

## Election Supervisory Board Advisory Opinion (ESB/AO 2017-002)

Subject: Clarifying precampaign period permissible communication for recruiting campaign workers

The 2017 Election Supervisory Board would like to clarify permissible and non-permissible language for the recruitment of campaign workers. A candidate may NOT campaign for their position until the campaign period begins. The definition of campaigning is:

‘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.

Campaign activity that takes place prior to the designated campaign period is considered Early Campaigning. **Early Campaigning is a punishable offense**, up to the point of a Class D violation resulting in disqualification. The Election Supervisory Board has created helpful guidelines for candidates/agents to follow to avoid early campaigning:

1. **Do not send mass messages/group messages.** Do not send Facebook group messages; Do not post in a group on GroupMe; Do not send mass emails recruiting workers, etc. You may only reach out to people individually. Once an individual has agreed to be an agent of your campaign, they too, may individually solicit campaign workers – but they are bound by the same outreach rules as well.<sup>1</sup>
2. **Do not ask someone to be a campaign worker unless you know them well.** (i.e. if they are in your class but you’ve never really talked to them, you probably do not know them well enough to ask them).
3. **Do not be ambiguous in what you are asking of them.** Do not be vague and just ask for their “support”. Just asking for support is considered campaigning. If you are interested in having them be a campaign worker/agent, you must be upfront and explicit in this solicitation. Ask them if they would like to be a “campaign worker” or a “member of the campaign” or “on the campaign staff”, etc.

Below, we have provided several examples of past messages that were considered Early Campaigning and explanations why these messages were found in violation.

*“So as you may know, a dear friend of mine, Mermaid Man<sup>2</sup>, is running a campaign for student body president with Barnacle Boy 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 resulted in a Class B Violation*

The person receiving the message was not someone that the solicitor knew well, and the word “support” does not imply asking to be a campaign worker – it is considered campaigning by definition.<sup>3</sup>

Sent to the (Bikini Bottom) Sorority GroupMe:

*“Does anyone know (Barnacle Boy)? She is running for student government VP and would love to have some (Bikini Bottom 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 resulted in a Class A Violation*

This message solicits campaign workers, but was sent to a group chat. The recruitment needs to be “individual recruitment...of individual team members” – Common Code Chapter VIII Section 8.2.

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<sup>1</sup> Title II Chapter II Section 2.9 – Agent refers to any candidate appointed worker who is authorized to speak and act on behalf of the candidate.

<sup>2</sup> Names have been altered for the sake of this example.