

AB 4 STUDENT GOVERNMENT ELECTION CODE for 2012 Elections

Authors: Janette Martinez, Kevin Yuan, Luke Stone, John Lawler

Sponsors: Janette Martinez, Kevin Yuan, Luke Stone, John Lawler

Chapter I: General Provisions

1.01 Pursuant to Article 5.44 of the Student Government Constitution, this act shall be referred to and cited as the "Student Government Election Code", or the "Code."

1.02 This Code shall apply to all aspects of elections governed and sponsored by the Student Government at the University of Texas at Austin.

1.03 References to the singular shall be construed to include the plural. References to candidates shall be construed to apply to their agents and workers as well.

1.04 This Code shall become effective immediately after its passage by the Assembly, and shall supersede any and all previous election codes.

1.05 Candidates, agents, or workers for any election shall be responsible for the regulations relevant to their election, as defined by the Election Code. A copy of the Election Code, the Constitution, and the Internal Rules of Procedure for Student Government shall be made available to each candidate, no later than the time of the candidate's filing to run for office, in the Student Government office. Any student may receive a full copy of the Election Code at any time.

1.06 Ignorance of this Code shall not be an acceptable defense in response to any offense committed in any election under this Code, either by the candidates themselves, their agents or workers, or the election regulatory bodies, as defined by this Code.

1.07 Each election under this Code shall be considered a single and separate application of this Code. Rulings made by the Election Supervisory Board during any election period are relevant only to that election and associated run-off elections.

Chapter II: Definitions

2.01 "University" refers to The University of Texas at Austin.

2.02 "Student Government" refers to the Student Government of the University.

2.03 "Student" means any person whose name appears on the current roster of the Registrar of the University of Texas at Austin. Only a student at the University of Texas at Austin, as defined by this Code, may seek office or vote in Student Government elections.

2.04 "Appellate Court" refers to the Appellate Court, as empowered by Article 5.3 of the Student Government Constitution.

2.05 "Election Board" and "ESB" refer to the Election Supervisory Board established by Article 5.4 of the Student Government Constitution.

2.06 "General Election" refers to the annual election of Student Government officers, as specified in Article 6.1 of the Student Government Constitution.

2.07 "Special Election" refers to an election called by the Student Government President, as specified in Article 6.2 of the Student Government Constitution.

2.08 "Runoff Election" refers to all secondary elections held to resolve races not initially determined by a General or Special Election as specified in Article 6.5 of the Student Government Constitution.

2.09 "Candidate" refers to any student consenting and/or endeavoring to be elected as an officer of the Student Government, whether or not the student has filed to run for office in accordance with this Code.

2.10 "Worker" refers to any person who contributes time, effort, or services for the purpose of supporting or furthering a candidacy, where that candidate has personal knowledge of and accepts the time, effort, and services rendered.

2.11 "Agent" refers to any candidate appointed worker who is authorized to speak on behalf of a candidate.

2.12 "Campaign Materials" refers to all materials and literature concerning any candidate. Campaign materials shall include, but not be limited to: signs, handbills, buttons, email and other advertisements, but excluding any individual endorsement not approved by the candidate or ticket.

2.13 "Campaign" and "Campaigning" refer to any statement, literature, activity, or deliberate use or distribution of materials which have the effect of soliciting votes for an elective office. *All candidates are prohibited to solicit or bring attention to their campaign or election before the appropriated time. The*

mentioned includes all attempts to secure endorsements, sponsorships, or any other presentation of information made for public consumption or use. This includes the formation of any public group on a social networking site.

2.14 "Endorsement" and "Endorsing" refer to any form of communication expressing support for a candidate by a party other than the candidate.

2.15 "Executive Alliance" refers to the alliance between a presidential and vice-presidential candidate in elections governed by this Code.

2.16 "Polling Location" refers to any Internet enabled computer available for public use that facilitates the means by which to vote in Student Government elections.

2.17 "Polling Station" refers to any polling location that is managed by the Election Board.

2.18 "Regulatory Bodies" include the Election Board, the Appellate Court, and administrative bodies of the election process.

2.19 "Advisory Opinion" refers to any opinion issued by the Election Board concerning any matter affecting the Election that may not be included within the language of the Election Code.

2.20 "Advisory Ruling" refers to any decision or ruling issued by the Election Board resulting from a hearing.

2.21 "Election Board Proctor" refers to any individual working for the Election Board to monitor on-campus polling locations on election days during polling hours.

2.22 "Ballot vacancy" refers to an occurrence of a candidate association not being comprised of the maximum number of students for election.

2.23 "Officer" refers to the President, Vice President, Executive Board and Representatives of Student Government. Other election entities utilizing this code are responsible for defining "Officer" for their purposes.

Chapter III: The Election Supervisory Board

3.01 The Election Board shall be responsible for the administration of Student Government and other elections, as specified by Article 5.42 of the Student Government Constitution

3.02 By the time of filing, no member of the Election Board shall be a candidate for, nor hold any elective or appointive office or position in, the Student Government Executive, Legislative, or Judicial Branches while on the Election Board.

3.03 The Election Supervisory Board shall be assembled through an application process, to be completed no later than the third week of October, pursuant to Article 5.43 of the Student Government Constitution. Any member of the Election Board may be removed for just cause by a unanimous vote of the Appellate Court. The selection committee will then convene and use the previous applications to determine a replacement.

3.04 The Election Board shall interpret, execute, and enforce all election rules provided in the Student Government Constitution and this Code in a manner consistent with University policy, as expressed in the General Information Catalogs. The Election Board shall review and revise, as necessary, the Election Code yearly.

3.05 The Chair of the ESB shall be selected in the initial application process by the heads of the election entities. He or she shall facilitate and organize the necessary meetings and hearings in order to accomplish tasks set forth by this code.

3.06 The remaining members of the board shall be assigned an equal group of candidates for whose questions complaints, and financial statements to which they are responsible.

3.07 The Election Board shall appoint a Secretary who shall be responsible for recording the minutes of its meetings and hearings, and keeping records of all opinions, rulings, and filings required of candidates under this Code. The Secretary shall provide a written copy of all decisions concerning individual candidates to the candidates involved. The Secretary shall file a copy of all minutes with the Chair of the Appellate Court within 24 hours of the decision. Failure to do so may result in revocation of duties by the ESB Chair. Records of rulings and other documents from an election may be retained by the Election Board for the purpose of advisement of future boards, and for the resolution of any problems that might arise in the long-term campus electoral process.

3.08 The Election Board shall have jurisdiction over all polling locations on the days of elections governed by this Code. All polling locations must abide by the Election Code.

3.09 Results of any election under this Code shall be announced no later than twelve (12) hours after the last close of polling for the election. The location of both the announcement and posting of the results is to be announced by the Election Board no later than the Candidate Seminar, as defined in this Code.

- 3.10 The Election Board shall assess and execute the remedies and sanctions provided in this Code if it finds violation of either provision of this Code or Election Board rulings.
- 3.11 The Election Supervisory Board shall certify the fairness of each campaign with its election processes and results in a report to the Assembly, and made available to the public, within forty-eight (48) hours of the conclusion of all electoral procedures in any election.
- 3.12 The ESB with the help of the Communications Director shall be responsible for publicizing the election process, including available positions, and how to run for office in the fall semester and coordinating forums and other publicity in the spring semester. This publicity must be approved by the ESB chair to ensure objectivity.

Chapter IV: Election Board Hearings and Procedures

SUBCHAPTER A: Jurisdiction

- 4.01 In pursuit of its duties, the Election Board may prosecute violators of any aspect of this Code or the rulings of the Election Board. The Election Board shall serve as the court of original jurisdiction, in accordance with Section 5.4 of the Student Government Constitution. Appellate Court shall have appellate jurisdiction over issues of law and fact in all cases or controversies arising under this Code in which the Election Board has issued a final decision. Upon review by, the Appellate Court may revoke or modify the sanctions imposed by the Election Board.
- 4.02 The Election Board shall have the authority to issue an advisory opinion concerning any matter within its jurisdiction. An advisory opinion shall be binding on the Election Board for the duration of the election in which it was issued. Advisory opinions from previous years may be re-issued, if desired, at the beginning of each election cycle. The Election Board shall not be required to hold a hearing in connection with the issuance of an advisory opinion. An advisory opinion may be amended after issuance, provided that no substantial injury or hardship to the student body or election process results from such action.
- 4.03 In carrying out the duties of the office, the Election Board shall conduct proceedings and hearings necessary to fulfill those duties. In executing those duties they shall have the authority:
- (a) to issue a writ of subpoena to compel candidates, agents, and workers, and to request students to appear and give testimony, as well as produce necessary records; and
 - (b) to inspect the financial reports of any candidate and make these records available for public scrutiny upon request.
- 4.04 Any organization selecting officers or hosting a referendum by participating in the student body elections governed by the Election Board shall defer jurisdiction of election procedures to the board unless announced otherwise at the time of filing of their candidates.

SUBCHAPTER B: Hearing Procedures

- 4.05 Members of the Election Board are prohibited from filing complaints. Any other student may file a complaint with the Election Board. All complaints must be filed under the name of the student filing the complaint. The Election Board shall act on all complaints within two business days after they are received by either dismissing them or calling a hearing under the provisions of this subchapter.
- 4.06 Candidates have a duty to negotiate in good faith when disputes arise and must attempt to reach a settlement consistent with this code and Election Board decisions prior to filing a complaint. The party filing the complaint must provide a document to the Election Board describing the steps that were taken to resolve the dispute.
- 4.07 The Election Board may dismiss a complaint if:
- (a) the complaint was not filed within a reasonable amount of time;
 - (b) the Election Board lacks jurisdiction over the subject or party in the dispute as defined in Subchapter A Section 4.01;
 - (c) the complaint fails to state a cause of action for which relief may be granted;
 - (d) the complainant has not and likely will not suffer injury or damage.
- 4.08 If a complaint is not dismissed, then a hearing must be held. The Election Board shall inform, in writing, via e-mail, the complaining party and all individuals or groups named in the complaint of the time and place of the hearing. The parties are not considered notified until they have received a copy of the complaint.

4.09 The hearing shall be held at the earliest possible time, but not within twenty-four (24) hours after receipt of the notice described in Section 4.08, unless all parties agree to waive the 24-hour time constraint. This 24-hour time constraint is waived if the complaint is filed during the voting period.

4.10 At the time notice of a hearing is issued, the Election Board, by majority vote, may issue a temporary restraining order, if it determines that such action is necessary to prevent undue or adverse effects on any individual or entity. Any restraining order, once issued, will remain in effect until a decision of the Election Board is announced after the hearing or until rescinded by the Election Board.

4.11 All Election Board hearings, proceedings, and meetings must be open to the public, except for the deliberations that determine the outcome of complaint hearings.

4.12 All Parties of the Election Board hearing shall present themselves at the hearing and may be accompanied by any other student from which they can receive council, and have the option to be represented by that council.

4.13 For any hearing, a majority of sitting Election Board members must be in attendance with the Chair of the Election Board presiding. In the absence of the Chair, the responsibility to preside shall fall to an Election Board member designated by the Chair.

4.14 The Election Board shall determine the format for the hearing, but must require that both the complaining and responding parties appear physically before the board to discuss the issues through a complaint, answered, rebuttal, and rejoinder format. The purpose of the hearing is to gather the information necessary to make a decision, order, or ruling that will resolve an election dispute. To effectuate this purpose, the following rules should prevail at all hearings:

(a) Complaining parties shall be allowed no more than two witnesses, however the Election Board may call witnesses in accordance with Section 4.03 of this Code. If said witnesses are unable to appear at the hearing, signed affidavits may be submitted to the Election Board Chair for the purpose of testifying by proxy.

(b) All questions and discussion by the parties in dispute shall be directed to the Election Board.

(c) There shall be no direct or cross-examination of any party or witness by complaining or responding parties during hearings.

(d) Reasonable time limits may be set by the Election Board, provided they give fair and equal treatment to both sides.

(e) The complaining party shall bear the burden of proof.

4.15 Decisions, orders, and rulings of the Election Board must be concurred to by a majority of the Election Board present and shall be announced as soon as possible after the hearing. Such decisions may be delivered orally or in writing. The Election Board shall issue a written opinion of the ruling within twenty-four (24) hours of announcement of the decision. The written opinion must set forth the findings of fact by the Election Board and the conclusions of law in support of it. Written opinions shall set a precedent for a time period of three election cycles for Election Board rulings, and shall guide the Election Board in its proceedings. Upon consideration of prior written opinions, the Board may negate the decision, but must provide written documentation of reasons for doing so.

4.16 If the decision of the Election Board is appealed to the Appellate Court, the Election Board must immediately submit its ruling to the Court.

SUBCHAPTER C: Remedies and Sanctions

4.17 Violations of the code shall be divided into four classifications. Prior to the campaigning time period for that year, the ESB shall issue an advisory opinion that defines the ranges of fines and moratoriums connected with each classification. They shall also provide examples of violations in this opinion of what constitutes each class and specific remedies for repeat offenses.

(a) Class A violation shall result in a fine.

(b) Class B violation shall result in a moratorium of campaigning.

(c) Class C violation shall result in a combination of a moratorium of campaigning and a fine.

(d) Class D violation shall result in a disqualification from the election.

Within the ranges established in the advisory opinion, the Election Board shall select the amount of the fine or length of the suspension most appropriate to both the severity of the infraction and the state of mind or intent of the violator as determined by the Election Board.

4.18 If a candidate, or a candidate's agents or workers, commits a violation resulting in a fine, the Election Board has the authority to fine a candidate in excess of the deposit referred to in Section 5.17 of this Code.

Any fine or total amount of fines against a candidate in an election cycle may not exceed the spending limit as defined in Chapter 6 Subchapter A of this Code.

4.19 If, after a hearing, the Election Board finds a candidate, or a candidate's agents or workers, has committed a Class B or Class C violation, the Election Board may restrict the candidate, or the candidate's agents or workers, from engaging in some or all campaign activities for some or all of the remainder of the campaign. If an order is issued covering only part of the remaining campaign period, it shall take effect within 24 hours so that after its termination, the candidate will have an opportunity to resume campaigning during the days immediately prior to and including the election days.

4.20 If, after a hearing, the Election Board finds that provisions of either this Code or decisions, opinions, orders, or rulings of the Election Board have been willfully and blatantly violated by a candidate, or a candidate's agents or workers, has committed a Class D violation, the Election Board may disqualify the candidate.

4.21 Any complaints concerning voter fraud filed through the Election Board must be immediately and wholly turned over to the Office of the Dean of Students.

SUBCHAPTER D: Appeals

4.22 Any party adversely affected by a decision of the Election Board may file an appeal with the Appellate Court within twenty-four (24) hours after the adverse decision is announced, unless the Election Board's decision takes place during the voting period. The Appellate Court shall have discretionary appellate jurisdiction over the Election Board in all cases in which error on the part of the Election Board is charged.

4.23 The decision of the Election Board shall stand and shall have full effect until the appeal is heard and decided by the Appellate Court.

4.24 The Appellate Court shall hear appeals of Election Board rulings as soon as possible, but not within twenty-four (24) hours after the Election Board delivers to the Appellant and the Appellate Court a copy of its written opinion in the case. Appeal may be heard prior to this time, but only if the Appellant waives the right to a written opinion and the Appellate Court agrees to accept the waiver.

4.25 The Appellate Court can issue writs to suspend or halt the serving of punishment issued by the Election Board until the appeals are decided by the respective bodies.

4.26 The Appellate Court shall review findings of the Election Board when appealed. The Appellate Court may affirm or overturn the decision of the Election Board, or modify the sanctions imposed.

4.27 The Appellate Court shall have full authority to fashion an equitable remedy appropriate to the circumstances of the case, but should endeavor to avoid remanding the case to the Election Board.

4.28 The Office of the Dean of Students shall have ultimate authority over the Election process in matters of university policy.

Chapter V: Candidate Rights and Duties

SUBCHAPTER A: Filing Process

5.01 Eligible students may file for a position in their respective school, file for a position as a University Wide Representative, or form an executive alliance, which requires a Presidential and Vice Presidential candidate.

5.02 Only the Presidential and Vice Presidential candidates that compose an executive alliance are allowed to participate in campaigning together, all other candidates in the election must campaign separately, without endorsements from any fellow candidate. No association between candidates of any kind will be tolerated, with the exception of the executive alliance. Candidates found in violation of this rule can be subject to immediate disqualification.

5.03 All candidates must adhere to the qualifications set forth in the Student Government Constitution, this Code, University policy, the General Information Catalogs, and all statutes enforceable by the Election Board.

5.04 Candidates must file for a position in their current college or school, but those in the act of transferring may provide verifiable written documentation of transfer to run in another college.

5.05 The Election Board shall set and advertise the dates for filing along with a list of the contestable positions in the student newspaper of the University on the first day of the spring semester. The filing period shall open at 9:00 AM on the first day of the spring semester. The filing deadline shall be by 12:00 noon on the day of the Candidate Seminar 4:00 PM, ~~three (3) weeks prior to the first day of the election~~. The filing period shall remain open for two weeks. All candidates seeking to run for office in Student Government must file the appropriate documents, as outlined in this Code, no later than the filing deadline. In the event that no one files

to run for a particular office, the Election Board may extend the filing deadline for that particular race for a period of up to three (3) class days.

5.06 The administrative associate of Student Government shall post online the names and positions sought of all candidates who have filed. The list shall be updated at the end of each filing day at 7:00 PM. Once campaigning begins, candidate statement shall be included after ESB review.

5.07 In accordance with Section 2 of this Code, candidates, their agents and workers are subject to governance by this Code both before and after they have filed for candidacy during the filing period established in Section 5.05

5.08 The appropriate documents that all candidates seeking to run for office in the Student Government must file in the Student Government Office are:

(a) a statement announcing the intention of the candidate to run for a particular office, listing the candidate's current address, phone number, and college;

(b) a statement signed by the candidate which gives permission to the Election Board to solicit the Dean of Students to verify the requirements for the appropriate office, in accordance with Article I of the Student Government Constitution.

5.09 Candidates may file to run for only one elected Student Government office per election cycle.

5.10 Upon request, prospective candidates shall be informed, prior to their filing for office, of the identity of candidates already filed for any office for which the prospective candidate is eligible.

5.11 At the time of filing, candidates shall be informed of the Candidate Seminar and the advantages of attending.

5.12 At the time of filing, candidates shall each be entitled to one free copy of this Code, the Student Government Constitution, By-Laws, and the Election Timetable.

5.13 At the time of filing, each candidate shall be required to submit a non-refundable filing fee, made payable to Student Government. The filing fee of twenty dollars (\$20) shall be used to defer the administrative costs of the election. The Election Board may waive this fee if the candidate provides documentation of the current receipt of need-based financial aid from the University.

5.14 At the time of filing, each candidate shall be required to submit a good faith deposit, made payable to Student Government. The deposit of twenty dollars (\$20) shall be held by the Election Board until the election process is completed. At that time, the deposit will be immediately refunded, unless failure to follow this Code or ruling of the Election Board has resulted in forfeiture of all or part of the deposit. In any case, no portion of a candidate's deposit shall be refunded until all the candidate's signs are removed from the campus of the University. Failure to do so within three (3) class days after the election shall result in forfeiture of the deposit.

5.15 Any candidate wishing to withdraw from an election may do so by turning in a written request no later than four (4) class days before the election.

5.16 Each candidate shall be required to submit to the Election Board a list of agents they have authorized for their campaign on or before the Candidate Seminar date.

SUBCHAPTER B: The Candidate Seminar

5.17 The Candidate Seminar shall be held on the seventh day after the filing deadline. The exact time and place of the seminar shall be set by the Election Board no later than the beginning of the filing period, and shall be announced in accordance with Section 5.14 of this Code.

5.18 The Election Board shall set the agenda for the Candidate Seminar. The agenda must include the assignment of ballot positions in accordance with this Code, and may include explanations of this Code, review of the Election Timetable, and answering of candidate questions. Failure to attend the seminar shall not be an acceptable excuse for violating this Code.

5.19 If the candidate has an excused absence, then he/she may send an authorized agent in their place. The Election Board must be notified of the substitution at least 24 hours in advance of the Candidate Seminar.

5.20 Ballot positions for all candidates in all races shall be decided during the Candidate Seminar by blind drawing or other satisfactory, secret, random method devised by the Election Board. After all ballot positions for all races are determined for those present the same process shall be used to determine ballot position for the absent candidates.

5.21 No absent candidate may receive a ballot position above a candidate who was present at the Candidate Seminar. The first ballot position available to absent candidates shall be after the last position assigned to a candidate who was present.

5.22 The Election Board will certify each candidate's eligibility before the Candidate Seminar. Candidates who fail to meet eligibility requirements will be disqualified immediately and notified of this action in writing.

SUBCHAPTER C: Financial Disclosure

- 5.23 Each candidate for any Student Government office must keep accurate and up-to-date records of all campaign receipts and expenditures.
- 5.24 Receipts must be provided for all campaign expenditures. All expenses in excess of one dollar shall be included in the candidate disclosure statements.
- 5.25 Contributions to a candidate by individuals or organizations are allowed, but all contributions must be documented in a financial disclosure statement in accordance with this Code. Student organizations receiving student fee allotments shall not contribute funds derived from student fees to any candidate or executive alliance, nor use such funds to purchase any items to be used in campaigning. This provision shall not be construed to prohibit any Texas Student media publication or service from publishing the endorsement of candidates.
- 5.26 No candidate is allowed to financially contribute to another candidate's campaign. Sharing of campaign money and resources is strictly prohibited.
- 5.27 Each candidate's financial records must list identifying information (name, item, etc.) and amounts of each contribution and expenditure. Contributions and expenditures of non-monetary assets or in-kind efforts must be listed and valued at their fair market value, as determined by the Election Board. Each financial disclosure statement must have all expenditure receipts attached. All expenses must be included in the financial disclosure report. Campaign materials promoting an executive alliance must be accounted for and divided equally among the financial disclosures of each candidate mentioned by name in the materials.
- 5.28 All campaign materials distributed by and/or paid for by an endorser of a candidate must be included in the candidate's campaign expenditures. If an endorsing organization pays for campaign materials promoting multiple candidates, the full cost of those materials must be included in the campaign expenditures of each candidate promoted by the materials.
- 5.29 The Election Board shall provide standardized forms for the purposes of this Code by the filing deadline.
- 5.30 Financial disclosure statements shall be filed with the Election Board, in the Student Government office or other location designated by the Election Board, at the following times:
- (a) by 4:30 p.m., on the first day of campaigning;
 - (b) by 4:30 p.m., on the last day of the second week of campaigning;
 - (c) by 4:30 p.m., on the first day of voting in the General or Special Election;
 - (d) by 4:30 p.m., on the first day of voting in a Runoff Election;
 - (e) by 4:30 p.m., on the last day of voting in a Runoff Election.
- 5.31 The financial disclosure statements in Section 5.28 (c) and (e) must contain all the expenses incurred by the candidate during the campaign. A candidate does not have to file a report in accordance with Section 5.28 (a) and (b) of this Code, provided that there are both no contributions and no expenditures to report.
- 5.32 Each candidate's financial records shall be available for public inspection. Each candidate or executive alliance must submit a spreadsheet in digital and paper format summarizing their campaign expenditures to the Election Board for each disclosure required by Section 5.28. This summary of records shall be placed online by the Election Board within 24 hours after records are submitted.
- 5.33 Failure to file accurate financial disclosure statements by the deadlines listed in this section, or falsification of financial statements, shall qualify the candidate for disqualification by the Election Board.

Chapter VI: Campaign Provisions and Procedures

SUBCHAPTER A: Expenses

- 6.01 Candidates that do not take part of a candidate association and do not associate in any way with any other candidate, and do not declare a ticket name during the campaign period of the entire election cycle, shall be required to adhere to the following limitation on campaign expenditures:
- Executive Alliance: \$900 in any general election or special election
 - Representatives-at-Large: \$550 in any general election or special election
 - College Representatives: \$350 in any general election or special election
- 6.02 Candidates and executive alliances shall be allowed an additional \$150 each for campaigning in a runoff election.

SUBCHAPTER B: Campaigning and Endorsing

- 6.03 No campaigning or endorsing will be allowed until the official campaign period has begun as determined by the Election Board. Please refer to section 2.13 and 2.14 of this Code for a definition of campaigning and endorsing.
- 6.04 A sample of all campaign materials must be filed with the Election Board prior to its public distribution posting.
- 6.05 Candidates are responsible for all actions and conduct of their agents and workers.
- 6.06 All candidates, and their agents and workers, shall be responsible for following all applicable University regulations.
- 6.07 All Campaign Materials must be in compliance with University regulations governing the use of electronic media.
- 6.8 On election days, no campaigning or campaign materials shall be permitted within 20 feet of official ESB sanctioned polling locations.
- 6.09 No campaigning shall take place inside or within 20 feet of any polling voting location.
- 6.10 No candidate, agents or workers shall remove, obscure, or damage any sign, which is in compliance with the posting policies of that locale.
- 6.11 Candidates shall refrain from knowingly deceptive or misleading campaign activities, including any act or statement reasonably calculated to injure or compromise the rights or interests of any student, faculty or administration.
- 6.12 Candidates, as well as their agents and workers, shall not engage in campaigning activities that subjects students, faculty, or the administration to demeaning verbal harassment as determined by the Election Board.
- 6.13 Students must have their University of Texas Student EID in order to vote. The collection of personal identifiers or student identification to facilitate voting is prohibited, in accordance with the policies of the University IT Security Policy Office, and shall subject the candidate to disqualification by the Election Board.
- 6.14 Reasonable latitude will be allowed by the Election Supervisory Board to electioneering activities during the campaigning process, as long as those activities are in line with those specified within this Code, the General Information Catalogs, and in accordance with University policy. Any activity which is not expressly allowed within these boundaries is hereby expressly denied, except by clear and distinct ruling by the Election Supervisory Board prior to commission of the activity.
- 6.15 All endorsements must be filed in the Student Government office. This includes endorsements by registered campus organizations or their representatives.
A candidate must expressly consent to an endorsement before it is publicized by the Election supervisory Board. Further consent shall be required if the endorsing party intends to make campaign expenditures on a candidate's behalf. The Election Supervisory Board shall be responsible for publishing endorsements and informing student organizations of the endorsement process.
- 6.16 No Student Government representative, executive board member, agency or committee member, may endorse any candidate or executive alliance on behalf of Student Government, in accordance with Section 10.4 of the Student Government Constitution.
- 6.17 In making a personal endorsement of a candidate, an officer or head of any entity adopting this code must make an explicit disclaimer stating that his or her endorsement does not constitute an endorsement by the entity of which he or she is an officer.
- 6.18 If an officer or head of any entity adopting this code campaigns for any candidate, he or she must make a good faith effort to distance himself or herself from the entity of which he or she is an officer.
- 6.19 Members of the Election Supervisory Board may not endorse or campaign for any candidate. Doing so shall be considered just cause for removal from the board under Section 3.03 of this Code.

Chapter VII: Election Timetable and Procedures and Guidelines

SUBCHAPTER A: Election Timetable

- 7.01 The General Election shall be held on two (2) consecutive weekdays during the first week of March, in accordance with Section 6.1 of the Student Government Constitution. Runoff elections will be held two consecutive weekdays in the second week of March.
- 7.02 No changes to the Election Code may be enacted within four (4) weeks of the General Election, in accordance with Section 5.44 of the Student Government Constitution.

7.03 The Election Board shall advertise the complete ballot, with proper ballot order, in the student newspaper of the University at least seven (7) days prior to a General or Special Election, and during the week of a Runoff Election if necessary.

7.04 Ballot items declared pursuant to the Student Government Constitution must be presented to the Election Board for certification by the Judicial Commission at least three (3) weeks prior to the election. All ballot items must contain exact wordings of the items to be presented by the petitioners to the Assembly.

7.05 The Election Board shall advertise in the student newspaper of the University the official polling website. This shall also include all polling locations accessible to persons with disabilities, and must be published prior to a General or Special Election, or the week of a Run-off Election.

7.06 On the ballot and the Student Government website a link shall be provided to the following information on each candidate: name, position sought, major(s) and a statement of no more than 150 words. The ESB shall be able to restrict any untrue information.

7.07 No less than one (1) week prior to the election, the Student Government Deputy Advisor must hold a debate between any contesting executive alliances.

SUBCHAPTER B: Polling Locations and Stations

7.08 The Election Supervisory Board shall be charged with the creation of a minimum of four polling station on campus, as well as their staffing.

7.09 The locations of these stations must be published online and publicized at least 24 hours before the start of the first election day.

7.10 No campaigning or campaign materials may exist within 20 feet of any on-campus polling station.

7.11 All reported and published polling locations must have an internet-ready device available on voting days, during voting hours, for the express purpose of facilitating voting.

7.12 The same polling locations must be used on both voting days, but may be modified with the same time constraints for the Run-off elections if necessary.

7.13 Polling stations must be on campus.

7.14 The Election Supervisory Board may set limitations on the hours of operation for the voting locations, but may not deny the right to vote to any person standing in line to vote at the time the polling location closes.

SUBCHAPTER C: Election Procedures

7.15 The number of representatives for each College shall be advertised in the student newspaper of the University at least four (4) weeks prior to the General Election, in accordance with Section 4.3 of the Student Government Constitution.

7.16 Each student may cast one (1) vote for President and Vice President (executive alliance), one (1) vote for each available seat for their respective school in the Assembly, and one (1) vote for each available University Wide Representative seat, in accordance with Section 6.3 of the Student Government Constitution.

7.17 Election results shall be determined in accordance with Sections 6.4 and 6.5 of the Student Government Constitution.

7.18 No potential voter may be specifically excluded from casting a vote at any polling location.

7.19 On election days, no candidate, agent, or worker may exchange anything of value, excluding campaign material, in return for guarantee of vote.

7.20 The Election Board must coordinate with Services for Students with Disabilities in the Office of the Dean of Students, or other appropriate office, to ensure that at least one polling location is accessible to students with disabilities.

7.21 Poll hours for the General Election shall be from 8:00 AM on the first day of voting in the general elections until 5:00 PM on the second day of voting in the general elections.

7.22 Poll hours for the Runoff Election shall be from 8:00 AM on the first day of voting in the runoff elections until 5:00 PM on the second day of voting in the runoff elections.

7.23 Designated computer lab proctors may neither campaign, nor in any way indicate their opinion, while operating the polls. A candidate may not serve as a designated computer lab proctor during the election for which the candidate is on the ballot, or for any associated runoff election.

7.24 Candidate information on the ballots shall include the candidate's name, position sought, and other information pertinent to voting procedure.

7.25 Any computer with Internet access is acceptable for use in voting in all elections governed by this code.

7.26 Any change in the election process or this Code shall be presented before the Assembly, and shall be implemented following approval of the Assembly.

7.27 The final vote tabulation shall be under the supervision of the Election Board. No candidate for any Student Government office or position shall participate in vote tabulation. The Election Board shall annually determine the process for certifying election results.

7.28 Complaints regarding the election, or allegations election fraud, must be directed to the Office of the Dean of Students immediately.

Chapter VIII: Enactment

8.01 If this Code is enacted after any of the enclosed deadlines, such deadlines shall be immediately due, and the Election Board shall meet those deadlines with all deliberate speed. This Code shall not be implemented in part or whole until approved by the Assembly of Student Government.

Approved by the Student Assembly January 27, 1998

As Amended by the Student Assembly January 18, 2000 A.B. 21 Establishing Judicial Commission Oversight for Absentee Balloting and A.B. 22 Amending the Election code

As Amended by the Student Assembly 02/01/2000 by A. B. 24 Amending the Election Code

As Amended by the Student Assembly 02/08/00 (Amendment addition approved by ESB chair Nathan Brown) by A.B. 25 Amending the Election Code.

As Amended by the Student Assembly 11/14/00 by A.B. 11 Amending the Election Code

As Amended by the Student Assembly 12/05/00 by A.B. 14 Amending the Election Code

As Amended by the Student Assembly 01/30/01 by A.B. 18 Amending the Election Code

As Amended by the Student Assembly 02/13/01 by A.B. 19 Amending the Election Code to Require an Advisory Opinion of the Election Supervisory Board

As Amended by the Student Assembly 01/22/02 by A.B. 13 Amending the Election Code

As Amended by the Student Assembly 12/03/2002 A.B. 13 Amending the Election Code

As Amended by the Student Assembly 02/03/2004 A.B. 15 Amending the Election Code

As Amended By the Assembly 11/30/2004 A.B. 13 Revising the Election Code

As Amended by the Assembly 03/08/2005 A.B. 17 Enforcing the Dispute Resolution Requirement

As Amended By The Assembly 4/19/2005 A.B. 1 Election Improvement act of 2005

As Amended by the Assembly 1/24/2006 AB 27. Code Clarifications for Fall 2005

As Amended by the Assembly 1/24/2006 AB 28 Code Clarifications for Fall 2005 (Finances)

As Amended by the Assembly 4/4/2006 A.B. 33 Amendment to the Student Government Election Code

As Amended by the Assembly 4/1/2008 AB 24 Changing Election Code – Miscellaneous Things

As Amended by the Assembly 4/1/2008 AB 25 Changing Election Code – Tickets

As Amended by the Assembly 4/1/2008 AB 26 Changing Election Code – Polling

As Amended by the Assembly 4/1/2008 AB 27 Changing Election Code – Publicity

As Amended by the Assembly 10/07/2008 AB 15 Amending the Election Code-Spending Limits and Management of Polling Locations

As Amended by the Assembly 9/29/2009 Election Reform

As Amended by the Assembly 10/19/2010 AB 14 Student Government Election Code for 2011