



University of Iowa Student Government Elections Code
Student Elections Commissioner

Last Updated: December, 2017

Contents

I.	<u>Authority of Student Elections Commissioner.....</u>	<u>1</u>
II.	<u>Definitions.....</u>	<u>1</u>
III.	<u>Ballot, Petition, and Bond Procedures.....</u>	<u>2</u>
IV.	<u>Debates.....</u>	<u>4</u>
V.	<u>Election Timeline.....</u>	<u>4</u>
VI.	<u>Campaign Procedure.....</u>	<u>5</u>
VII.	<u>Election Day Procedures.....</u>	<u>6</u>
VIII.	<u>Campaign Spending</u>	<u>7</u>
IX.	<u>Violations Procedures.....</u>	<u>8</u>
X.	<u>Election Certification.....</u>	<u>10</u>

I. Authority of the Student Elections Commissioner

- A. The Student Elections Commissioner derives its authority from the University of Iowa Student Government (hereafter “UISG”) Constitution and Bylaws and the Student Judicial Court Bylaws.
- B. The Student Elections Commissioner (hereafter “the SEC”) has original jurisdiction over enforcing all rules, hearing all infractions, and answering all questions arising out of election procedure. The rules are set forth by the Elections Code. The SEC will hear all cases of election irregularities, discrepancies and violations of election rules.
- C. The SEC has the authority to amend the Election Code, which must then be adopted by a majority vote of the Student Senate.
- D. This Election Code shall apply to all University of Iowa Undergraduate Student Government elections.

II. Definitions

- A. Candidate shall be defined as:
 - 1. Any currently registered University of Iowa student whose completed petition and bond has been certified by the SEC.
 - 2. Any individual running for the position of President, Vice President, or Senator.
- B. Executive Ticket shall be defined as:
 - 1. Any two candidates running as one for the positions of President and Vice President.
- C. Ticket shall be defined as:
 - 1. An Executive Ticket combined with its affiliated senators, an Executive Ticket without senators, or a senatorial ticket with a maximum of 30 senators without affiliated executives.
- D. Independent shall be defined as:
 - 1. A Senator elected at-large with no ticket affiliation.
 - 2. One of 7 Senate seats reserved for Senators with no ticket affiliation.
- E. Campaigning shall be defined as:
 - 1. An act done by a candidate and their adherents to obtain a majority or plurality of the votes cast.
 - 2. Running for office.
 - 3. The promotion of candidacy for office done in such a way that is meant to secure definite support from the voting population.
- F. Polling place or site shall be defined as:
 - 1. ITCs, TILE classroom, or any area with more than five public computers
- G. Hearing shall be defined as:
 - 1. An in-person meeting with the defendant, accuser or the SEC.
- H. Debates shall be defined as:
 - 1. Formal discussion, verbal or in writing, between two or more persons from differing tickets, in which they take sides of a question, and maintain them, by facts and arguments.
- I. The SEC shall be defined as:
 - 1. The Student Election Commissioner, appointed per UISG and SJC Bylaw guidelines.
- J. Public Notification shall be defined as:
 - 1. Any notification of election material from the SEC to candidates in the form of an email, a presentation at the mandatory meeting, or a post on the UISG website.

III. Ballot, Petition, and Bond Procedures

- A. The SEC must provide public notification of all deadlines and procedures.
- B. All interested candidates must attend all mandatory meetings, as determined by the SEC, before the start of the campaign that will cover the code, procedures for election, etc.
 - 1. Any group of students seeking to run as an executive ticket must submit an Intent form one week after the first candidate interest meeting.
- C. Ballot
 - 1. Candidates for the executive ticket shall run as an entity consisting of the following positions:
 - a. President
 - b. Vice President
 - 2. Candidates may only run on one ticket.
 - 3. Candidates may not simultaneously hold a seat in more than one of the three branches of student government, excluding presidential charter committees.
 - a. The Student Elections Commissioner cannot run for any elected position in the UISG elections
 - b. Candidates who are part of the Student Judicial Court must recuse themselves of any decision that affects this election cycle.
 - 4. Candidates may not simultaneously run for more than one seat in the legislature.
 - 5. Candidates may run on an Executive ticket, or for a seat in the Student Senate; they may not run for both.
 - 6. Candidates may run for a seat in the Student Senate as Independents.
 - 7. The ballot will not reference any current national political party.
 - 8. Ticket names:
 - a. Ticket names may include the word “party”
 - b. Ticket names must be approved by the SEC prior to the approved candidate meeting.
 - c. Ticket names shall be introduced by the SEC at the approved candidate meeting.
 - 9. Candidate placement on the ballot is randomized by the online voting system.
 - 10. Names will appear on the ballot as listed on the petition. These names will be verified with candidates at the mandatory meeting.
 - 11. Each executive ticket must submit a vertically oriented photo for the ballot.
- D. Petition
 - 1. Only the official petition distributed by the SEC will be accepted for verification.
 - a. The SEC will make the petition available no later than the date of the first candidate interest meeting.
 - 2. The executive ticket’s petition shall be accompanied by no fewer than 300 undergraduate student names, signatures, and the complete Student IDs.
 - a. There must be 300 valid student signatures. Any less, the candidate will not be placed on the ballot.
 - b. Only currently registered undergraduate University of Iowa students may sign the petition.
 - 3. The senatorial petition shall be accompanied by no fewer than 75 undergraduate student names, signatures, and the complete Hawk IDs from the undergraduate student body.
 - a. There must be 75 valid student signatures. Any less, the candidate will not be placed on the ballot.
 - b. Only currently registered University of Iowa undergraduate students may sign the senatorial petition.
 - 4. All candidates’ names must be declared on each page of the petition.

5. The Executive Ticket will collect the completed petition and bond forms for all affiliated senator candidates and turn them in as one package to the Center for Student Involvement & Leadership (159 IMU) no later than two weeks after the second candidate interest meeting. CSIL will merely collect the petitions and all validation will be carried out by the SEC in conjunction with the Office of the Registrar.
 - a. Tickets formed without an Executive Ticket shall also turn in petition and bond forms as one packet.
6. All candidates must be in and maintain good standing with the university. The university will verify all candidates' standing before the candidates are officially placed on the ballot.
7. The SEC, in conjunction with the Office of the Registrar, will validate all petitions before the candidates are officially placed on the ballot.
 - a. Candidates with invalid petitions will be notified by the SEC.
 - b. Appeals must be filed in writing within 24 hours of notification from SEC and submitted by email to the SEC.
 - c. SEC must respond to all appeals of an invalid petition within 24 hours.
 - d. The SEC will officially announce all approved candidates and tickets at the approved candidate meeting.

E. Bond

1. Submission of the petition.
 - a. Each candidate is required to complete, print, and sign a UI U-Bill Charge Form for a total amount of \$100
 - b. The UI U-Bill Charge Form will be in the SEC Portal on OrgSync no later than the first week of February for the current election year. The CSIL will not accept any petition without a completed bond from all candidates.
2. The bond is a binding contract. The signature signifies that the candidate agrees to abide by the rules of the electoral process that are contained in University of Iowa Student Elections Code. Each member of the ticket or independent Senate candidate can print off a copy of the bond for their own records.
3. Each bond will be held by the SEC until the election is complete. For those candidates who have followed the rules for the election, these forms will be destroyed and the University account will not be charged.
4. If there are violations punishable by fines, the bond will be sent through the accounting system of the University of Iowa and the responsible individuals may be charged for the amount designated by the SEC. In the event of a fine to a ticket, each member of the guilty ticket will pay an equal portion of the fine, unless otherwise mandated by the SEC.

IV. Debates

- A. The SEC shall conduct all official debates for the UISG elections.
 1. At least one official UISG Presidential and one official UISG Vice Presidential debate must be conducted. If only one Executive Ticket is running, the SEC shall conduct a Presidential and Vice Presidential forum in place of a debate.
 2. The current UISG president will create a list of three nominees for the position of independent moderator. The SEC shall investigate and select one moderator from the list.
 3. The choice of moderator may be challenged to the SJC by any of the tickets currently running for election.

4. The debate will be conducted with fairness, candor, and decorum and supported by facts and arguments founded in reason.
 5. Organizations not affiliated with UISG or SEC may hold unofficial debates.
- B. The SEC, with input from the current UISG president should they choose, shall prepare questions for the debates. All current undergraduate students may submit debate questions to the SEC via email for consideration at least 24 hours prior to the debate.
 - C. The moderator, location, format, date and time of the debates, as determined by the SEC, will be made public at least one week prior to the debate.

V. Election Timeline

- A. The SEC shall release the official election calendar for the current election year before the first day of the spring semester.
- B. The first candidate interest meeting shall be held by the SEC during the second week of the spring semester.
 1. The SEC shall provide the first public notification of the first candidate interest meeting at least one month before the first candidate interest meeting.
 2. Petitions will be available beginning on the date of the first candidate interest meeting. Candidates may complete petitions beginning on the date of the first candidate interest meeting.
 3. Any student who plans to run for an executive position must attend the first candidate interest meeting.
- C. Executive letters of intent shall be submitted to the SEC no later than one week after the first candidate interest meeting.
- D. The SEC shall hold a second candidate interest meeting three weeks after the first candidate interest meeting.
 1. Candidates who attended the first candidate interest meeting are not required to attend the second candidate interest meeting.
 2. Executive tickets shall be announced by the SEC at the second candidate interest meeting.
- E. Petitions and bonds must be submitted to the CSIL office no later than ten days after the second candidate interest meeting.
- F. The SEC shall notify candidates of petition validation prior to the approved candidate meeting.
- G. The approved candidate meeting shall be held at least one week prior to the start of campaigning.
 1. The SEC shall announce all approved candidates and tickets at the approved candidate meeting.
- H. The designated campaign period will commence on the Sunday immediately following the university-designated spring break at 10 pm. If Spring Break is scheduled for the last week in March, campaigns and elections shall occur before Spring Break.
- I. The election shall conclude on the second Thursday after the commencement of the campaign period.
- J. Election results shall be announced on the second Friday after the commencement of the campaign period.
- K. Executive applications shall open the week following the election, and executives shall be interviewed and selected by the third week of April.

VI. Campaign Procedure

- A. Campaigning shall include, but is not limited to:

1. Posters or flyers
 2. Buttons, balloons, or stickers
 3. Speeches
 4. Newspaper, radio, television, or electronic advertisements
 5. Clothing, hats, or other apparel with campaign related information
 6. LISTSERV emails
 7. Websites and use of social media
 8. Anything that displays the support or opposition of a candidate or ticket to obtain a majority or plurality of the votes cast.
- B. Prior to the distribution of any campaign material through any physical or digital medium, all candidates must give a copy of said material and a completed campaign material approval form to the SEC (via email or at a location designated by the SEC).
1. Personal correspondence needs no prior approval by the SEC.
 - a. Personal correspondence shall be defined as any form of person-to-person communication, not copied in mass or numerously duplicated, and not in violation of rules set forth in the University of Iowa Student Elections code.
 2. Clothing, hats, or other apparel must be acquired from the approved list of sustainable vendors and submitted to the SEC for verification.
- C. UISG and affiliated LISTSERVs and past ticket social media networks may not be used to support any candidate or executive ticket.
- D. The necessary University authority must approve use of any University property.
- E. Campaign material cannot use the University of Iowa Student Government logo or image without the written consent of UISG.
- F. Campaign material cannot use the Tiger Hawk, Hawkeye logo, or any trademarked/licensed image without all necessary licensing and copyright approval.
- G. Campaign material cannot use any celebrity endorsement without all necessary licensing and copyright approval.
- H. Candidates are required to adhere to University policies in their campaigning practices, including the guidelines distributed by the following:
1. University Housing & Dining
 2. Cambus
 3. Iowa Memorial Union
 4. Other Academic/Non-Academic buildings and spaces
- I. Candidates shall adhere to the following guidelines regarding student organizations:
1. To claim support, candidates must submit to the SEC via email a completed Student Organization Support Form signed by a principle representative of that Student Organization.
 2. If a student organization wishes to internally give support to a candidate, they may do so through an email to the organization's Listserv or mailing list.
- J. The following campaign practices are prohibited:
1. Campaigning or displaying of campaign materials prior to the first day of the designated campaign period, as listed on the official campaign calendar.
 - a. Exception: Campaign kick-off events may be advertised one week prior to the Sunday of campaign commencement as outlined below:
 - i. Advertisements may only take the form of an internet event with the title "UISG Election Kick-Off Party"
 - ii. Only one event per ticket may be created.
 - iii. Senator names, platform initiatives, ticket names, colors, slogans, and all other forms of campaigning are strictly prohibited before 10 pm on the Sunday prior to the campaign period, as specified in the election calendar. This includes, but is not limited to, the

- event name, description, picture, or any other public medium.
 - 2. Campaigning or placing campaign material in or within view from a polling place on the designated election days.
 - 3. Contacting the principal representative of student organizations or groups regarding UISG campaigning prior to the petition certification by the SEC. Once certified, candidates may contact the student organization to discuss meeting with said group within the campaign period.
 - 4. Claiming the endorsement or support of any organization without an approved Student Organization Form or a letter of endorsement.
 - 5. Altering and or using an existing social media network as a primary medium for campaigning. This includes, but is not limited to, changing twitter handles with followers created under false pretenses.
 - 6. Any campaigning in the student government office (Suite 260B IMU).
 - 7. Verbal or physical harassment or intimidation of other ticket candidates or adherents.
- K. All campaign materials, including electronic campaign material but excluding past social media posts and official ticket websites, must be removed from public areas within 48 hours of the conclusion of the election unless under the regulation of Cambus, University Housing, or any other Academic/Non- Academic buildings and spaces, or be fined.
- L. It shall be the duty of the candidates to police their own campaign.
- M. The SEC shall enforce all rules regarding campaign materials.

VII. Election Day Procedure

- A. Campaigning on Election Day
- 1. There shall be no campaign material visible in any polling place on the designated election days. This does not include t-shirts designed to support an individual, executive ticket, or ticket running for elected positions.
 - 2. Candidates are not responsible for any material that has been distributed through the Cambus office, University Housing or any other Academic/Nonacademic buildings and spaces.
 - 3. The following acts are prohibited on Election Day:
 - a. Campaigning or solicitation of votes in or within view from a polling place, including but not limited to bribing voters or posting of signs.
 - b. Interrupting, hindering, or opposing any voter while in or approaching the polling place.
 - c. Interfering or attempting to interfere with a voter when marking a ballot.
 - d. Inducing voters to show or state who he or she voted for.
 - e. Renting tables in residence halls
 - f. Forcibly soliciting votes is prohibited.
 - g. Forcibly soliciting votes in person is defined as:
 - i. Handing an individual an electronic device with the explicit intent of getting them to vote on campus
 - ii. Participating in voter intimidation
 - iii. Voting on behalf of another individual
 - iv. Any acts specifically outlined by the SEC
- B. Online Polling
- 1. Online polling will be the only available forum for voting in student body elections.

2. The tabulation of votes will be carried out by the SEC. The Presidential Election will be conducted using instant run-off voting. The final results will be certified and announced by the SEC.
 - a. In the case of a tie there will be a run-off election between the tied candidates. The election will be conducted online by the SEC.
 - b. There will be an additional campaign period for the tied candidates, to be established and monitored by the SEC.
3. Senatorial elections will be conducted using a plurality vote.
4. All candidates must reach a threshold of 10% of the votes cast in the election to earn a seat.
5.
 - a. The 30 senators with the highest number of votes who meet this threshold will win seats in the Student Senate, regardless of party affiliation or independent status.
 - b. The seven independent candidates with the highest number of votes who meet this threshold will win the reserved independent seats.
 - c. More than seven independents may be elected if more than seven independents receive higher vote counts than the lowest ticket-affiliated senator.
 - d. If fewer than 37 total senators reach the 10% threshold, the resulting vacant seats will be filled by the Nominations Committee in the fall.

VIII. Campaign Spending

- A. The maximum campaign-spending limit for a ticket consisting of a President, Vice president, and any affiliated senators is \$3,000, including In-Kind donations.
- B. The maximum campaign-spending limit for a ticket consisting only of senators is \$2000, including In-Kind donations.
- C. Any senator running as an independent can spend up to \$300 on their personal campaign materials.
- D. Candidates are required to keep track of all expenditures. A Campaign Finance Record will be available to candidates online at the SEC website, located at the location designated by the SEC and all expenditures must be recorded on the financial record. This record and all campaign receipts are due to the SEC at the conclusion of the voting period, or upon request. In total this will result in one submission per ticket.
- E. Donations of materials by outside sources must have their value reported to the SEC on the Campaign Financial Record as “In Kind” reports.
 1. All materials and/or professional services donated to the campaign must be declared at its present fair market value.
 2. Donated materials and/or services, including previously owned material must be declared whether sought or offered.
 3. Personal discounts are not acceptable unless available to the general public.
 4. A candidate is allowed to accept a discount for materials and/or services rendered. If the discount is not available to the general public, it must be recorded at its fair market value.
 5. Promotions obtained through partnerships with businesses during the campaign period are allowed if the general public can benefit from or take part in any resulting discounts or other promotions.
 - i. Candidates and Tickets may not contact representatives from businesses or organizations until their petitions have been verified by the SEC.

IX. Violations Procedures

A. Complaints

1. Any individual, including candidates, may file complaints.
2. Complaint forms may be obtained online at the SEC website.
3. Complaints must be filed in writing scanned and emailed directly to the SEC or a location designated by the SEC. Oral complaints will not be accepted.
4. Complaints must contain the following:
 - a. Name of the candidate, ticket, and/or individual who committed the alleged violation.
 - b. Brief description of the alleged violation, including date and time of the incident and reference to the relevant provision(s) of the SEC Code, UISG By-Laws, or other provisions prescribing guidelines for elections.
 - c. Printed name of person filing complaint.
 - c. Signature of person filing complaint.
5. Any applicable evidence should be attached to the complaint.
6. Complaints may be submitted before and throughout the campaign period, but no complaints will be accepted after 12:00 PM the day following the final day of voting, notwithstanding complaints alleging violations of removal of campaign material after the close of campaign period.
7. Complaints must be filed within 24 hours of the violation.

B. Committal Hearing

1. The SEC will only hold Committal Hearings on complaints if the SEC deems it necessary (i.e. properly filed cases requiring tact or extensive discussion).
2. Once a complaint is filed, the SEC may hold a Committal Hearing to determine if there is a reasonable suspicion that the violation alleged in the complaint occurred.
3. The complaining individual or individuals shall carry the burden of proof at the Committal Hearing.
 - a. Reasonable suspicion that a violation occurred may be established by the complaint form's contents and evidence attached thereto.
4. The person or ticket who perpetrated the alleged violation need not be notified of a complaint prior to the SEC's finding at the Committal Hearing.
5. If the SEC finds that there is no reasonable suspicion an offense occurred, then the SEC will disregard the complaint.
 - a. If the individual or individuals who filed the complaint believe that the SEC's finding in the committal hearing was improper, then they may appeal this decision to the Student Judicial Court and must follow the appeals procedure set out in the SEC Election Code § VIII (D).6. If the SEC finds reasonable suspicion that a violation occurred, then the complaint shall be directed to a Merits Hearing as outlined in section § VIII (C) of the Student Elections code.
 - b. In the case of an appeal by either ticket, per the proper procedure set out in the SEC
 - c. Election Code § VIII (D) following a Merits hearing, the selected Prosecutor and Investigator from SJC must recuse themselves from the Student Judicial Court's deliberation and decision regarding the appeal.

C. Merits Hearing

1. If the SEC decides to hear a complaint, the SEC will inform all involved individuals and executive tickets of both the charges they face and a summary of the evidence
 - a. Notification sent to the University email account of the involved

- individuals and executive tickets is presumed to be sufficient.
2. The accused will have 48 hours from the time notification is sent to demand a Merits Hearing.
 - a. Demands must be in writing and submitted to via email to the SEC. Oral demands will not be accepted.
 - b. The accused may also enter a plea of responsible to the violation.
 3. If the accused does not demand a Merits Hearing or enters a plea of responsible for the violation, then the SEC shall find the accused responsible of the violation and impose an appropriate penalty.
 4. If the accused demands a Merits Hearing, then the SEC shall hold such within a reasonable amount of time.
 - a. The SEC may further investigate the violation and submit additional evidence.
 - b. Only the individuals and associated tickets can be present at the hearing.
 - c. All evidence must be submitted to the SEC by the time of complaint filing. Any additional evidence must be provided at least 24 hours in advance of the Merits Hearing to the SEC by email.
 - d. All involved individuals may view all evidence upon request to the SEC.
 5. If the SEC determines a responsible verdict in the Merits Hearing, the SEC has the discretion to impose a penalty.
 6. SEC maintains the right to publicly disclose the verdicts of any hearings.

D. Penalties

1. Penalties include but are not limited to spending limit decreases, monetary fines and disqualification as outlined in the SEC Election Code § VIII(E).. The SEC has the discretion to determine which course(s) of action will be taken.
 - a. Fines take the form as deductions from the tickets' spending limit.
 - b. If the ticket has spent more than their reduced spending limit, campaign materials (i.e. t-shirts, posters, etc.) must be forfeited to the SEC with accompanying receipts within 24 hours of the verdict.
 - c. All fines collected will be put into the UISG Contingency Account
 - d. Lack of material funds request:
 - i. If the ticket provides reasonable evidence, as determined by the SEC, that they are physically unable to forfeit materials and communicates this in writing within 24 hours of the verdict (with any accompanying evidence), the ticket may instead receive a monetary fine equal to that of their spending limit decrease. All lack of material funds requests are granted only at the discretion of the SEC and are not an option if campaign materials can be reasonably forfeited to the SEC.
 - ii. The SEC will approve or deny a lack of material funds requests within 24 hours of receiving the request. However, intentional delays on the party's behalf may result in a 150% increase in the fine's amount.
 - e. Appendix B of the Election Code shall provide a basis for spending limit deductions and monetary fines.
 - f. Each member of a ticket will pay equal portions of fines imposed against a ticket unless other arrangements are made with the SEC.
2. On all violations, notification of the SEC's ruling will be sent to the relevant individuals.
 - a. Notification sent to the University email account of the individuals and

executive tickets is presumed sufficient.

E. Disqualification

1. Disqualification may happen to individual senators or to an executive ticket. Disqualifications will be considered, but is not mandatory, when:
 - a. Individuals or tickets commit an egregious offense, which is defined as those which would result from a single offense in a monetary fine of at least \$300
 - b. The SEC may elect to make a motion for only the executive ticket or individual senators to be disqualified.
 - c. An individual senator accumulates more than \$200 in fines.
 - d. A ticket accumulates more than \$1000 in fines.
 - i. The SEC may elect to make a motion for only the executive ticket to be disqualified.
 - e. A ticket that does not forfeit campaign materials, file a lack of material possession request, or a file a formal and properly submitted appeal to the SEC within 24 hours of the verdict.
 - f. A ticket that knowingly falsifies their Campaign Finance Record or fails to include in-kind donations.
2. Disqualification requires the approval of the SEC, CSIL director, and an official verdict from a merits hearing.

F. Appeals

1. After notification of the SEC ruling, the responsible individual(s) will have 24 hours to appeal the ruling.
2. Appeals are taken to the Student Judicial Court.
 - a. The Student Judicial Court may decide the appeal or remand to the SEC.
3. Appeals must be in writing and addressed to the Student Judicial Court.
 - a. Appeals shall articulate any and all reasons for filing such.

X. Election Certification

- A. Election results will be certified by the SEC following the review of each ticket's campaign finance reports, violation hearings, and satisfaction of any penalties.
- B. Candidates will be notified of results in a timely fashion by the SEC.
- C. All results shall be made public and results may be furnished upon request by any candidate or ticket member.