A hearing before the Election Board was held on February 14th, 2019 concerning matters of a violation that may have taken place by the Plunkett-Torpey campaign. The violation in question was Campaigning in an Academic Building including LBJ Teaching Theatre.

The violation was brought to the attention of the Election Board by the Assistant Director of Student Involvement on February 5th, 2019. The violation notice was not made into a formal complaint, but as a question by the Assistant Director to be informed of the Election Code and/or Advisory Opinion about electioneering in the LBJ Student Center. The Plunkett-Torpey Campaign was seen actively handing out flyers to different Student Organizations at the Organizations Fair in LBJSC Ballroom. The flyer contained information on the positions the Executive-Alliance were running for and numerous campaign platforms.

Election Code Chapter 101 Article II § 2 says “The Election Board shall act on all complaints within two (2) days after they received by either dismissing the complaint or calling a hearing under the provisions of this chapter.” A complaint was not sent to the Election Board only a notice of a possible violation. The Plunkett-Torpey Campaign sent an email to the Election Board on February 5th, 2019 confirming their
presence at LBJSC Ballroom but denied actively campaigning. Election Code Chapter 101, Article I, §9 says “The Chair of the Election Board shall facilitate and organize the necessary meetings and hearings in order to accomplish tasks set forth by the Election Code”. The Chair received contradictory information from different individuals and needed proper testimony from these individuals to enforce the Election Code with the Election Board.

The Advisory Opinion posted on February 1st on the Student Government website stipulates that “Campaigns need approval from Academic Buildings, Residence Halls, and Student Involvement to be able to place flyers and banners in designated areas.” The inquiry about a violation by the Assistant Director of Student Involvement proves to me that the Plunkett-Torpey Campaign did not receive approval from them to distribute flyers. UPPS No. 07.04.02 Procedures for Distributing Literature 03.02(a) states “Permissible distribution of literature must be conducted in a manner that will not: interfere with academic or other institutional programs that are being conducted in campus facilities;”. The Plunkett-Torpey campaign went to an institutional program for Student Organizations and actively gave flyers to different organizations.

The campaign did not adhere to the Advisory Opinion posted on February 1st to seek approval to campaign within Academic Buildings, a Class A violation. Ignoring the ruling of this Advisory Opinion is a Class A violation of Failure to comply.

The Election Board finds the Plunkett-Torpey Executive Alliance guilty of two Class A violations. As such, their campaign must be suspended for four (4) days beginning Friday, February 15th, 2019 at 9:30pm CST.

IT IS SO ORDERED.
Thank you,
Joshua Clarke
Election Board Chairman