



Precedent of the Election Committee

Allegation 2021-11

Relevant Constitutional Section:

Article XV, Section 1(f): E-mail as a source of campaigning may be used; however, the use of Listservs is prohibited. A listserv email is any email that ends in “@listserv.nd.edu” or any variations in terms of capitalization thereon. Google Groups created for use by a Residence Hall, Student Union Organization, or University department, office, or official may not be used in campaigning.

Relevant Facts:

A candidate used an official Hall GroupMe group chat to invite students to come and obtain food. The candidate campaigned to those who did so. The allegation alleged that the GroupMe message constituted campaigning, and therefore, that they violated Article XV, Section 1(f).

Holdings:

1. Candidates are permitted to campaign in official Hall group chats which are not listservs or Google Groups.
 - a. The text in Section 1(f) is unambiguous. The constitutional prohibition on the use of official group chats applies to two specific types of platforms: Google Groups and listservs. The communication in question took place over neither of those; it took place through GroupMe, one of the countless group messaging platforms which Section 1(f) does not address. There is therefore no violation.
 - b. Because the conduct in question was constitutional regardless of whether or not it constituted campaigning, the Council has no occasion to decide that issue here.