



# Board of Elections

University of North Carolina at Chapel Hill

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To: The Student Body of the University of North Carolina at Chapel Hill  
Date: 24 January 2022  
Subject: Staley v. Piscitelli for Student Body President Decision

On Saturday, January 22, 2022, the Board of Elections held a hearing for a Complaint against Student Body Presidential Candidate Bryson Piscitelli, filed by Sage Staley, a student of UNC in the constituency of the Student Body President. Following are the results of the Hearing and the Board’s full decision in this matter.

Case	Allegations	Verdict	Points Awarded	Total Reduction of Funding
<u>Staley v. Piscitelli for Student Body President</u>	Technology	Guilty (6-0)	0	0%

## Technology Violation

The Staley Complaint listed one allegation of illegal online campaigning—namely, the lack of a sponsorship message on campaign material, which is an allegation of a Technology violation.

A Technology Violation is defined in the J.G.S.C. II.9.1 §910(E)(5), which states, “This category shall include, but not be limited to, campaigning online in illegal ways.” J.G.S.C. II.9.1 §516(A)(4) further states, “Candidate web pages, **including social networking groups**, shall contain the same endorsement as any other campaign material....”

The Plaintiff provided evidence in furtherance of their complaint, which alleged one instance of the Piscitelli campaign material lacking the requisite sponsorship message. The evidence provided was of the Piscitelli Campaign’s Instagram Profile.

The Board interprets J.G.S.C. II.9.1 §516(A)(4) based on its plain language, to mean that an Instagram Profile should contain the same endorsement as any post or material in support of the candidate. Furthermore, we interpret this to require a visible sponsorship message on the profile page of the account—in Instagram, this would include either the account bio section or visible in the profile picture of the account.

As such, the Piscitelli Campaign acknowledged that there was not a visible sponsorship message on the Instagram profile, though the posts on that page may have included a sponsorship

message. The Piscitelli Campaign also diligently remedied the lack of having a visible sponsorship message on the profile by adding the sponsorship message to the bio section.

Per the interpretation held by the UNC Board of Elections, as established in *Staley v. Vann for Student Body President*, the Piscitelli Campaign was in violation of the Technology rules regarding online campaigning prior to making the sponsorship message visible on their Instagram profile.

However, the Board took the gravity of the harm into consideration and decided to assign this violation zero points—the minimum number of points for this type of violation. Although the Piscitelli Campaign may have technically been in violation of the rules regarding online campaigning, this violation was not egregious or irreversible. Indeed, the Piscitelli Campaign’s efforts to ensure compliance with the rules regarding online campaigning are commendable.

This zero-point penalty corresponds with an 0% reduction of the Piscitelli Campaign’s maximum spending limit for the Campaign, as established by J.G.S.C. II.9.I §910(G).

### **Campaign Materials**

In their defense the Piscitelli Campaign referred to language in the Joint Code that discusses Campaign Materials. The Joint Code no longer provides a definition of “Campaign Materials” and the Piscitelli Campaign asked for clarification of this lack of definition. The Board interprets the definition of Campaign Materials to be any product produced by a campaign for the purpose of gaining signatures, votes, or supporters. This includes but is not limited to posters, flyers, A-frames, social media accounts and posts, emails, text messages, group messages, and telephone voicemails).

We hope that this ruling provides further clarity regarding the rules of online campaigning during the Spring 2022 elections here at UNC. We thank all parties involved in the Hearing process for their preparation and presentation of their cases. We appreciate the candidates’ hard work to provide the best, most fair election process possible.

Votes by Board of Elections Members:

<b>Guilty</b>	<b>Not Guilty</b>
Towqir Aziz	
Evan Stair	
Nico Gleanson	
Sam Cathcart	
Simon Palmore	
Rishabh Sud	