

Collin Cox, Kassandra Valles,	)	April 6, 2017
Garrison Krotz, Bailee Myers,	)	
Richie Hernandez	)	Case No. 2017-XX-XX
Student Directors of Union Referendum	)	
	)	
Petitioners	)	

## REQUEST FOR STAY

The petitioners ask this Court to order a stay of the Election Commission's ruling of Comolli vs Union Referendum Student Organization that all campaigning by Union Referendum must halt and campaign materials must be removed by Friday (April 7) 5:00PM until the Court issues an opinion on the ruling.

Concurrently with the filing of this Request, Petitioners, have filed a Request for Expeditious Proceedings and Request for Stay. Because the Request for Stay determines whether the final determination by the Student Senate Elections Commission violates the Student Senate Rules and Regulations, the petitioner requests that the Court consider the need for a stay of suspending campaigning due to the question of whether the decision is to suspend campaigning is valid. If the suspension of campaign for the Union Referendum Student Organization (or Redo Your U) is determined invalid, major determinants have occurred.

Further, as requested by the Elections Commission, deactivation of all social media accounts has long-term ramifications. If accounts are deactivated both Union Referendum and the KU Memorial Union stand to lose the accounts all together. The goal of these accounts is to allow long-term student input while renovation, repairs, or building updates are underway. Regardless as to if the referendum passes or fails, they will be used for updates on building projects. Losing the accounts limits student input and information on all such topics. Until the Court can fully consider such an issue, we request a stay.

The ruling from the Election Commission is extremely unclear as to what Union Referendum is and is not permitted to do. Verbally it was indicated by the Election Commission that some forms of campaigning were allowed (such as personal conversation) while others were not. Petitioner requested written follow up but did not receive clearer specifications. Without clear specifications we risk repeat offenses. Until a clearer outline can be provided, we request a stay.

The website "redoyouru.ku.edu" is owned and maintained by the KU Memorial Unions and hosted by KUIT, with no oversight by the student group Union Referendum. Until clarification as to if this falls within the outcome of the case, we request a stay.

Importantly, the Election Commission's ruling sets a dangerous precedent of student organization censorship and regulation of all non-coalition student groups. Their ruling affirmed that the student group Union Referendum is in fact not a coalition, by halting the group's ability to table, flier, and post to social media accounts, they are showing that they can regulate the communication from a student

group. The Elections Commission has the power to enforce the Elections Code, but it the Court of the Appeals to interpret the rules to enforce. The Court of Appeals has final say over the Election Code.

In line with the above, halting the actions of one student group while allowing the other (KUART) to continue campaigning sets a precedent that the Election Commission can halt one side of the issue while allowing the opponent to move forward. This partiality is a detriment to the Student Body's trust in the Elections Commission during a certification of election results. In a time that trust in government ceases to exist, the Elections Commission's acts are furthering this distrust and seem to be partial to the referendum question on this upcoming ballot.

Lastly, the petitioners feel that it is against the values of Student Senate to allow the Elections Commission to act partially and to the detriment of a student group attempting to participate in public service and the elections process and the group's opportunity to free speech regarding a crucial issue for the past, present and future students at the University of Kansas.

We encourage the Court to consider the above reasons to justify a stay of the Elections Commission's campaigning suspension until the Court rules on the petition and addresses the clear invalidity of the Elections Commission's ruling.

/s/ \_\_\_\_\_  
Collin Cox

/s/ \_\_\_\_\_  
Kassandra Valles

/s/ \_\_\_\_\_  
Richie Hernandez

/s/ \_\_\_\_\_  
Bailee Myers

/s/ \_\_\_\_\_  
Garrison Krotz