

# Election Code

## Article I: Candidacy Requirements:

1. In order to appear on the ballot, candidates must submit petitions to the Election and Rules Committee (E&R) in advance of the election, and attend a candidates meeting as arranged by E&R.
2. The forthcoming availability of petitions for candidacy shall be announced at least one week in advance of their availability and at least three weeks before Executive Slate elections occur. For Council elections, petition availability shall be announced at least two weeks before the elections occur.
3. All candidates for office shall be given a copy of the SG governing documents, including this Election Code, and a Candidates Packet, and shall be informed of all material rules and regulations, upon receiving petitions for candidacy. Such information shall also be available in the Student Government office and be posted to the Student Government website.
4. The period of time allowed to obtain signatures for candidates' petitions shall be not less than five days, or greater than fourteen days.
5. Signatures on each petition will be checked for their validity. Signatures will be declared invalid if the signer is not a member of the Student Association and/or the signer is not a member of the candidate's constituency.
6. The number of valid signatures required for a candidate to appear on the ballot shall be as follows:
  - a. 300 for each Executive Slate from their respective constituencies
  - b. 150 for each Student Liaison to the Board of Trustees candidate from their respective constituencies; and
  - c. 150 for each Community and Government Liaison candidate from their respective constituencies.
  - d. 30 for each College Council candidate from their respective constituencies.
  - e. Candidates for Graduate Council must submit petitions with the lesser of the following number of signatures:
    - i. 30 signatures from their respective constituency, or
    - ii. Signatures of 2.2% of their respective constituency rounded up to the next whole person.
      1. E&R shall list a table on the petition form, which shall include the name of each division, and how many signatures are needed based on the formula established in Article I § 6(e) of the Election Code. This determination

will be based on the most recent quarterly census conducted by the Registrar.

7. Candidates or candidate slates wishing to run as write-in candidates must do one of the following:
  - a. submit a petition to E&R before the beginning of the elections which states an intention to run and which contains at least one valid student signature; OR
  - b. submit a timely petition to E&R after having been declared a winner of a position, which states an intention to accept the position and which contains at least one valid student signature.

Article II: Campaign Expenditures:

1. Executive candidates' slates shall receive a \$150 copying account at the Reynolds Club, and shall limit other campaign related expenditures to \$200, which will be reimbursed as set forth in the Candidates Packet. Write-in Executive candidates' slates shall limit campaign related expenditures to \$350.
2. Official Liaison candidates shall receive a \$50 copying account in the Reynolds Club, and shall limit other campaign expenditures to \$100, which will be reimbursed as set forth in the Candidates Packet. Write-in Liaison Candidates shall limit campaign expenditures to \$150.
3. Candidates for College Council shall receive a \$50 copying account in the Reynolds Club, and shall limit other campaign expenditures to \$100. Write-in College Council representative candidates shall limit campaign expenditures to \$150.
4. Candidates for Graduate Council representative shall receive a \$50 copying account in the Reynolds Club, and shall limit other campaign expenditures to \$100. Write-in Graduate Council representative candidates shall limit campaign expenditures to \$150.
5. Expenses shall be measured by their fair market value, not their actual cost. Where an item or service is donated to a candidate or given at a markedly reduced price that is not available to the general public, fair market value shall be defined as the average or usual cost to obtain the item or service in the area in which it was obtained. Otherwise, the actual price of the item or service may be considered its fair market value, at the discretion of E&R.
6. Candidates shall keep original receipts of all campaign-related expenditures, and shall submit them to the E&R Committee in a manner specified by E&R.
7. Candidates may not spend beyond their respective limit. Refusal to cooperate with a request by E&R for production of any documents or records related to campaign expenditures, or actions to purposefully mislead E&R on this matter, may be punishable as specified in this Election Code.

8. Recognized Student Organizations (RSOs) may not use money allocated to them by Student Government to support the campaign of any candidate or candidate team. Campaigns are prohibited from accepting this support.

Article III: Candidate Conduct:

1. Campaigning before the availability of petitions is prohibited. Such early campaigning is defined as attempts to gain votes prior to the announcement of the availability of the petitions. This includes flyering, mass emailing and public declarations of candidacy on social media, in a publication, or at a mass assembly of students. Reaching out to individuals to learn about issues, attempting to find running mates, and having exploratory conversations and email exchanges are not considered to be early campaigning. When identified, early campaigning should result in a warning for the offending candidate. If multiple warnings are issued, E&R may choose to bar the candidate from the election.
2. Promises of personal favors by candidates or slates attempting to gain votes may be punishable by vote penalties. ‘Personal favors’ should not be confused with exploratory conversations regarding leadership positions, platform plans, or proposed initiatives.
3. Unwarranted personal attacks are prohibited. Personal attacks are defined as attacks on a personal characteristic of a candidate that are calculated to create a negative impression of that candidate beyond the scope of the candidate’s platform or suitability for office and either
  - a. are not used to support a conclusion that a candidate is unsuitable for office or has a deficient platform; or
  - b. weakly support such a conclusion and there exists an obvious alternative way to support that conclusion at least as well without resorting to the personal attack.
4. Defamation, defined as the alleging of provably false facts about candidates in a manner calculated to undermine their campaigns, is prohibited.
5. Behavior at E&R sponsored events, such as a formal debate, incongruent with the letter or spirit of the honor code in the Candidates Packet to engage in a civil and respectful manner may result in removal from that event and further penalties.
6. Collusion between separate slates, for the purpose of campaigning or undermining other slates may be punishable by vote penalties.
7. E&R hereby adopts the Student Organization Posting Policy, and any relevant interpretations as set out in the Candidates Packet, into the Election Code, and violations of this policy are infractions under the Code. For the purposes of this rule, candidates are subject to the same restrictions as RSOs except as specified in the Candidates Packet, and the relevant event is the election. The posting policy may be found here: <https://leadership.uchicago.edu/posting-policy>.

8. Campaigns are expected to be conducted in accordance with University regulations and local, state, and federal law. However, with the exception of the Student Organization Posting Policy, these laws and regulations are not incorporated into the Election Code and an action that violates them is not also an Election Code violation that can be adjudicated by E&R, unless:
  - a. Performing the action may benefit one's campaign or harm another campaign but candidates generally refrain from doing so because it is prohibited by law or university regulation;
  - b. The action is conducted with intent or effect to benefit the violator's campaign at the expense of another's or to harm another's campaign; and
  - c. E&R can conclude that the action violates the law or regulation on its face with minimal legal analysis.
9. Campaigning cannot take place within 50 feet of a polling station
  - a. Since computers are used to vote, no campaigning can take place within 50 feet of any public computer
  - b. Candidates are prohibited from approaching potential voters with a web-enabled electronic device to solicit votes

#### Article IV: Infractions

1. E&R shall level an infraction against any candidate or slate found to have taken actions that violated a rule that would have led to winning votes at the expense of other candidates. Such actions include, but are not limited to, early campaigning, illicit collaboration between slates, spending beyond a candidate's imposed limit, or removing the posters of another candidate or slate.
2. Infractions shall be classified as minor, major, or disqualifying, each corresponding to a particular penalty.
  - a. Minor infractions, such as limited overspending or unallowed postering, may result in a 5% deduction in overall vote total for candidates.
  - b. Major infractions, such as repeated minor infractions, extreme early campaigning, or unwarranted personal attacks, may result in a 10% deduction in overall vote total for candidates.
  - c. Disqualifying infractions, such as repeated major infractions or gross violations of the letter or spirit of the Election Code in a manner that undermines the integrity of the election, may result in immediate disqualification from the election. If the disqualification occurs prior to the actual administration of the election, the disqualified candidate or slate's name shall not appear on the ballot. Disqualifications shall require either a motion by the chairperson that is supported by a majority of E&R or a motion supported by all voting members of the committee.

3. Infraction level for a given offense is determined by the discretion of the committee.
4. For improper actions by candidates or slates that do not officially break rules, E&R shall issue warnings towards the goal of good sportsmanship and a clean election.
5. Candidates may be held responsible for campaign-related Constitution, By-Laws, Elections Code, or Candidates Packet violations committed by members of their campaign teams. A campaign team is defined as a candidate or candidates for office and those people and groups actively and/or publicly working towards the election of the candidates.
6. Write-in candidates are subject to the SG Constitution, By-Laws, Elections Code, and Candidates Packet, with the exception of rules regarding petitions. Violations of these documents by write-in candidates are subject to the same penalties as rule violations by official candidates.

#### Article V: E&R Committee Procedure

1. Allegations must be brought to E&R within one week of the end of the relevant elections. These allegations may be brought by any student, by any student group, or by any member of E&R or Student Government. Anonymous complaints will not be considered. Complaints will be received by the Chair of the E&R committee (who will post an email address to the SG website at which he or she may be reached) who will present the complaint, in its entirety, to the rest of the committee; otherwise, complainants should not contact individual members of E&R regarding their complaint. Information submitted to individual E&R members will not be considered.
2. Once an official complaint has been made, E&R will issue a formal decision pursuant to the House Rules in the Candidates Packet.
3. An appeal will only be considered if significant additional information is provided with the appeal. New information shall be submitted with an appeal along with a copy of the original decision to the SG Executive Committee and to E&R.
4. While the complainant(s) and the defendant(s) will lodge the complaint and defend their conduct in an open meeting, E&R will deliberate and make a decision in private.
  - a. If under extraordinary circumstances, and in consultation with E&R's CLI staff member, the Committee members find unanimously that the nature of a particular case is such that a public complaint process would be injurious to the safety or wellbeing of either the complainant(s) or the defendant(s) or both, then E&R may hear such complaints in a special private session called after the conclusion of its public meetings and prior to E&R's deliberation.

5. If after one hour of deliberation there has not been a vote, the Chair will call for a vote unless a motion is presented to extend deliberation, and that motion passes by a majority. If there is a tie, the Chair will vote and break the tie. Deliberation need not take one hour and the E&R Committee may vote at any point before the time limit is reached.
6. E&R in conjunction with the Center for Leadership and Involvement, will issue a Candidates Packet. The Candidates Packet may not contradict the Elections Code, the By-Laws, or the Constitution. The Candidates Packet will include the following:
  - a. House Rules detailing E&R Committee Procedure.
  - b. An Honor Code governing conduct and decorum at E&R-sponsored events.
  - c. Additional interpretations specific to the election regarding the University Posting Policy and Reimbursement guidelines.
  - d. An agreement to abide by the Election Code, Honor Code, University Policies, and House Rules.
  - e. Other useful information.

#### Article VI: Ballot presentation and voting

1. The names of all candidates, their affiliation with any electoral group, and their School or Division shall be listed on the ballot. The order of the names shall be randomized.
2. Instructions regarding how to mark the ballot shall appear on each ballot.
3. When proposed amendments to the SG Governing Documents are to be voted on by the Student Association, the full text of such amendments shall appear on the ballot and links to the current documents shall be provided on the SG website.
4. For students voting for multimember positions, such as Graduate or College Council Representative, one may submit votes for a number of candidates up to the number of actual representatives. For example, there are four College Council Representatives for each class year; when voting, students may select up to four candidates for whom to vote.
5. For students voting for multimember positions, one may submit write-in votes for up to the number of actual representatives, as described above. Each submission for a write-in vote must be unique and may not duplicate names.

#### Article VII: Referenda

1. Referenda shall be conducted in compliance with the process enumerated in SG Constitution Article VI § 2. The process requires a proper petition, a proper submission, and a proper act of referendum, as defined under this code. Referenda that do not comprise all three elements properly carried out take no effect.

2. In order for a petition to be proper:
  - a. All signatories must be current members of the Student Association, and each signature must include a Student ID number for verification.
  - b. Signatures must be collected in hard copy.
  - c. The complete text of the act of referendum, as specified in this code, must be made available for perusal to all signatories at the time of signing. The signatures are only valid to support an act of referendum identical to that which was made available to the signatories.
3. In order for a submission to be proper:
  - a. E&R must provide no fewer than three weeks' notice of the forthcoming referendum to the Student Association.
  - b. At minimum, notice must take the form of:
    - i. Email to all members of the Student Association;
    - ii. Posting on the Student Government website; and
    - iii. Notice directly addressed to any graduate student associations that may be affected by the proposed act of referendum.
  - c. Notice must include the complete text of the act of referendum. This notice is only valid to support an act of referendum identical to that contained in the notice. Notice must also include the date and time of the referendum vote.
    - i. The complete text of the referendum must be in the body of the email specified in Article VII § 3(b)(i), and not merely in link form.
    - ii. Pursuant to the rules prohibiting undue advantage in any campaign elsewhere in this Election Code, the official E&R notice may not include additional information or links supporting or opposing the proposed act of referendum.
  - d. The ballot must include the complete text of the proposed act of referendum, as specified in this code.
  - e. The ballot question must be phrased as follows: "Should the act of referendum specified above pass?"
  - f. E&R must ensure that the act of referendum is unambiguous to the voter.
4. In order for an Act of Referendum to be proper:
  - a. It must explicitly propose one, and only one, of the following:
    - i. Constitutional amendment.
    - ii. Assembly By-law amendment.
    - iii. Resolution as defined by Assembly By-Laws Article II § 2.
    - iv. Statute defined by Assembly By-Laws Article II § 2.
  - b. It must include the complete text of the amendment, resolution or statute being proposed and cite to where it would appear in governing documents,

if applicable. Otherwise it must specify in full, with citation and a full text quote, the Article, By-law, resolution or statute which the act is proposing to repeal. If the act proposes an amendment to an existing Article, By-law, resolution, or statute, then it must include both the text and citation of the existing rule, and the proposed new language, and specifically propose that the latter replace the former.

- c. The proposed amendment, resolution, or statute is subject to the same limitations as its Assembly counterpart. Therefore, proposed By-laws may not contradict the Constitution, and proposed resolutions and statutes may not contradict the By-laws or Constitution.
  - d. Proposed amendments, resolutions, and statutes may not contradict existing amendments, resolutions, and statutes of the same authority, unless the act of referendum explicitly proposes amending, replacing, or repealing the rule in question under Article VII § 4(c) of this code.
  - e. It may not include a preamble unless that is to become part of the enacted amendment, resolution, or statute. It may not include a title, which will be assigned by the Assembly if the act of referendum passes; this restriction applies solely to ballot presentation and to the notice specified in Article VII § 3 of this Code.
5. If E&R finds that any of the above steps are deficient, it may suspend the referendum process until it is either rectified or E&R deems it irreparable, at which point the referendum will be canceled.
  6. The Parliamentarian shall be consulted if there are any questions regarding Article VII § 4(c)-(d) of this code.
  7. Failure to meet the criteria for a properly petitioned and submitted act of referendum as specified in Article VII § 2-4 of this Election Code will render the act of referendum null and void.
  8. E&R shall set the date of the referendum, as per the constitution. E&R should schedule referenda to coincide with regularly scheduled elections provided sufficient notice is provided as defined by Article VII § 3 of the Election Code.
  9. Campaign efforts for referenda shall abide by all applicable normal election rules and procedures.
  10. This article applies to E&R whether it comprises the five appointed members or the ex-officio members in the persons of the President of the Executive Committee and the Vice President for Administration.