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## OMSGA ELECTION STANDING RULES

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### **Article 1: General Information**

- A) The policies, regulations, and stipulations set forth in these *Election Standing Rules* shall be applicable only to candidates for offices that are elected during a TUNCOM-OMSGA election. All other campus organizations and bodies, including student interest groups and clubs, wishing to conduct an election must individually establish procedures for their elections.
- B) *Election Standing Rules* set by the Student Affairs Standing Committee, and approved by the Executive Board of the OMSGA, must be followed by all candidates in Executive Cabinet, Student Program Director, and Class Council elections.
- C) The voting constituency of the TUNCOM-OMSGA Executive Cabinet and Student Program Director elections shall consist of all students enrolled in the DO Program of TUNCOM. The voting constituency of the TUNCOM-OMSGA Class Council elections are all matriculated students of each respective DO Class.
- D) The annual spring elections for OMS-II, III, and IV Class Council elections shall be held concurrently with the Executive Cabinet and Student Director elections and are to be complete at least one month prior to the end of the spring semester. The annual fall elections for OMS-I Class Council Officers are to be complete at least one month prior to the end of the fall semester. The exact dates for all elections and deadlines are at the discretion of the Vice President of Student Affairs and the Election Committee.
- E) In the event there are no candidates for an office, the current OMSGA Executive President, per the OMSGA TUNCOM Bylaws, may nominate a student for appointment to fill the vacancy.
- F) In all elections, the candidate that receives the most votes shall be declared the winner. If no candidate receives a majority, a run-off election shall take place between the two candidates receiving the most votes.

## Article 2: Election Committee

### Section 1: Composition

- A) The Vice President of Student Affairs is the Chair of the Election Committee.
- B) The Election Committee shall consist of the Student Affairs Standing Committee:
  - a) OMS I Chief Class Officer
  - b) OMS II Chief Class Officer
  - c) Admissions Student Director
  - d) Wellness Student Director
  - e) Alumni Student Director
- C) If any member of the Election Committee chooses to run for office, he/she must recuse him/her self from the Election Committee. Replacements for the vacant seat(s) are at the discretion of the Vice President of Student Affairs and shall not be required.

### Section 2: Election Powers

- A) To supervise all aspects of the TUNCOM-OMSGA elections.
- B) To define and officiate over candidate campaign procedures, privileges and processes.
- C) To define and officiate over all other regulations pertaining to elections, not defined in these *Election Standing Rules*.
- D) To organize and coordinate all necessary materials and personnel for the efficient and prompt execution of the TUNCOM-OMSGA elections provided for in these rules.
- E) To ensure the accuracy of ballots and any other official publications of the Election Committee.
- F) To certify elections and campaign materials as prescribed in the *Election Standing Rules*.
- G) To render advisory opinions on the *Election Standing Rules* as requested by candidates.

## Article 3: Definitions

- A) **Campaign Materials**: Any supplies used by a candidate with the primary purpose of furthering the candidate's likelihood of being elected.
- B) **Disqualification**: the removal of a candidate from the ballot. Grounds for disqualification include willful, malicious, and/or persistent acts.
- C) **Election Fraud**: Intentional, deceitful practice or willful device resorted to with the intent to deprive a candidate of his/her rights. It includes all acts, omissions, and concealments involving a breach of duty, and resulting in the denial of any or all candidate's rights, including offering of enticements.
- D) **Enticement**: Offering a voter something with a monetary value as part of a campaign. Enticement does not include flyers, stickers, and buttons.
- E) **Formal Campaigning Period**: The period after the conclusion of the Candidate Seminar until the close of the polls on the final day of voting.
- F) **Invalidation**: The nullification of an election due to technical problems, including but not limited to poll hours, poll operator misconduct, and ballot availability.

- G) **Malicious Act:** Wrongful and intentional act without just cause or excuse or as a result of ill will.
- H) **Persistent Act:** Malicious or willful act that continues to exist or is constantly repeated.
- I) **Scheduled Class:** an assembly of students awaiting or attending a scheduled class as per the TUNCOM class schedule of the respective semester.
- J) **Technical Problem:** A problem directly related with the maintenance of the election, including but not limited to poll hours, poll operator misconduct, and ballot availability.
- K) **Validation:** The upholding of election results due to proper execution of responsibilities and procedures by the Election Committee and all participating candidates.
- L) **Willful Act:** An act done intentionally, knowingly, and purposely, without justifiable excuse.

## **Article 4: Pre-Election Procedures**

### **Section 1: Announcement Period**

- A) The OMSGA Vice President of Student Affairs will announce the election timeline via email to the TUNCOM student body no later than the end of the first block of the academic spring semester.
- B) The announcement will include, but will not be limited to:
  - a) Description of each office
  - b) Current officer contact information
  - c) Filing information
  - d) Timeline of election procedural events
  - e) Election Standing Rules

### **Section 2: Eligibility**

- A) All matriculated students of the TUNCOM-DO student body may be eligible for all seats of the OMSGA with exception to the office of OMSGA President, which is automatically filled by the OMSGA President-Elect.
- B) All candidates must be in good academic standing and not on probation, academic or otherwise.
- C) All candidates must sign the Acknowledgement of Qualification, which is included as part of the filing application process.

### **Section 3: Filing for Office**

- A) Filing for Executive Cabinet, Student Director and OMS-II, III, & IV Class Council offices shall begin during the first week of the second block of spring semester.
- B) The filing period shall last for a minimum of seven (7) calendar days.
- C) The application will be made available in the OMSGA office. Completed applications must be received by 5:00 p.m. on the deadline date set by the Election Committee. In order that a person's name appears on the ballot, this deadline must be met.
- D) In any election, each candidate can file for one position only. All subsequent filings must be considered void, unless the second application amends the first.
- E) At the close of the filing period, the Vice President of Student Affairs will submit the unofficial candidate list to the Dean of Students and eligibility will be determined within two (2) class days.

**Section 4: Candidate Seminar**

- A) All candidates must attend a mandatory Candidate Seminar, to be held no later than three (3) class days after the filing deadline. At the time of filing, each candidate will be informed in writing of the time and location of the seminar.
- B) In the event that a candidate fails to attend the Candidate Seminar, the candidate will be disqualified, unless the absence is requested by the candidate and approved by the Vice President of Student Affairs no later than twenty-four (24) hours before the meeting. Excused absences are for emergencies only and shall be handled on a case-by-case basis through the Vice President of Student Affairs.
- C) Topics at the Candidate Seminar shall include, but not be limited to the following:
  - a) Structure and function of the OMSGA
  - b) Duties and responsibilities of the OMSGA elected officers
  - c) *The Election Standing Rules*
  - d) University Policy relating to the election (i.e. posting policy, use of facilities, etc)
  - e) Campaign rules and regulations, as defined by the Election Committee and these *Election Standing Rules*
  - f) Election schedule
- D) In order to make candidacy official, all eligible candidates must sign the Campaign Seminar Acknowledgement Form at the conclusion of the Candidate Seminar.

**Article 5: Campaigning****Section 1: Campaign Period**

- A) The campaigning period shall begin no later than seven (7) calendar days following the Candidate Seminar.
- B) The campaigning period shall last for a minimum of three (3) class days and a maximum of seven (7) calendar days.

**Section 2: Campaign Materials**

- A) No literature, posters, advertisements, or other physical campaign materials shall be used or distributed during the campaign without prior approval by the Election Committee. The Election Committee shall not censor or prohibit any material, but will only certify its compliance with the criteria for certification.
- B) The criteria for approval includes the following:
  - a) The material shall not be in violation of the OMSGA Constitution and Bylaws, Election Standing Rules, Student Code of Conduct or any other Touro University Nevada policy.
  - b) A sample of each piece of physical campaign material must be provided to the Election Committee prior to its use, at the candidates' cost.
  - c) To be considered for approval, all campaign materials must be submitted by the deadline set forth by the Election Committee.
- C) Candidates shall be responsible for the cleanup and removal of all their campaign materials no later than twenty-four (24) hours after the closing of polls.

**Section 3: Budgets and Expenditure Limitations**

- A) Candidates for office shall not expend a total exceeding an amount determined by the Election Committee.

- B) Each candidate will be required to keep an updated record of expenditures which shall be turned in to the Election Committee at the close of the polls on the final day of voting. Any candidate's financial records shall be available for inspection by any Election Committee member at any time.
- C) If a candidate is asked to provide financial information to an Election Committee member, that candidate has no more than twenty-four (24) hours to obtain and provide that information to the Election Committee requestor.

#### **Section 4: Electronic Campaigning**

- A) Electronic campaigning is at the discretion of the Election Committee.
- B) Candidates will be responsible for any internet messages, websites, or other online campaign material that is directly associated with their campaign or advertised on their campaign materials.
- C) Candidates may not use any TUNCOM email distribution lists and are prohibited from spamming the TUNCOM student body constituency as part of their campaign.
- D) Any candidate that chooses to campaign through the internet will be held responsible for the accuracy and truthfulness of any information or statements related to the campaign.
- E) All electronic materials, including but not limited to websites, blogs, emails, Facebook, MySpace, Twitter, other social networking sites, etc. are subject to the same rules as other campaign materials.

#### **Section 5: Campaign Restrictions**

- A) In accordance with the TUNCOM Student Code of Conduct, no candidate may participate in defamatory, discriminatory, or negative campaigning of any kind.
- B) Enticement of constituents by any candidate is strictly prohibited and will not be tolerated.
- C) No fundraising of any kind, in any form, will be allowed.
- D) No candidate may campaign by spamming unattended personal property, including, but not limited to going door-to-door posting flyers, placing materials on cars, inside mailboxes, etc.
- E) No candidate speeches or demonstrations will be permitted by any candidate in any scheduled class.
- F) No Touro University-Nevada faculty member, staff member, or Election Committee member may endorse any candidate, nor offer any tangible support to the campaign of any candidate.
- G) Candidates will be held responsible for any violations committed by their campaign.
- H) It shall be illegal to remove, alter, cover, obscure, or deface campaign materials concerning candidates, except by order of the Election Committee.
- I) Candidates shall not be allowed to campaign within a ten (10) foot vicinity of any sanctioned election polling location.
- J) The Election Committee may punish any violators of these *Election Standing Rules* or any other University policy through whatever means is determined necessary, which may include but is not limited to suspension of campaigning activities. In the extreme case of candidate misbehavior through malicious, persistent, and/or willful acts, disqualification may be a punishment exercised by the Election Committee.
- K) All other campaign rules and restrictions not defined in these *Election Standing Rules* shall be determined by the Election Committee on a yearly basis.

## **Article 6: Election Maintenance and Validation**

### **Section 1: Election and Post-Election Procedures**

- A) Elections will occur according to the published timeline, determined by the Election Committee.
- B) Elections will take place online and will be made available to the entire TUNCOM-DO student body.
- C) The polls shall remain open for no less than a twenty-four (24) hour period.
- D) Sanctioned polling places may be organized and maintained on campus by the Election Committee.
- E) Any faculty, staff or Election Committee member present at a sanctioned polling location will not be allowed to offer any form of opinion, endorsement, or other enticement as it pertains to any specific candidate or campaign.
- F) Upon closing of the polls, the results will be sent to the Dean of Students for validation. Upon validation, the results will be sent to the Vice President of Student Affairs within twelve (12) hours.
- G) After the election results have been received by the Vice President of Student Affairs, all candidates shall be informed as soon as possible, prior to the results being made public to the student body via email.
- H) Should the Election Committee determine that an election be invalidated, the Election Committee shall file a report to the OMSGA Executive Board within one (1) class day of the invalidation, detailing the events that resulted in the invalidation of the election results and shall hold a new election. Exact dates shall be at the discretion of the Vice President of Student Affairs and the Election Committee.
- I) In the event of a tie, a run-off election shall be held within three (3) class days of the initial election. The exact date and time shall be determined by the Election Committee. No additional campaigning shall be allowed.
- J) All candidates may request to view the official ballot results from the Vice President of Student Affairs.

## **Article 7: Complaints, Appeals, and Conflict Resolution**

### **Section 1: Complaints and Appeals**

- A) Complaints and appeals must be based on violations of the OMSGA Constitution, Bylaws, TUNCOM Student Code of Conduct, *Election Standing Rules*, Touro University-Nevada Policies, or rulings of the Election Committee.
- B) Any TUNCOM-DO student may file a complaint and/or an appeal pertaining to the OMSGA elections.
- C) Complaints and appeals must be filed in writing with the Election Committee within forty-eight (48) hours after the violation occurrence and not thereafter. The complaint and/or appeal will be considered void if not filed within this time limitation.
- D) The Election Committee will determine an appropriate action within forty-eight (48) hours of receiving a complaint and/or an appeal.
- E) If the Election Committee decides to conduct a hearing, the Dean of Students shall join the Election Committee and shall have voting rights. Official hearings will follow the procedures outlined in the Student Code of Conduct.

## **Article 8: OMS-I Class Council Elections**

### **Section 1: Protem OMS-I Representatives**

- A) A description of Protem OMS-I Representatives and their duties shall be included in the admissions packet, which is provided to all incoming TUNCOM-DO OMS-I matriculants.
- B) The Vice President of Student Affairs shall make a brief announcement to the OMS-I Class during Orientation, regarding the duties and selection of the Protem Representatives.
- C) The Vice President of Student Affairs shall oversee and facilitate a signup list for those interested in serving as a Protem OMS-I Representative, ensuring access to the entire OMS-I Class.
- D) The Vice President of Student Affairs shall oversee and facilitate the random drawing of three (3) names from the signup list, which shall serve as the Protem OMS-I Representatives.

### **Section 2: OMS-I Class Council Elections**

- A) The OMSGA Vice President of Student Affairs will announce the election timeline via email to the TUNCOM OMS-I Class no later than the end of the first block of the academic fall semester.
- B) The announcement will include, but will not be limited to:
  - a) Description of each office
  - b) Current officer contact information
  - c) Filing information
  - d) Timeline of election procedural events
  - e) Election Standing Rules
- C) Filing for OMS-I Class Council offices shall begin during the first week of the second block of fall semester. All filing procedures, as described in *Article 4, Section 3*, shall be followed and adhered to.
- D) OMS-I Class Council candidates must attend a Candidate Seminar, as outlined in *Article 4, Section 4*.
- E) The campaigning period shall begin no later than seven (7) calendar days following the Candidate Seminar and shall last for a minimum of three (3) class days and a maximum of seven (7) calendar days.
- F) Candidates for OMS-I Class Council elections shall adhere to the campaign rules in these *Election Standing Rules, Article 5* and the rules set forth by the Election Committee.
- G) Voting shall take place per the *Election Standing Rules, Article 6*.