee positions.
- C. Each candidate may post only 3 campaign posters. Alternatively, candidates are strongly encouraged to utilize the campus email system to post campaign information.
- D. All campaign posters are limited in size to 8 ½" X 11". Posters may be made only of paper, cardboard or plastic. No leaflets may be placed in individual mailboxes. Leaflets may be handed out individually and are limited in size to 8 ½" X 5 ½".
- E. Posters may be placed only on the SBA bulletin board and on the pedestal boards in the halls pursuant to Committee recommendations. Posters may not be placed on interior walls or doors, exterior walls or doors, organization bulletin boards, trees, vending machines, ceilings, or stairs. Chalkboards may not be utilized for campaigning.
- F. Campaign spending is limited to \$10.00. The Committee is empowered to require any candidate to produce records of campaign expenditures and to determine the fair market value of such expenditures. If violations of this rule are found to exist, the Committee is empowered to remove the name of the violator from the ballot, with the advice and consent of the Executive committee of the SBA.
- G. No candidate or person campaigning on behalf of a candidate may actively campaign within fifty feet of the election ballot box or the casting area referenced in Article III, Section 3(I) of these Standing Rules.
- H. Candidates must remove all posters and campaign materials within 24 hours of the closing of the polls. Any remaining posters may be taken down by the Committee and properly disposed.

#### Section 6. Procedures for Counting and Tabulating Results.

- A. At the close of the polls, the Election Committee shall convene to count the ballots and tabulate the results.
  - B. At least two persons shall count each set of ballots. Complete records of each tally shall be kept for documentation.
  - C. The offices of SBA President, Vice-President, Treasurer, Secretary, Student Trustees, and Town Liaison must be filled by a majority of the votes cast (greater than 50 %), not including abstentions or blank ballots. If no candidate receives 50% plus one, a run-off will be necessary. The two candidates receiving the highest number of votes will be on the runoff ballot.
- D. Class Senators and Committee positions may be filled by a plurality of the votes cast. Those persons with the greatest number of votes will be elected, up to the number of positions open. Run-off elections will be held for ties below the top vote recipients selected.

E. In the event that there are open positions left after a regular election, the Senate shall determine whether to have a special election or to fill the positions by appointment.

Section 7. Election of Treasurer

A. An election for the Treasurer shall be held at the same time as the elections for the rest of the executive committee.

B. The current Treasurer shall be responsible for adequately preparing the Treasurer Elect for an efficient transition and for proper execution of their future duties.

Section 8. Term of Office

A. All those newly elected shall take office at the end of the last SBA meeting of the spring semester.

B. All those newly elected shall be required to take the oath of office. The oath of office shall be administered by the SBA President as follows:

I, (name) do solemnly swear (or affirm) that I will faithfully execute the duties and responsibilities entrusted to me by virtue of my office and will to the best of my ability preserve and uphold the By-laws of the Student Bar Association of Vermont Law School.

Current as of April 17, 2007