

# **STUDENT BAR ASSOCIATION ELECTION CODE**

## **Article I – Name and Application**

### **Section 1: Name**

The following shall be known as the Election Code of the Fordham University School of Law (the “Law School”) Student Bar Association (the "SBA").

### **Section 2: Antidiscrimination**

The SBA shall not discriminate on the basis of ancestry, color, or race; cultural or ethnic background; national or regional origin; age; sex or gender; sexual orientation; disability; marital or parental status; ideological, philosophical, or political belief or affiliation; or religion. The SBA shall not encourage or condone discrimination, either explicitly or implicitly.

### **Section 3: Application to Officers and Representatives**

All elections of officers and representatives to the SBA executive board (the "Executive Board") and for all elective positions under the SBA constitution (the "Constitution") shall be conducted by the authority and under the guidelines of this Election Code.

### **Section 4: Application to Other Elections**

All other elections sponsored by the SBA, in which law students participate, shall be conducted under the guidelines of this Election Code.

### **Section 5: Waiver and Modification**

The Executive Board may waive or modify, by majority vote, the application of any article or section of the Election Code to any election, except an election for officers and representatives to the Executive Board or any election for an elective position under the Constitution, upon written request by the body sponsoring the election.

### **Section 6: Invalidation**

If any part of this Election Code is invalid all parts that are severable from the invalid part shall remain in effect.

## **Article II – Elections**

- a) There shall be a general election for the position of President, Vice President, Evening Division Vice President, Secretary, Treasurer, and Diversity & Inclusion Chair of the SBA. This election must occur during the spring semester.
- b) There shall be a special election to fill the first-year section, D&I, LLM, MSL, and SJD representative positions. This election must occur during the fall semester and must conclude by September 30th.
- c) All candidates will be required to submit a nomination form with:
  1. Section/LLM/MSL/SJD/D&I Representative: 25 student signatures, including at least 15 signatures of students in the expected constituency.

2. Executive Board: At least 50 signatures of students in the expected constituency.
3. In order to be included on the ballot as an official candidate, students must email [sba@fordham.edu](mailto:sba@fordham.edu) by the deadline selected by the President. The e-mail must contain the following information that will be distributed electronically to the student body:
  - a) A campaign statement of no more than 200 words
  - b) A professional headshot.
- d) Qualifications – To qualify as a candidate for any position, the student must:
  1. Be a registered student at the Law School,
  2. Be in good academic standing as determined by the Registrar,
  3. Not indicate any intent to graduate, transfer, or otherwise not be present at the Law School during the term in office, and
  4. Meet the qualifications for office as set forth in the Constitution.
- e) The candidate who receives the plurality of votes from the respective constituency will be elected.

#### **Article III – Referendums**

- a) A referendum shall mean any election proceeding by which the approval, disapproval, ratification, guidance or opinions of the students on any matter of direct or indirect concern to the students as a whole is sought.
- b) Any person or body of persons wishing to initiate a referendum must submit a written petition to the Executive Board containing the signatures of 20% of the student body registered at the Law School for the semester during which the referendum is to be held.
- c) Once the written petition is submitted to the Executive Board, the Executive Board shall approve the accuracy of the signatures on the petition and move to vote for initiation accordingly.
- d) A referendum must be initiated by no less than a 4/5 vote of the Executive Board.
- e) The Executive Board shall post reasonable notice to students that a referendum will be held, at least five school days before the date of the referendum.
- f) The notice required shall contain:
  1. A copy of the questions to be submitted to the students in the referendum,
  2. The date of the referendum,
  3. The time that balloting will begin and end, and
  4. The qualifications needed to vote.

#### **Article IV – Preparing Elections**

- a) The President of the SBA, as an outgoing member of the Executive Board, will conduct all general and special elections to ensure fairness in the democratic election process at the Law School.
- b) The President conducting elections must:

1. Organize, supervise, and conduct all official elections,
2. Enforce all election By-Laws, including this Election Code,
3. Post all information concerning an election,
4. Conduct a Candidates Meeting prior to the elections to explain the Election Code to candidates and disseminate general advice,
5. Organize, supervise, and conduct a candidate forum based off student and candidate interest in collaboration with the House System's leaders,
6. Receive and investigate Election Code violations, and
7. Designate bulletin boards and building areas that can be used for posting of campaign materials.

### **Article V – Campaigning**

#### **Section 1: Types of Campaigning**

There shall be two types of campaigning: private campaigning and public campaigning:

1. "Private campaigning" is defined as any spoken campaigning and personal written communications, both of which shall be allowed at any time.
2. "Public campaigning" is defined as campaigning utilizing publicly-distributed printed materials, websites, or public social media, and may not begin until fourteen (14) days before voting commences, unless the President specifies another time.

#### **Section 2: Restrictions**

All campaigning must be done in accordance with Law School policies, and must abide by the following restrictions:

- a. No candidate shall be allowed to post more than 5 large flyers (any paper/poster/cardboard that is bigger than 8' x 11').
- b. No candidate shall be allowed to post an unreasonable amount of flyers around the school.
- c. The use of classroom or seminar room walls/boards are specifically prohibited.
- d. Candidates may not solicit votes in the library.
- e. Candidates may not post flyers/posters on the doors or halls of the court rooms.
  - i. Candidates may post flyers/posters on the designated student bulletin boards on the lower level, third, fourth, seventh, eighth, and ninth floors.
  - ii. Candidates may place flyers on the small lounge tables, but may not use these flyers to cover up entirely the flyers of another candidate
- iii. ALL flyers/posters must be approved and stamped first by the Office of Student Affairs.
  - b) No candidate may message an entire class or student body using their school email accounts. The largest group of students a candidate or any student body member is permitted to email at any time during the year is one section size or forty-five (45) students. Candidates may contact group leaders, and email their clubs, organizations, and sections with permission

- c) No candidate shall engage in negative campaigning. The finding by a 3/5 vote of the Executive Board that a candidate is engaging in negative campaigning shall constitute a violation of the Election Code.
- d) Candidates may not run on a joint ticket.
- e) Candidates may not reference any current SBA members while privately or publicly campaigning, besides to endorse the current SBA member's separate campaign.
- f) Candidates may give away food or drinks as part of the campaign.
- g) Candidates may use text messages, text message groups, or group messaging apps (e.g., GroupMe, Facebook etc.) to campaign.
- h) Candidates may set up an online presence, including pages, events, or groups created on social networking sites.
- i) Candidates may campaign at student organization events and meetings with approval from the student organization president or other authorized student leader. Candidates may also seek endorsements from student organizations.

**Article VI – Election Procedure**

- a) The President shall try and organize an information session or candidate meeting at least one week prior to the election. If a meeting is scheduled, all candidates will be required to attend to be placed on the ballot.
- b) At the meeting, the President shall dispense pertinent information, including, but not limited to, this Election Code.
- c) The Executive Board may, upon its discretion, organize a forum of the candidates to which the general Law School community is invited.
- d) Active Campaigning is permitted to take place once a candidate has submitted all the required forms, received approval from the President, and the window for active campaigning delineated by the President has officially begun.
- e) Active campaigning includes:
  - 1. Distribution of campaign materials
  - 2. Posting of campaign materials
  - 3. Speaking in classrooms, per Professor's Permission.
- f) Polling – the polling window shall open on Election Day at 9:00 am and go until 6:00 pm the next day. The polling window must only include school days and cannot include any religious holidays affecting the student body.
- g) Within two hours of receipt of the voting results from the Office of Information Technology, the President shall notify the candidates whether they have won or lost.
- h) The President shall notify the Law School community of the results before noon of the day following the conclusion of the voting period.

**Article VII – Binding Rules of Election Code**

- a) All candidates for SBA positions shall follow the provisions of this Election Code.
- b) Failure to follow the Election Code will constitute an Election Code violation.
- c) Any student noting an Election Code violation shall report it to the Executive Board.
- d) The Executive Board reserves the right to remove a student’s name from the ballot if said student commits an Election Code violation.
- e) The Executive Board reserves the right to disqualify an elected candidate if information about an Election Code violation comes to light after the election.
- f) If the Executive Board disqualifies an elected candidate after the election, the next highest vote-getter among candidates for that office shall be deemed elected. If there is no candidate with a plurality after the Executive Board has disqualified an elected candidate after the election, a subsequent election will be held for that office according to emergency regulations set by the President. This process may continue until a candidate is chosen.

**Article VIII – Inauguration**

**Section 1: Time**

All elected members of the Executive Board will be sworn into office the day following graduation of the spring semester.

**Section 2: Terms of Office**

All elected members of the Executive Board will serve one-year terms beginning and ending on the day following graduation for the spring semester. Outgoing Executive Board members are required to train newly elected Executive Board members and submit an updated transition document before the end of their term.

**Article XI – Amendment**

The Executive Board of the SBA shall amend this Election Code as it deems necessary to further principles of fairness and equity.

This Election Code is effective as of **September 26, 2021** and supersedes all prior Election Codes.