1 E.B. (2010/2011)

ASUO Elections Board

ON THE GRIEVANCE FILED BY BENJAMIN ORDONEZ ON BEHALF OF “STUDENTS UNITED” AND AGAINST THE COLLECTIVE CAMPAIGN OF “BEN & KATIE”

MARCH 31, 2011

DECISION OF THE ELECTIONS BOARD HEARINGS COMMITTEE

I

 On March 27th, 2011, Benjamin Ordonez (hereafter “Petitioner”), a campaign manager for the “Students United” campaign, filed a grievance against the collective campaign of “Ben & Katie” (hereafter: Respondents) alleging a violation of Elections Rule 5.6. Petitioner claims that Respondents launched an official campaign website prior to the official commencement of ASUO Elections, as discovered by a member of the “Students United” campaign team. Petitioner requests that Respondents be removed from the ballot for a period of twenty-four hours.

II

 Pursuant to Article 13 § 5 of the ASUO Constitution, the Elections Board “shall interpret the Elections Rules on request and shall have the authority to hear complaints of violations.” Further, the Board “shall have the authority to act as hearings officers and form a Hearings Committee that must include but is not limited to three Elections Board members.” Additionally, “All rule interpretations and Hearings Committee decisions may be appealed to the Constitution Court.”

III

 Petitioner claims that Respondents launched an official campaign website prior to the official commencement of elections, and that this is a violation of Elections Rule 5.6. During investigation of the claims on March 28, Ben Eckstein, a candidate for ASUO President and member of the “Ben & Katie” campaign, verbally informed Elections Board Chair William Price that an official “Ben & Katie” campaign website had, indeed, been launched prior to Monday, March 28th, the official beginning of elections. Eckstein stated that he did not authorize the launch, and that the website was immediately taken down after a complaint was received by Respondents. In support of the claims put forth in this grievance, photographic evidence appearing, in the opinion of the Board, to show the website in question being accessed on March 27 was forwarded to the Board on behalf of Petitioner for review.

It is the opinion of the Board, therefore, that an official campaign website was launched in support of the collective campaign of Respondents, for reasons unknown to the Board, prior to the official commencement of elections, and was online for an undeterminable length of time. The Board considers this act to be a violation of Elections Rule 5.6, which prohibits campaigning prior to the first day of spring term. However, because there is no evidence available to the Board that the website was actively advertised or otherwise distributed during the pre-election period, the Board finds the violation to be less than egregious. Accordingly, the Board hereby orders the temporary suspension of on-campus campaign activities by all members of the “Ben & Katie” campaign between 12:00pm and 3:00pm on March 31, 2011, after which time said members will be allowed to resume on-campus campaign activities.

 *So ordered.*