

	Columbia University Senate Elections Code	Reviewed: December 4, 2020
		Adopted: December 11, 2020
		Effective: December 11, 2020

## University Senate Elections Code

### 1. **ESTABLISHMENT.**

- a. Elections Code. This code shall be known as the Elections Code.
  
- b. Elections Commission. The University Senate hereby creates an Elections Commission whose primary duty shall be to supervise the conduct of elections to the Senate and all other elective bodies whose power derives from the Senate, and all elections authorized under the Statutes of the University and the By-Laws of the University Senate, except for the election of members of the Elections Commission. The Senate, in plenary session, shall choose the members of the Elections Commission, nominations being made initially by the Executive Committee.
  
- c. Membership. The Elections Commission shall consist of five members who may or may not be members of the University Senate and who shall be elected as follows: one tenured faculty member, one non-tenured faculty member, one student, one administration member, and one member from among the administrative, library and research staffs. The terms of the tenured faculty member, the non-tenured faculty member and the student shall begin at the first plenary session of the Senate in academic years that begin in even-numbered years, and run to the first plenary session of the academic year two years thence. The terms of the other members shall begin at the first plenary session of the Senate in academic years that begin in odd-numbered years, and run to the first plenary session of the academic year two years thence. The Elections Commission shall elect a chair at its first meeting following the first plenary session of the Senate in an academic year that begins in an even-numbered year. The Chair shall serve a two-year term as chair and until a successor has been chosen by the Elections Commission. The tradition of the Senate has been that the student member be a student at the Law School and that that student be chosen to chair the Elections Commission. In the event of a vacancy in the office of chair, the Elections Commission, at one of its next two meetings, shall select a replacement to complete the term. In the event of a member vacancy, the Senate, at one of its next two plenary sessions, shall select a replacement to complete the term.

- d. Purpose and Scope. The purpose of this Elections Code is to provide a comprehensive set of rules and regulations to all parties concerning the conduct of University Senate elections. For such elections, these rules and regulations take precedence over any rules, regulations, policies, or practices adopted or followed by the various Divisional Elections Commissions established under this Code.
- e. Operations. The Elections Commission shall follow the By-Laws of the University Senate regarding the operations of committees.
- f. Additional Rules. The Elections Commission may make such further rules, consistent with this Elections Code, as it deems necessary and appropriate for the conduct of elections, and shall report such further rules to the University Senate, which may overrule or amend them.
- g. Guidance from Previous Elections Commission Rulings. The Elections Commission shall maintain and make available a record of its rulings as guidance for future matters.

## **2. PROVISIONS RELATING TO ALL ELECTIONS.**

- a. Definitions. The word “constituency” is used with the same sense as in Section 1(c) of the By-Laws of the University Senate. The words “electoral caucus” are used with the same sense as in Section 3 of the By-Laws of the University Senate.
- b. Election Dates. The Elections Commission shall declare the dates of all University Senate elections, except as specified in the By-Laws of the University Senate and in this Elections Code. The Elections Commission may from time to time delegate such responsibilities to the Divisional Elections Commissions or the Senate staff, as appropriate.
- c. Divisional Elections Commissions.
  - i. The Elections Commission may request the assistance of a Divisional Elections Commission for any constituency or electoral caucus. The Elections Commission shall work with the appropriate administrative officers, including the deans of the faculties and presidents of the affiliated institutions, to establish such commissions, giving due regard to the advice of such divisional representative bodies as exist. Such Divisional Elections Commissions may be appointed or elected. In case a Divisional Elections Commission does not exist at the time of an election, the Elections Commission may make whatever ad hoc arrangements it deems necessary.
  - ii. Insofar as University Senate elections are concerned, all Divisional Elections

Commissions must abide by rules and regulations laid down by the Elections Commission. If a Divisional Elections Commission would like to adopt rules, regulations, or practices in addition to the Senate's, they must be submitted to the Elections Commission for approval the semester before each election. In no case can Divisional Elections Commissions adopt rules, regulations or practices affecting eligibility to vote or stand in an election.

- iii. Divisional Elections Commissions shall adopt procedures for candidates to petition the Divisional Elections Commission for redress of any alleged infraction of this Elections Code and shall notify candidates of such procedures in accordance with this Code.
- d. Notice. Every candidate shall be informed that a copy of this Elections Code and of the Statutes, By-Laws, and Rules of the Columbia University Senate are available on the [Senate website](#).
- e. Election Practices. Each Divisional Elections Commission shall observe the following practices in dealing with nominations:
  - i. All candidates shall be permitted to publicize their own candidacies and all persons may seek support for themselves or for others. Each Divisional Elections Commission shall, however, issue stringent limits on campaign expenditures so that no prospective candidate shall suffer a financial handicap. Each Divisional Elections Commission shall make available, to the extent possible, a common form of publicity (e.g., bulletin board) enabling all candidates to announce their candidacies free of charge.
  - ii. Every candidate is accountable not only for violations of campaign rules and regulations that they might commit, but also for any such violations committed by people that the candidate has allowed to work on their campaign.
- f. Electronic Communications.
  - i. All candidates shall be permitted to publicize their own candidacies and all persons may seek support for themselves or for others through means of electronic communications, on University systems, or on third party systems over the internet, except as restricted or prohibited under this Elections Code.
  - ii. The following are prohibited with regard to electronic communications conveying electioneering statements: vulgar, obscene, or abusive language or images; unsupported accusations, defamation, or threats of any kind; offensive terms targeted at persons or groups of persons in a way intended to be disparaging; advertisements or language

focused primarily on promoting commercial interests or services; spam, or communications containing subject matter wholly unrelated to elections.

- iii. In governing the use of electronic communications for campaigning, the Elections Commission or the Divisional Elections Commissions may restrict or prohibit the use of electronic communications on third party systems for campaigning and publicity statements, as reasonably appropriate.
- g. Balloting Practices. Each Divisional Elections Commission shall observe the following practices in dealing with balloting:
- i. Unless otherwise specific in this Elections Code, all voting shall be secret, either (1) in designated polling places, or (2) by written ballot in one or more meetings, or (3) by mail ballot using the double envelope system, or (4) by electronic ballot. Should the Divisional Elections Commission decide to conduct voting by electronic means, the system used shall provide for password-protected voting or other means reasonably calculated to ensure that all voting is carried out by the proper constituents of the relevant constituency and that each voter may cast only the proper number of votes. In all cases, a reasonable time (preferably at least seven days) shall be allowed for balloting.
  - ii. On the ballots and in all statements and announcements related to elections, the Elections Commission and Divisional Elections Commissions shall supply only the following kinds of information about candidates: name, department, and position. The Elections Commission and Divisional Elections Commissions shall in no way distinguish incumbent candidates or any preferred list from any other candidate on ballots and all election-related statements. These restrictions do not apply to the statements of the candidates themselves, including written candidates' statements that may accompany the ballot, which shall be consistent with this Elections Code.
  - iii. Election may require a majority vote or plurality, according to previously established practice or decision of the Elections Commission or Divisional Elections Commission, provided that in no case may a plurality of less than a third be deemed to warrant election, using as a basis of calculation the total number of voters voting in an election; and if a plurality of a third thus calculated is not attained, there shall be a run-off election for those seats which are unfilled.
  - iv. In place of the balloting method described in the previous paragraph, a constituency may substitute a system of preferential balloting, in which voters rank several candidates in order by preference. In preferential balloting, the one-third plurality requirement set forth in the previous paragraph is waived.

- v. In case a run-off election is needed, the Elections Commission or Divisional Elections Commission shall fix a date and shall declare eligible the highest-ranking candidates from the first election willing to continue to stand, up to twice the number of vacancies still to be filled, with the following exception: if two or more candidates in the first election tie for the last runner-up position eligible for the run-off (e.g., second place in a one-seat election), each can take part in the run-off, even though there will then be more than twice as many candidates as seats. In a run-off election the highest-ranking candidate(s) shall be elected. The run-off election must meet the same plurality requirements as other elections.
- vi. Each candidate may have a poll-watcher present at polling places and at the counting of ballots for his or her constituency. Ballots shall be counted by the Divisional Elections Commission and reported immediately to the Elections Commission.
- h. Due Process. When the Elections Commission receives a complaint filed with it in connection with any University Senate election, it shall proceed as follows:
  - i. Distribute promptly a copy of the complaint to each candidate in that election, the Divisional Elections Commission, and any other person with a bona fide interest in the matter;
  - ii. Give any candidate who may be materially affected by the decision an opportunity to be heard before rendering the decision;
  - iii. Put any decision in response to such a complaint in writing, with copies given to each candidate in that election, the Divisional Elections Commission, and any person with a bona fide interest in the matter; and
  - iv. Dismiss the complaint on written notice to the complainant without complying with other aspects of this rule, if the Commission determines that a complaint is plainly baseless.
- i. Appeals before Ballots have been counted. If, between the declaration of a vacancy and the counting of ballots, a member of a constituency, whether or not a candidate, feels aggrieved by the rules or practices of a Divisional Elections Commission, they may appeal to the Elections Commission for adjudication, which shall act and redress, where appropriate as expeditiously as possible.
- j. Contested Elections after Ballots have been counted. Once the ballots have been counted, any challenge to the credentials of a successful candidate on the grounds of substantial

error in procedure shall be heard by the Elections Commission, which shall report its recommendations to the University Senate. The decision of the Elections Commission shall be final unless overturned by the Senate. For elections to the Senate, any person whose victory has been certified shall have a vote in the Senate, unless and until the Senate refuses to accept their credentials, on all matters except a vote on their own credentials.

- k. Authority of the Chair in Time-Sensitive Matters. In the event that a time-sensitive matter comes before the Elections Commission and it would not be practicable to timely convene the full membership of the Commission, the Chair of the Commission shall have the authority to decide the matter on behalf of the Commission. If the Chair makes such a decision, the Chair shall promptly inform the membership of the Commission, which may deliberate and vote to modify the decision of the Chair. Additionally, the Commission may reconsider the decision of the Chair in a time-sensitive matter so long as the matter has not become moot before the appeal can be heard.

3. **ELECTION OF UNIVERSITY SENATE MEMBERS.** Elections for members of the Senate shall be held in accordance with the Statutes of the University and the By-Laws of the University Senate.

- a. Definitions. The word “category” is used with same sense as in Chapter II of the Statutes of the University. The word “faculty” is used with the same sense as in Section 30 of the Statutes of the University.
- b. Apportionment. The Elections Commission shall advise the University Senate on the apportionment of seats as provided in Chapter II of the Statutes of the University and subject to the additional provisions in the By-Laws of the University Senate. The populations to be compared for this purpose shall be counted for officers of instruction as prescribed in Sections 20.b.1 and 20.b.2 of the Statutes, and for students as prescribed in Section 20.c of the Statutes.
- c. Constituency Membership. The Elections Commission shall determine, in case of dispute, into which constituency an elector falls. Any individual who believes he or she has been incorrectly omitted from a constituency or incorrectly assigned to a constituency shall inform the Divisional Elections Commission and, if the problem is not resolved, may appeal to the Elections Commission for adjudication, which shall act and redress, where appropriate, as expeditiously as possible.
- d. Election Notice. Whenever the election of one or more Senators is required, the Elections Commission shall issue an election notice. This election notice shall specify the membership of the Divisional Elections Commission that shall conduct the election and

the approximate date of the election subject to final determination by the Divisional Elections Commission. The election notice shall also delineate the members or affiliates of the University community who are eligible to vote in this election and who are eligible to be candidates in this election

- e. Election Practices. Each Divisional Elections Commission shall observe the following practices in dealing with nominations:
  - i. Notice of all information pertinent to an election (including relevant deadlines) must be provided at least seven calendar days before the nomination deadline to all eligible constituency members, using the method most likely to give actual notice to those members. Such notice may not include references to any potential candidates.
  - ii. During the nomination period, each member of a constituency has the right to make nominations up to the number of candidates to be elected. Self-nominations are allowed and can be made by submitting a signed statement of intent to run to the Divisional Elections Commission by the nomination deadline.
  - iii. The nomination of anyone who is not a member of the constituency on the day before the election commences shall be invalid.
  - iv. Notice shall be provided, using the method most likely to give actual notice, of the names of the candidates and the election process (including all deadlines and a description of the quorum requirement) to all members of the constituency eligible to vote. This information may be provided on the election ballot. This notice shall be given at least seven calendar days before the actual balloting period commences.
- f. Election Materials. Each Divisional Elections Commission shall submit its election materials to the Elections Commission no later than when the materials become available to the constituency. The Elections Commission may require any relevant materials to be submitted in the event of a dispute about an election.
- g. Electronic Communications. Each Divisional Elections Commission may adopt rules governing the use of such communications and electronic media, which shall be consistent with this Elections Code, and shall notify candidates of such regulations in a timely manner prior to commencement of elections.
- h. Vacancies. The Elections Commission shall declare a vacancy in the University Senate if a member dies, resigns, is recalled, or ceases to belong to the constituency from which they were elected, and shall direct that a by-election be held within a reasonable time. The

Elections Commission may from time to time delegate such responsibility to the Senate staff.

- i. Recall. A recall petition, as provided in Section 21.h of the Statutes, shall be submitted to the Elections Commission, which shall certify its validity, in consultation with the Divisional Elections Commission, and shall direct that a recall election be held as expeditiously as reasonable.

**4. ELECTION OF UNIVERSITY SENATE OFFICERS BY THE SENATE, BY ELECTORAL CAUCUSES OF THE SENATE, OR BY SENATE COMMITTEES.**

- a. Eligible Voters. The eligible voters for an office are the Senators, or appropriate subset of Senators, who are currently serving on the day preceding the start of the voting period for that office. For the election of the chair of a committee other than the executive committee, any individual who is not a Senator but is a member of the committee may also vote.
- b. Quorums. All University Senate bodies require a quorum, as defined in the By-Laws of the University Senate, to take any actions under this Elections Code. Whenever any Senate body does not have a quorum to take an action required under this Code, the action will be required at the next regularly scheduled meeting for which there is a quorum.
- c. Election of the Chair of the Executive Committee. Whenever there is an election for Chair of the Executive Committee, the Elections Commission shall determine the rules for this election and shall supervise this election. The [rules](#) shall be posted on the University Senate website no later seven days before the nomination period begins. The nomination period shall last at least seven days. The campaign period shall be no longer than seven days. The election period shall be at least seven days.
- d. Election of Other Elected Members of the Executive Committee. Each electoral caucus election process shall take place in a meeting of the respective caucus, and shall be by secret ballot. The election of members of the Executive Committee by electoral caucuses shall be conducted by Divisional Elections Commissions appointed by the Elections Commission. The Elections Commission shall appoint a Divisional Elections Commission for each electoral caucus only after consulting with the caucus, and considering its traditional mode of nominating or electing members of the Executive Committee.
- e. Election of Chairs of Committees other than the Executive Committee. Each committee as part of its first meeting after a reorganization of the University Senate shall elect its chair or co-chairs.



- f. Election of Members of Committees other than the Executive Committee. The University Senate, in its first plenary session of the academic year, shall elect the members of each of the other committees as a regular order of business. Senators shall be elected in odd-numbered years to two-year terms. In even-numbered years, continuing Senators who are a member of a committee continue to serve and are therefore not subject to election. Non-senators shall be elected to one-year terms. In the event of a member vacancy, the Senate, at one of its next two plenary sessions, shall elect a replacement to complete the term.
  
- g. Election Practices. The Elections Commission and each Divisional Elections Commission shall observe the following practices in dealing with nominations:
  - i. For the elections for the Chair and Members of the Executive Committee, the Elections Commission or Divisional Elections Commission must provide notice of all information pertinent to an election (including relevant deadlines). Notice shall be provided at least seven calendar days before the nomination deadline to all eligible members of any category and shall use the method most likely to give actual notice to those members. Such notice may not include references to any potential candidates.
  
  - ii. For the elections for the Members of the Executive Committee by the Electoral Caucuses, the Elections Commission or Divisional Elections Commission shall provide notice (as defined in paragraph i of this Subsection) of the names of the candidates and the election process (including all deadlines and a description of the quorum requirement) to all members of the constituency eligible to vote. The Elections Commission or Divisional Elections Commission shall allow a reasonable time (not less than three calendar days) to elapse before the actual balloting period commences.
  
- h. Additional Balloting Practices. The Elections Commission and each Divisional Elections Commission shall observe the following practices in dealing with balloting:
  - i. Voting does not need to be secret for the election of committee members (other than the Executive Committee) or for the election of chairs (other than the Chair of the Executive Committee).
  
  - ii. Voting shall be secret for the Chair of the Executive Committee or the Members of the Executive Committee.
  
  - iii. For elections to the Executive Committee by Electoral Caucuses, each voter shall be entitled to vote for as many candidates as there are senators to be elected. No Electoral Caucus may subdivide itself into subconstituencies for the purpose of these elections.