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## Report of the Rules Committee on the second direct election of the President of the Association: Summer 2008

Student Government Association, Northeastern University

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Northeastern University  
The Senate of the Student Government Association

# REPORT

Of the Rules Committee on the Second Direct Election  
Of the President of the Association

**Summer 2008**

*compiled by*

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*with*

Grant S. Oberg, parliamentarian, fall 2007-08

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## **FRONT MATTER**

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### **The Election Report**

Senator Linda Sun compiled this report at the end of the summer of 2008 with Senator Grant Oberg. Senator Sun delivered it in its final version to the 2008 – 09 Executive Board and the newly confirmed Parliamentarian Christopher Bourne. Senator Sun recommends to Parliamentarian Bourne that he open the report to addendums from all Senators that held seats during the 2008 election cycle and specifically to members of the Rules Committee (herein referred to as the Committee) that had retained their Spring 2008 seats in Fall 2008 and all candidates who had run in the election to follow the precedent set by the two parliamentarians before her.

### **Scope of Direct Elections**

During a meeting in October 2007 to plan and discuss the second direct election, the University's Vice President for Student Affairs, Ed Klotzbier, requested that the Rules Committee consider expanding the scope of the election to include the Executive Vice Presidency beginning in the Spring 2008 election cycle. At the time, former parliamentarian Grant Oberg declined the request, on the grounds that a few more election cycles would be necessary before the process would be strong enough to support electing two executive board members. Even during the creation process of direct elections the former chair of Senate Nominations and Elections Committee, Adriana Campos, believed that it would take at least five cycles for the direct elections to normalize. The authors agree that the committee should concentrate on refining the existing process before expanding its scope, and recommend against including any other positions in direct elections before the 2010-2011 election cycle at the earliest. At that time, if there is a strong desire displayed by the student body to expand the election the Senate should evaluate the current situation and take all relevant information into full consideration before making a decision.

### **The Rules Committee**

In the fall, the Rules Committee included Senators Danielle Burckson, Ryan Fox, Dan Kamyck, Jessica Mozes, Michael Raphael, Matthew Soleyn, Matthew Strax-Haber, Michelle Storch, Linda Sun and Christian Toczko and was chaired by parliamentarian Grant Oberg. In the spring, the Committee included Senators Danielle Burckson, Ryan Fox, Dan Kamyck, Michael Raphael, Matthew Soleyn, Michelle Storch, Linda Sun and Christian Toczko and was chaired by parliamentarian Oberg until he resigned both his position and senatorial seat April 6<sup>th</sup>. Senator Sun applied for the parliamentarian position and was confirmed at Joint Senate on April 7<sup>th</sup>. Senator Dan Kamyck resigned his seat when he accepted a nomination to run for president of the Student Government Association (herein will be referred to as the Association).

The events of this year not only tested the strength of the direct elections process but the structure of the Rules Committee as well. The Committee serves both as an elections committee and constitutional committee and thus holding in its hands literally, all of the rules. Although this does not necessarily create a conflict of interest, it does seem to be an overwhelming amount of responsibility for one committee to have.

The Committee spends the majority of their time revising the elections manual in the fall and then planning and executing the election in the spring leaving little time to properly consider any constitutional matters that may arise throughout the year. As such, it seems only logical that the Committee be once again charged only with the duty of administering elections.

The responsibility for issuing advice regarding constitutional and by-law matters could be delegated to an advisory board composed of Senators and chaired by the Parliamentarian. If the Senate feels that the Association is already composed of too many committees, the administrative side of the Administration and Public Relations Committee could just as easily handle these types of matters. The chair would be the Vice President for Administration and Public Relations and the Parliamentarian would serve in an advising capacity.

### **Election Timeline**

Every year the academic calendar necessitates that elections occur after spring break but before well before finals week. The dates below show the timeline of events for this year's election. The Joint Senate for presidential nominations was on the Monday immediately following spring break. Candidates were given a little less than three weeks to campaign before voting period began and voting period itself was initially set for six days.

March 10 <sup>th</sup>	Joint Senate for Presidential nominations – Vice Presidents Marines Piney and Rob Ranley accepted nominations
March 11 <sup>th</sup>	Candidates' briefing
March 12 <sup>th</sup>	Campaign period officially begins
March 13 <sup>th</sup>	First debate
March 24 <sup>th</sup>	Second debate Executive Vice President Marines Piney suspends her campaign
March 25 <sup>th</sup>	Senator Dan Kamyck nominated
March 31 <sup>st</sup>	Third debate (sponsored by RSA) Motion to block fails in Joint Senate - Senator Kamyck is officially a candidate
April 1 - 6 <sup>th</sup>	Initial voting period (extended until the 12 <sup>th</sup> )
April 3 <sup>rd</sup>	Emergency meeting to discuss emergency extension
April 6 <sup>th</sup>	Grievance hearings and meeting to discuss second voting extension Parliamentarian Grant Oberg resigns
April 7 <sup>th</sup>	Senator Linda Sun confirmed as parliamentarian
April 12 <sup>th</sup>	Voting ends and Vice President Ed Klotzbier certifies the election results

### **PERFORMANCE OF THE DIRECT ELECTIONS MANUAL**

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The Rules Committee spent the entirety of the first semester revising the Direct Elections Manual (herein referred to as the Manual) in preparation for the election in spring. The Committee took into account all of the recommendations given by former parliamentarian Michael T. DeRamo, former Vice President for Academic Affairs Stephen J. Lavenberg and former President William J. Durkin in the Report of the Rules Committee on the First Direct Election of the President of the Association as well as making their own revisions based on their observations of the first Direct Election. The committee members in the fall should read both this report and last year's in order to more fully comprehend the intent of the revisions in the manual and gain a better understanding of the history of this young election process.

Many more unexpected events occurred during this election cycle than the first but those events only serve to help us make the Manual clearer and stronger for future elections. Although these are the authors' suggestions and vision for the Manual, thorough and thoughtful debate should take place for each section of the manual.

## **Emergency Nominations**

Former Executive Vice President Marines Piney suspended her campaign March 24<sup>th</sup> halfway through the campaign period. Former parliamentarian Oberg called an emergency meeting. Unlike the previous year where two candidates still remained in the race after former Vice President Krystal Beaulieu withdrew, there was only one candidate, Vice President Robert Ranley, remaining. As such, the Committee decided to reopen nominations and Senator Daniel Kamyck received and accepted his nomination.

Although the author respects former Executive Vice President Marines Piney's right to leave the race, the authors would like to remind any Senators who may be contemplating running in the future that campaigning to be president of the Association should not be a decision that is made lightly. Because former Executive Vice President Piney exited the campaign period with less than one week left before voting began, it left not only any potential candidates at a severe disadvantage but was also a disservice to the entire student body who had limited time to learn about a new candidate.

## **Campaign Period**

It is difficult to balance the number of weeks for campaigning - the candidates need to be given enough time to organize and successfully execute their plans but the time frame needs to be short enough that the candidates do not run out of supplies and energy. The potential for voter fatigue needs to be considered as well.

The only reason to extend the current campaigning period beyond three weeks would be to give candidates who enter the race at a later date ample time to publicize and promote himself/herself. However, this would disadvantage the candidates who have already been campaigning, as they would run short on resources. If candidates were limited to a certain period of time until they would no longer be able to suspend or discontinue their candidacy this would force nominees to consider more heavily the decision to run and help deter the possibility of candidates having inadequate time to campaign.

## **Motion to Block**

Senator Lucas Rose made the motion to block Senator Daniel Kamyck's nomination based on the rationale that he felt Senator Kamyck lacked the qualifications needed in a senator to be able to execute the responsibilities required by the Association's president after researching the candidate's credentials. Senator Rose was allowed to make this motion without giving rationale and did not reveal his intent until the Joint Senate on March 31<sup>st</sup> the day before voting began.

Following the motion to block several of the Association's alumni drafted a letter of response clarifying that "the blocking clause was intended to be used only as a last resort to prevent candidates who would harm the election process itself." The letter is attached at the end of this report in its entirety. After heated debate in Joint Senate, the motion failed,

Had the motion to block passed, Information Service (IS) would not have had time to revise it as the vote took place literally hours before the ballot appeared on myNEU and Senator Kamyck's name would have remained on it. The Rules Committee would have then had to decide what to do with the votes that would have inevitably been cast for him.

There are strong cases for both striking motion from the Manual and simply revising it but to leave the language untouched would much too easily allow for it to be misused again in the future. The case of elimination rests on the idea that as there are already eligibility requirements outlined in the Direct Elections Manual no blocking motion is necessary. Furthermore, allowing the clause to remain leaves the door open for a “nanny Senate” to take action which would contradict the entire spirit of the direct elections. To completely eliminate the ability to block though would leave the door open for candidates who fulfill all the minimum eligibility requirements but threaten the integrity and legitimacy of the Association and/or the election itself. It will be up to the new Committee to decide which will be the best course of action.

### **Campaign Rules**

There was a concern from one of the candidates this year that the rules regarding appropriate behavior and campaigning techniques were too vague. The difficulty in creating set of policies for campaigning lies in the necessity that the language must be clear but simultaneously enough wiggle room must be left as to not suffocate creativity.

The candidates’ briefing is designed to give each candidate a thorough overview of the campaign guidelines. The author encourages that in the future not only candidates attend but also any senators or students-at-large interested in participating on a campaign. It is also very important for the parliamentarian make himself or herself available to both candidates and their campaign workers to answer any questions regarding not only what is strictly allowed or prohibited but also what types of actions would be frowned upon.

### **Campaign Workers**

There is also the continuing issue of how to fully define a campaign worker. Former parliamentarian Oberg charged Senator Michelle Storch with the task of creating a definition and after debate the Committee agreed upon the definition, which is now in the glossary of the Direct Elections Manual. However, this definition still leaves a loophole for senators and students who campaign for a particular candidate not at the request of that candidate and violate the Manual, which former Parliamentarian Michael T. DeRamo also discussed in the last section of last year’s report.

### **Emergency Extension**

Both emergency extensions were used this year. The first extended the voting period by 15 hours until Monday April 7<sup>th</sup> until 3:00 pm and the second extension used the full-allotted amount of five days to extend the election until 3:00pm on Saturday, April 12<sup>th</sup>.

Having the flexibility of two possible extensions of varying lengths was very helpful as it let the committee have a great deal of discretion over how many days would be needed to reach the minimum voter turnout required but there is a technical problem with the language in the manual. Because IS requires at least one full business day notice in order to extend the ballot on myNEU, the Rules Committee had an emergency session Thursday, April 3<sup>rd</sup> before the close of the voting period to discuss an emergency extension. As voting period was scheduled to close on a Sunday night it would not have been possible to reach IS over the weekend. The Committee felt uncomfortable being forced to predict whether or not the 20% threshold would be met by Sunday night days in advance. As a solution, voting was extended until midday Monday as a placeholder. This allowed enough time to meet again and vote to use the second extension should the threshold have not been met by Sunday night.

The author would like to make a note of it that the debate and vote for the first emergency extension were held in executive session so that all promotional and campaigning efforts would not wane with the knowledge that the Committee was prepared for a potential second extension. It is highly unfortunate that an unknown member made the juvenile decision to leak the decision of the placeholder extension before it was appropriate for the news to be public and thus giving the illusion that the Rules Committee was operating clandestinely. Thankfully, for the student body, the news did not hinder any promotional efforts but hopefully in the future individual members will be more respectful of the decisions made by the whole.

### **Financial Disclosure Forms**

This year candidates were required to submit financial disclosure forms on a weekly basis. It helped the committee better keep track of candidate spending and would in future elections allow for the committee members to see earlier on if a candidate was spending irresponsibly. It also transferred the responsibility of compiling all the original receipts and other financial materials from the individual campaigns to the parliamentarian.

Despite the new process of weekly submissions, Vice President Ranley's Campaign did overspend. The amount was minimal but nevertheless significant. Perhaps this indicates that the committee should either give the forms more due diligence when examining them or new controls need to be implemented. Creating new controls may seem like the more obvious answer, but the Rules Committee is meant to guide elections, not hawk over them. The committee should take care to ensure that if added controls are implemented, they are done only because it is absolutely necessary.

The overspending is detailed in the Grievances section but the authors would like to mention here that the Manual should be revised to clarify that the \$400 spending cap also implies no candidate will be reimbursed more than \$400 even if he/she overspends on campaign materials.

### **Sanctions**

Many more grievances were filed this election than the previous year and at times the Committee found it difficult to find the appropriate sanction for a given violation. The list of sanctions in the Direct Elections Manual seems to have a disparaging gap in severity. The sanctions listed in sections a through c seems to amount to mere slaps on the wrist whereas the ones listed from d through i should only be used in critical situations. The details of these difficulties are more thoroughly discussed in the Grievances section of this report.

During the grievances process, the committee had difficulty with creating a sanction that would simultaneously penalize a candidate without significantly hindering them as to negatively impact voter turnout. Both authors agree that the committee should approach the sanctioning process with the mindset of education, not punishment, except in extreme situations where a candidate has clearly, knowingly, and maliciously violated the nature and spirit of the campaign. Our ultimate responsibility is to guide and educate the candidates and their campaign staff for the betterment of the direct elections process, which in turn will benefit the student body.

## **VOTING & RESULTS**

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Of the votes cast, Vice President Rob Ranley garnered 61% and Senator Dan Kamyck received 28% with the remaining 11% belonging to no confidence. The increase in no confidence votes from last year could be due to a variety of reasons. The election season took a variety of political twists and turns and it is possible that many voters felt disenchanting by the direct elections process. Additionally, the second candidate officially entered the race the day before voting began so it is also a possibility that students did not feel they had enough information on both candidates to cast their vote for one or the other.

After 12 days of voting, a total of 20.84% of the undergraduate student body cast their vote via the ballot on myNEU narrowly creeping through the 20% threshold set this year. This was a dramatic and unexpected decrease from the 27% turnout from last year especially considering the 20% threshold was not met until a week and a half into the voting period. Last year the 15% threshold was surpassed within the first few days of voting. The factors contributing to this decline included a lack of promotional efforts and a generally rocky election season. Both of these are elaborated on more in the Promotions and Voter Turnout section of this report.

The Rules Committee decided to increase the threshold by 5% this year because of the higher than expected turnout for the first direct elections. The committee felt the 27% turnout from the previous year displayed the student body's enthusiasm about the opportunity to vote for their president. Although it may be tempting to decrease the threshold back to 15%, the authors urge the committee to not take this easy route. It would display an unjustified lack of confidence from the Association in direct elections. Instead, the committee should learn from the mistakes of this year and reflect those lessons in the execution of next year's election.

## **PROMOTIONS & VOTER TURNOUT**

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This year's election severely lacked any kind of organized promotional effort with the exception of both candidates' campaigns. A working group led by Senator Kamyck was created at the beginning of the spring semester for this purpose but the promotional plan that was crafted failed to be put into action by a committee. The promotional events that did take place were Campus Invasion and 3 debates. Campus Invasion had a much lower attendance than expected due to in acclimate weather. The three debates were poorly publicized and the majority of attendees were Senators and campaign workers.

In addition to the poor promotional efforts the dismal voter turnout could also be attributed in part to the tumultuous events this year. There were editorials in the Northeastern News showcasing that the student body was tired of what they viewed as political antics of the Senate and had begun to take an apathetic stance as they felt they could not even keep track of who was running. Others were disenchanting that the Senate had chosen to entertain a motion to block when that could potentially leave them choosing between a candidate and a no confidence vote.

Both emergency extensions were used in order to reach the minimum threshold required by the Direct Elections Manual. The author would like to commend Senator Jennifer Hardy for taking action by ordering and distributing club cards during voting period this year when voter turnout was lacking and the presidential elections was in danger of re-entering Senate Chambers.

## **Promotional Responsibilities**

Former parliamentarian Oberg felt that the Association's By-laws and Constitution were unclear on who should be ultimately responsible for promotion. It does state in Section G of the By-Laws that it is the Rules Committee's duty to "promote, organize, and administer Association elections" but the language in Section B implies that it could also fall under the Administration and Public Relations Committee. Additionally, in last year's election the Administration and Public Relations Committee promoted the election.

As suggested in last year's Elections Report, promotion would be most appropriately handled by a joint effort between the Rules and Administration and Public Relations Committees with the latter committee taking on the challenge of creating and executing a promotional campaign and the former advising and reviewing. The By-Laws should be amended to reflect this.

Should the committees choose to divide the responsibilities between themselves differently, the author strongly cautions against the precedent set in the first year of Direct Elections of letting the candidates take on the main responsibility of promotion via their individual campaigns. The candidate's campaigns should be focused on informing the student body of their platforms, which is what the \$400 they are given is intended for. The promotional efforts from the Association should be focused on educating the student body on the duties of president as well as when and where they cast their vote and where they can go to learn more about the candidates.

## **Promotional Events**

This year the election results were announced through the Northeastern News as the announcement ceremony that was planned last year was poorly attended and also scheduled for activities period excluding students on co-op. Should the election this year garner enough attention during the campaign and voting periods, an announcement ceremony could be reconsidered but care should be taken to plan it in the evening to accommodate for all students' schedules.

In future years, as suggested by the authors of the previous Elections Manual, the Association should collaborate with other campus wide organizations such as the Council for University Programming or the Resident Student Association to plan and broadcast events. All electronic resources such as the Association's website, YouTube and Facebook should be taken advantage of as well as other media outlets in addition to the Northeastern News such as NUTV and WRBB.

## **CAMPAIGN FINANCES**

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The Committee discussed increasing the \$400 spending cap but as both candidates last year were able to run successful campaigns allocating more seemed unnecessary and wasteful. The Committee felt that keeping funding at a minimal amount would force candidates to proceed more carefully with their campaigns and give the due diligence necessary when planning a promotional strategy. Another continuing concern is that there is no means of replenishing the Election Fund.

As with last year, both candidates exhausted their budgets. Luckily, when Executive Vice President Marine Piney suspended her campaign she had not yet spent a single dollar but even if she had the committee agreed that it would only be fair to allocate Senator Kamyck's campaign the same \$400 that is allotted at the beginning of the election period to each candidate.

Senator Kamyck's campaign had approximately \$20.00 remaining and Vice President Ranley's campaign overspent by less than \$5.00. The ramifications for overspending are discussed in the Grievances section.

All of the spending from both candidates went towards promotional items including but not limited to business cards, sidewalk chalk, fliers, Facebook ads and website fee

### **Spending Guidelines**

There currently no specific format for the Candidates' Briefing but it would wise in the future to include information on how to submit spending forms and invoices and receipts (all receipts must be the original) appropriately for reimbursement. Also, Northeastern University has tax-exempt status and as such, the candidates should use the forms provided by the Student Activities Business Office to purchase items tax-free.

### **Funding Limits**

As the campaign period was extended by 6 days, one of the candidates approached the Committee requesting extra funding. The motion failed due to the rationale that it would be imprudent since there is currently no means of replenishing the funds. Because one candidate was out of the country for one week during campaign period and the other did not enter the race until the end of March, both had sufficient resources left until voting closed.

Had there been two candidates running full campaigns for the entirety of the election season the authors believe that extra funding would have been necessary for them to continue considering in the previous year both candidates exhausted their budgets in three weeks.

Should the committee decide to give additional funds during a voting extension, they should prorate the amount appropriately by considering how much is left in each candidate's budget and how many days voting will be extended.

## **GRIEVANCES & COMPLAINTS**

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There were many more grievances filed in this election period than the last. To prevent this, as stated earlier in this report, in the future, the parliamentarian should prepare a more thorough overview during the candidates' briefing.

### **Door-to-door Campaigning**

Gary Honickel, a resident assistant in West Village B, filed a grievance against Vice President Ranley's campaign because he saw the candidate walking through the building unescorted by the resident who had signed him in, a violation of the Guide to Residence Hall Living. Vice President Ranley admitted to being unescorted. In addition, a student complained, but did not file a grievance, that one of Vice President Ranley's campaign workers had asked who she had voted for after he had tried to solicit her vote when going door-to-door in West Village E. She felt that this violated her privacy as a voter. Since this was only an informal complaint the Committee could not consider it a grievance but it did impact their decision-making process. Ultimately, the Committee concluded that as Vice President Ranley's campaign could not conduct themselves appropriately in the residence halls they would be banned from campaigning in any dormitory. The candidate filed an appeal and the appeals board overturned the sanction based on the rationale that the sanction was capricious.

News of the sanction against Vice President Ranley's campaign spread quite quickly (within hours) and in response Senator Derek Miller filed a grievance against the Kamyck campaign. He alleged that when Senator Kamyck knocked on the door of his residence in West Village G, he was unescorted as Vice President Ranley had been in West Village B. Senator Miller further stated that if the Rules Committee decision regarding Vice President Ranley's grievance in West Village B were to be reconsidered, he would withdraw his statement. The Committee viewed this unkindly and considered it an attempt at extortion. Mr. Kamyck was able to produce a witness, who corroborated his story that she was with him for his entire visit in West Village G, and accordingly with no hard evidence to contradict, the Committee dismissed the grievance.

With these grievances, the Committee set a precedent that the burden of proof sits with the student who files the grievance. An individual filing a grievance against a candidate must produce evidence more concrete than hearsay to corroborate their story. Without such proof, the Committee cannot in good faith sanction a candidate.

### **Electronic Resources**

Senator Matthew Soleyn filed a grievance stating that Vice President Ranley had failed to include the required "paid for" statement on his campaign website. Former parliamentarian Oberg requested that Vice President Ranley correct the error within several hours. Vice President Ranley replied to the grievance, several hours after the established deadline, stating that he was out of town and was unreachable by e-mail or phone for the next day. He had the website corrected as soon as he returned. Senator Soleyn insisted on pursuing the grievance formally, but former parliamentarian Oberg dismissed it as an honest oversight.

A student-at-large lodged a complaint against Vice President Ranley's campaign stating that they were knowingly harassing students by spamming their e-mail boxes. She reported that she had received multiple e-mails from his campaign requesting votes. Upon investigation, it was discovered this was happening because the campaign was using multiple e-mail listservs for outreach. During the same meeting, it was brought to the attention of the Committee that Senator Kamyck's campaign was also soliciting votes through mailing lists. Again, former parliamentarian Oberg ruled the error an honest mistake and dismissed the grievance, but ordered both campaigns to use better discretion in the future with respect to electronic outreach.

In light of this grievance along with the incidents in the residence halls, the Committee would like to stress that respecting the privacy of the voters, whether it is in their homes or their inboxes, is of utmost importance. There is not a list delineating specifically what is allowed or not allowed but future candidates are cautioned to use their best judgment to follow not just the letter but the spirit of the manual as well. Although informal complaints cannot lead to a sanction they may still informally influence the decisions of the Committee.

### **Overspending**

During the final financial disclosure review, the Committee realized that Vice President Ranley had only listed the domain name expense and no hosting expense for his website. They called in the webmaster for the campaign, Senator Michael Rockland, who explained that he had free access to a friend's server. As this could be considered a gift in kind the Committee allowed Senator Rockland to have his friend send over an invoice for his hosting services. The original invoice totaled to \$50 pushing Vice President Ranley's campaign over the \$400 limit by less than \$5.00.

When Senator Rockland realized this, he submitted a second invoice to the committee that would have put Vice President Ranley's campaign exactly at the \$400 limit. The committee decided to reject the second invoice as accepting it would have set a precedent that candidates could submit more than one invoice for the same purchase in order to maneuver themselves below the spending cap.

As the first invoice resulted in overspending, the Committee then began to discuss potential sanctions. Senator Ryan Fox made the motion to rescind a percentage of Vice President Ranley's. He stated that the percentage would be calculated by dividing the amount of overspending by \$400. During the debate Parliamentarian Sun yielded the chair to Vice President Benjamin in order to make clear to the Committee that rescinding the votes of students without their permission and when they are not tainted is in no way the best interest of direct elections nor the student body. In retrospect, the chair should have refused to allow the motion onto the floor.

The Committee decided to only reimburse Vice President Ranley the \$400 that is stated in the Manual as the spending cap. Ultimately, the organization's advisor, Gail Olyha, refused to sign the reimbursement form for the \$50 hosting fee due to the questionable circumstances surrounding the procurement of the invoice.

This incident raises the question of how to effectively reign in overspending. In the case that a candidate only overspends a minimal amount, simply refusing to reimburse does not seem sufficient enough of a consequence to prevent future candidates straying away from the spending cap if they have the personal means to support overspending. On the other hand, if a candidate only overspends by minimal, disqualification seems too severe but perhaps a severe repercussion is the precaution needed to enforce and reiterate the fact that it is imperative for both candidates to be on equal financial footing to have a fair election.

### **Administration Involvement**

Senator Kamyck's campaign notified former parliamentarian Oberg they were being harassed by Northeastern University police while chalking on-campus. On two separate incidents on a single night, officers confronted Mr. Kamyck and his campaign team while they were chalking, claiming that chalking is prohibited on campus. The Kamyck campaign contacted former parliamentarian Oberg, who spoke with the captain on duty. The officer who confronted Senator Kamyck was under the impression that written approval from the Student Government was required before chalking could be permitted, which is not true. Senator Oberg sent a formal e-mail to the officer, as well as the Director of Public Safety and the Executive Board, clarifying that this has never been policy and that both candidates were free to chalk in accordance with the University's established guidelines.

A grievance was nearly filed by Senator Kamyck's campaign over an e-mail distributed by the Co-Op Connections office. Vice President Ranley met with the manager of the office to discuss promoting the election to students who were on co-op outside Boston. The manager of the office distributed an email to those students. The intent of the email was to encourage students to vote however it was construed as an endorsement of Vice President Ranley as his name was signed at the end. Senator Oberg found that it was the office's manager, not Vice President Ranley, who was in error, and referred the matter to the University's Office of Student Affairs.

Under no circumstance should the administration be involved in supporting or protesting a candidate. Direct elections were created intending to give students a direct choice in who they would like to see leading their campus and as such it is the student's right to vote for whom they believe is best qualified to lead their campus. Administrators do not have the right to try to sway a student's opinion in a student election.

## **UNCHARTED TERRITORY**

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### **Impartiality on the Rules Committee**

As stated by former parliamentarian DeRamo, no Rules Committee member can be forcibly removed from the Committee for displaying partisan behavior – only dismissed for a night due to poor conduct. Giving the parliamentarian the power to decide who can retain membership and who can be removed would be inappropriate and undemocratic and also set a dangerous precedent for other committees of the Association. With that said, it is expected that all Committee members debate and vote in an impartial manner.

The chairs this year did not see impartiality on the Committee in favor of one candidate or another per se, but do believe that a majority on the Committee became so intent on ensuring that the candidates did not violate any of the campaign guidelines they lost sight of the overarching goal – to give the student body a fairly run election. Partiality can manifest itself in more than just trying to manipulate the rules towards one candidate or another. When a committee member is no longer debating objectively, meaning no longer debating in what he or she believes is in the best interest of the student body but instead what he or she believes is right, then that member is debating with a bias view.

### **Impartiality on the Executive Board**

At the beginning of the academic year, three members of the executive board sought seats on the committee. The chair requested that they withdraw from the Committee to limit the amount of influence the executive board had on its own elections. The executive board complied. As stated above, the Parliamentarian does not have the executive power to determine who can or cannot sit on the Committee but to have executive board members on the Committee would be a direct conflict of interest. It has been noted several times that the framers of this process created it to be separate from the Executive Board itself, forming a clear boundary between the Association's current leadership and the selection of its future leadership. Having a member of the executive board participate in the election in such a way creates the potential for unethical behavior. Additionally, to ensure the Executive Board's concerns are heard, the Committee was designed to have the Vice President for Administration and Public Relations act as the vice chair.

Although no executive board members sat on the Rules Committee during the election cycle, the Vice President for Student Services Christopher Bourne did serve as campaign manager for Vice President Ranley. There is no rule directly prohibiting such behavior but to for him to have performed in such a capacity creates situations that facilitate unethical behavior. For example, when Senator Rose moved to block Senator Kamyck's nomination, Vice President Bourne attended the discussion of the process the Senate would hear the motion. Vice President Ranley commendably excused himself from the meeting. The integrity of the process was further called into question when the Vice President for Student Services violated the rules he helped create during that Senate meeting. It was set before motion was officially heard that there would be two periods of debate. All issues that Senators felt relevant to the motion to block would be raised

during the first half of debate and no new issues could be raised during the second portion in accordance with Robert's Rules of Order. During the second portion, Vice President Bourne accused Senator Kamyck of being the author of the NU Governor, an anonymous commentary blog about the Student Government Association told from the perspective of a student-at-large, an issue that had not been mentioned during the first section of debate.

This year President Joey Fiore was also quite active during the election period. As the leader of the organization it is understandable that he took an interest in the election that would decide his successor. However, he clearly overstepped his bounds on several occasions. To begin with, several members of the Executive Board notified parliamentarian that comments such as "When Rob is president..." were being made during official Executive Board meetings. Also, when he led an executive board meeting when motion to block procedure was discussed he invited neither the parliamentarian nor a representative from Senator Kamyck's to attend. As the motion to block was both directly related the election and a matter of parliamentary procedure it seems irrational to have had such a discussion without at minimum taking the parliamentarian's concerns into account. Furthermore, as the campaign manager for Vice President Ranley's campaign was present by default, it would only seem fair to have someone representing the other campaign.

Additionally, President Fiore chose to appear at the Rules Committee meeting at which Vice President Ranley's sanction for violating the guest policy in West Village B was issued. When he learned that Vice President Ranley's campaign had been banned from residence halls, he fervently admonished the Committee in front of the both Northeastern News and campaign workers from both sides. Although both authors believe that the sanction was too severe and inappropriate and an appeal was the correct course of action, it was not the place of the President to reprimand the Committee. To do so creates an immediate conflict of interest as the president would be directly engaging in the process to elect the future leadership of the Association. Furthermore, the authors question the integrity of the President's behavior as throughout the campaign period it was noted that he seemed to hold Vice President Ranley in higher regard than Senator Kamyck.

The president of the Association is, of course, still a member of the student body, and thus has the right to cast his or her vote for a candidate. However, when performing presidential duties it is imperative that he or she remain neutral and act in the best interest of the organization by encouraging students to vote and nothing more. Should a president feel that personal feelings and opinions could be influencing his or her decisions, it is then the president's duty to stay as far removed from the election process as possible without creating an image of apathy.

On a more general note, to have members of the Executive Board support candidates causes two potential problems. Firstly, if the entire Executive Board supports the same candidate, it immediately gives that candidate an unfair advantage. If members of the Executive Board support different candidates it creates a rift in the leadership of the organization, which would prevent them from effectively performing their duties as a team and thereby damaging the organization as a whole. Thus, it is in the best interest of the Association and the student body that the Executive Board remains neutral and only take a role by promoting the elections as a whole.

March 31, 2008

Senators,

The spirit of direct elections is choice, openness, and representative government. When the Association approved the process two years ago, it decided to put the Student back in Student Government. We responded to years of strong student desire to have a greater say in their leadership, and the students reaffirmed their desire through massive turnout one year ago.

Senators who want to make this an uncontested race are taking a hatchet to that progress. They want to relapse to the old, parental Senate; the supposedly infallible body that thinks it knows what's best for the students. **They are wrong.**

The students themselves should choose their president. The movement to block Senator Kamuck's nomination not only corrupts the purpose behind the blocking clause, but also contravenes the principle of an open democracy. The locking clause was intended to be used as a last resort to prevent candidates who would harm the election process itself – such as a bogus candidacy or a senator woefully unprepared for the duties of the presidency. The philosophy that guided the Senate Nominations and Elections Committee in 2005 held that the Senate should only move to block a nominee facing serious questions as to his eligibility.

Senator Kamyck is not such a nominee, and the student body deserves to make the ultimate decision on his qualifications for the position. To block his nomination would deprive the student body of its freedom to choose, and unravel the integrity of the election process and the Association itself.

The best interests of the student body and the organization are served by a vigorous public debate. A direct election system that is still in its infancy must be tested. A candidate who promotes his platform and shares his vision will be better prepared for the job. And a student body that engages in a competitive race will learn more about the Association and join in its endeavors. There will be only one victor after the election, but everyone loses if it becomes a coronation. We ask President Fiore, Vice President Ranley, and the entire Student Senate to endorse choice and give the student body the election they demand and deserve.

Thank you,

**William J. Durkin**

*President 2004-05*

**Michael T. DeRamo**

*Parliamentarian, 2006-07*

*Vice President for Academic Affairs, 2005-06*

**Adriana Campos**

*Executive Vice President, 2006 – 07*

*Chair, Senate Nominations & Elections Committee, 2005 - 2006*

**Michael J. Paradiso**

*Vice President for Academic Affairs, 2006-07*