

Boston University | Student Elections Commission

Official Statement

Cease and Desist Order



8:00 PM, April 19, 2011

The Student Elections Commission ("SEC") is charged with operating free and fair elections for its constituent governments. From the SEC Internal Code:

It is the commission's continuing goal to provide the Boston University Student Body with just and fair Student Government Elections and to promote increased student participation in every aspect of the elections.

Towards this end, the SEC must ensure that no slate is afforded an advantage by said governments. Taken from our Elections Code ("Code"):

3.4.07 The spaces or materials of the Student Union or any college government may not be used in support of any campaign.

This commission has chosen to interpret this portion of the Code to include not only the physical spaces and materials of the Student Union ("Union"), but more broadly to encompass any of the facilities or capacities of the Union. As such, the SEC has actively discouraged the Union executive board from using their positions to campaign for any slate. Such actions impart undue authority to that slate, thus providing them with an unfair advantage. On at least one prior occasion, the SEC has spoken directly with the Union executive board about this issue; from one such communication:

The SEC is charged with operating fair and free elections; toward this end, we are willing to employ the full force and authority of our mandate. In the event that the Union continues to campaign on behalf of the BuildBU slate, or any other candidate or slate, the SEC will have no choice but to seek to enjoin the Union from these actions by whatever means necessary.

It is clear to the SEC that at least one member of the Union Executive board, Vice President Daniel Ellis, has failed to respect the boundaries between personal advocacy and official endorsement. By integrating with the BuildBU slate ("BuildBU") as a campaign staff and assuming a central role in their campaign, Mr. Ellis has made it nearly impossible to distinguish between his role as Vice President and his role as an advocate for BuildBU. His actions, in physically assisting with the campaign, electronically promoting the campaign (through the official Union Facebook and Twitter), and most recently in writing (through the Daily Free Press' Opinion column) have, at least tacitly if not explicitly, made reference to Mr. Ellis' position as Union Vice President.

For this reason, the SEC has voted (6-0) to enjoin Daniel Ellis and the other members of the Union executive board from campaigning for the BuildBU slate, as defined in sections 1.2.04 and 3.4.13 of the Code. Failure to comply with this cease and desist order by continuing to use Union spaces and materials may have drastic consequences for BuildBU, including disqualification from the election. The SEC wishes to foster a friendly and competitive environment for student elections; while we regret the need to resort to such drastic measures, we assert that this restriction on the Union executive board's ability to campaign is necessary to maintain a civil and fair election.