

## Election Supervisory Board Advisory Opinion 2020-003

Subject: Clarifying the extent to which campaign workers and agents can be recruited during the pre-campaign period

The 2020 Election Supervisory Board deems necessary the clarification of permissible and non-permissible language for the recruitment of campaign workers and agents. A candidate may *not* campaign for their position until the campaign period begins on **Monday, February 17, 2020 at 12:01 AM** but *can* solicit campaign workers and agents before the campaign period with certain restrictions.

From Section 2.11 of the Campus-Wide Election Code:

“‘CAMPAIGN’ and ‘CAMPAIGNING’ refer to statements, literature, activities or deliberate uses or distribution of materials of any kind that have or are intended to have the effect of soliciting votes, support or interest for a candidate or elective office. Campaigning should only occur during the official campaign period as defined in this Code.”

Campaign activity that takes place prior to the designated campaign period is considered **Early Campaigning** and **may be punished** up to the point of a Class D violation, resulting in disqualification.

From Section 8.3 of the Campus-Wide Election Code:

“All candidates are prohibited from campaigning, soliciting, or otherwise bringing attention to their campaign or election before the campaign period.

- a. This prohibition includes all attempts to secure endorsements, sponsorships, or any other presentation of information made for public consumption or use.
- b. However, this prohibition does not include the personal individual recruitment by a candidate of individual team members.”

Below are two helpful tips candidates and campaign agents can use to avoid early campaigning when recruiting campaign workers or agents:

1. **Do not send mass messages/group messages.** Such messages include Facebook group messages, group messages through GroupMe, and mass emails to recruit workers and/or supporters. You may only reach out to people individually. If an individual has agreed to be an agent of your campaign, they too may individually solicit campaign workers but are bound by the **same** outreach rules.[\[1\]](#)
2. **Do not be ambiguous.** Refrain from using vague language when recruiting campaign workers. Simply asking for “support” is considered campaigning. Ask them if they would like to be a campaign worker, be a member of the campaign, work for the campaign, join the campaign staff, etc.

Below are several examples of communication from previous elections that were considered Early Campaigning and explanations on why these messages were found in violation.

1. *“So as you may know, a dear friend of mine, [redacted], is running a campaign for student body president with [redacted] as his VP! We would love to have your support, could I have your email address so we can send you a bit more info about our goals?”*

This message resulted in a Class B Violation because the message was sent during the pre-campaign period and the use of the word “support” indicates the campaign worker was attempting to bolster “support or interest” for the candidate.<sup>[2]</sup>

2. *“Does anyone know [redacted]? She is running for Student Body VP and would love to have some [redacted] Sorority reps. You go to a meeting like once a month and wear shirts and support them. If you’re interested, text me and I can give you more details!”*

This message resulted in a Class A Violation because, while the message solicits campaign workers, it was sent to a group chat. The recruitment of campaign workers or agents needs to be “individual recruitment...of individual team members.”<sup>[3]</sup>

Opinion Authorized By:

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[1] Section 2.9 of the Campus-Wide Election Code – “AGENT” refers to any campaign-appointed worker who is authorized to speak and act on behalf of the candidate

[2] Section 2.11 of the Campus-Wide Election Code – Definition of “CAMPAIGN” and “CAMPAIGNING”

[3] Section 8.3 of the Campus-Wide Election Code – Definition of “UNAUTHORIZED CAMPAIGNING,” subsection (b)