



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: 23 January 2022
Subject: Staley v. Vann for Student Body President Decision

On Friday, January 21st, 2022, the Board of Elections held a hearing for a Complaint against Student Body Presidential Candidate Taliajah Vann, 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. Vann for Student Body President</u>	Technology	Guilty (5-1)	0	0%

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 two separate instances of the Vann Campaign material lacking the requisite sponsorship message. One image was that of a GroupMe message, and the other was of the Vann Campaign’s Instagram Profile. We will discuss each—the GroupMe message and the Instagram profile— in turn.

Regarding the GroupMe message, the Vann Campaign satisfactorily established they had not violated the rules regarding online campaigning. Though the screenshot filed in the Staley Complaint did not include a sponsorship message, the Vann Campaign demonstrated that the image was accompanied by a caption which did contain the necessary sponsorship information. Since the image and the caption are both part of the same message, the Board of Elections unanimously dismissed this portion of the complaint.

As for the Instagram Profile, the majority 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 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 Vann 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 Vann Campaign also stated that the profile picture did, indeed, contain the requisite sponsorship message, but was cropped out due to Instagram's settings. The Vann Campaign also diligently remedied the lack of having a visible sponsorship message on the profile by moving the sponsorship message on the profile picture to a more prominent and visible part of the campaign's profile.

Per the interpretation held by the majority of the UNC Board of Election, the Vann 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 Vann Campaign may have technically been in violation of the rules regarding online campaigning, this violation was not egregious or irreversible. Indeed, the Vann 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 Vann Campaign's maximum spending limit for the Campaign, as established by J.G.S.C. II.9.I §910(G).

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 hearings process for their preparation and presentation of their cases. We appreciate the candidates' hard work to provide the best, most fair election process possible.

The Board of Elections certifies this decision, and the Board of Elections Chair, Sam Cathcart provides his dissent below:

As the details and facts of the case are provided above, I will keep this dissenting opinion short. In reviewing the facts of the case and the relevant portions of the code it was my opinion that the Vann Campaign did not violate any portion of the Joint Code in this matter.

J.G.S.C II.5.1 §515(C) states, "All campaign materials which are produced by a particular candidate or their staff must have the candidate's name on it in the following manner: "sponsored by the [name] for [office] campaign." On the Instagram page in question the Vann Campaign was able to establish that each post contained the appropriate sponsorship message.

However, the question in this case more directly points to J.G.S.C. II.9.1 §516(A)(4) which states in part, "Candidate web pages, including social networking groups, shall contain the same endorsement as any other campaign material..." It was my opinion that providing the sponsorship message in each post on a campaign social media account would satisfy this

requirement, and that a sponsorship message in the bio or profile picture would not be necessary. Based on the above I cast my vote as Not Guilty.

As my opinion is in the minority in this case, the majority opinion now sets the precedent and provides the Board's interpretation of the above campaign regulations for sponsorship messages on campaign materials for the 2022 Spring General Election.

Votes by Board of Elections Members:

Guilty	Not Guilty
Towqir Aziz	Sam Cathcart
Evan Stair	
Nico Gleanson	
Simon Palmore	
Rishabh Sud	