***University of Notre Dame***

Student Body President & Vice President

Election Packet 2019

PETITION POLICY

* Petitions will be made available on Tuesday, January 15, 2019 at 12:00pm (noon) at the Information Session and must be submitted ***no later than*** 12:00pm (noon) on Friday, January 25, 2019 to the Judicial Council Office.
* We will not be providing extra petitions pages: feel free to separate them and disperse them to your team. Just reassemble them in order when you turn them in. You must use the official petition sheets; other sheets of paper will *not* be accepted.
* Please make sure all names are legible.
* **There is to be no campaigning while getting signatures (or at any time before your ticket has been approved)**.
* You must personally hand petitions in to Shady or Ellen at the Judicial Council Office. If you cannot make any of our office hours and must slip the petition under the door, please send an email to [jcouncil@nd.edu](mailto:jcouncil@nd.edu) and wait for confirmation that we received your petition. *We are not responsible for petitions that are not handed directly to us*.

POSTER POLICY

* All posters must be approved (stamped and initialed) by Ellen, Shady, or a member of the Election Committee. They must also be approved by the Student Activities Office. SAO will not stamp your poster unless it has first been stamped by the Judicial Council.
* SAO will **NOT** be available from outside of their normal business hours (M-F, 8am-5pm) to stamp posters. Plan accordingly!
* All receipts must be turned in to Judicial Council once copies are made but BEFORE campaign materials are used.
* Any additional physical campaign material (e.g. handouts, flyers etc.) must be approved by the Election Committee.
* Any personal social media pages or social media pages created specifically for campaigning must be made accessible to Judicial Council.

ALLEGATIONS POLICY

* All allegations must be submitted **in writing** to Ellen or using our **online form** (can be found at jcouncil.nd.edu). These can be submitted during office hours or slid under the office door. If you slide the letter of allegation under the door, please email [jcouncil@nd.edu](mailto:jcouncil@nd.edu) noting such.
* Allegations must be submitted within 48 hours of the incident or by 11:59pm on Election Day, whichever comes first.
* All letters of allegation must include the following:
  + Your name and contact information
  + The ticket you are alleging violated the elections regulations
  + The election (Student Body, Junior Class Officer, etc.) in which that ticket is running
  + A description of the alleged violation
  + Any evidence supporting your claim

OFFICE HOUR POLICY

* Candidates may not contact the Judicial Council to arrange for a meeting time outside of regular office hours. If you email the Judicial Council asking if we will be there later in the day, we will not respond. This policy is in effect because we don’t want to favor one ticket over another by meeting with some of you outside of office hours and not others.
* The Judicial Council Officers will, however, be in their office at various times during the day. If you happen to catch them at any time of day while they are there, they will stamp posters, etc.
* If you would like to schedule an appointment to meet with Judicial Council officers during office hours, you may do so using the link on our website. Please be considerate of others who may wish to meet with Judicial Council individually as well. You must schedule an appointment at least 24 hours in advance of the appointment time.
* We *will* meet outside of office hours to discuss any campaign violations.
* Office hours are always subject to change; however, the most up-to-date schedule will be posted on the Judicial Council website (jcouncil.nd.edu). If for some reason something comes up (e.g. we are upstairs in Student Activities), a post-it note will be placed on the door to let you know when we plan to return.

**ELECTION REGULATIONS**

This cites relevant sections of the Student Union Constitution. It is meant as a guide only. All candidates are expected to be familiar with and act according to the most current version of the Constitution (available online) as well as the regulations provided for in du Lac.

**ARTICLE XVII ELECTIONS**

**Section 17.1. General Provisions.**

1. Any Notre Dame undergraduate student in good academic standing (as determined by the Office of the Registrar or the First Year of Studies) and good disciplinary standing (as determined by the Office of Community Standards) is eligible for candidacy.
2. A candidate or ticket shall be defined as any undergraduate student(s) with the intent of seeking office who are therefore subject to elections regulations.
3. All election rules and campaigning are subject to University regulations as outlined in duLac. Please note that the placing of posters in non-bulletin board space is not permitted by University regulations, and candidates do so at their own risk.
4. Campaigning may be held only over a period specified by the Election Committee. Campaigning consists of any public contact for the solicitation of votes. Personal appearances, placement of posters, or distribution of any election materials shall be considered campaigning. Any campaigning before or after the specified period is a violation of campaign rules, the penalty for which may include a maximum penalty of forfeiture of candidacy. Campaigning within LaFortune is allowed only in the basement and the 1st floor, with the exception of the radio station WVFI. No campaigning may take place in or near any Student Union office or venues occupied by the Student Union, including (but not limited to) all meetings, events, or agendas of official business, as well as space that is funded by the Student Activities Office. In addition, no candidates may campaign in any venue while occupied by a class period or exam.
5. E-mail as a source of campaigning may be used; however, the use of Listservs is prohibited. A listserv email is any email that ends in “@listserv.nd.edu” or any variations in terms of capitalization thereon. Google Groups created for use by a Residence Hall, Student Union Organization, or University department, office, or official may not be used in campaigning.
6. Endorsements.
   1. Endorsements shall include public, formal, or organized communication or appearances indicating support for a candidate or ticket.
   2. Candidates/tickets may solicit and campaign on endorsements from student groups and from individual students.
   3. No Student Union organization enumerated in this Constitution may endorse a candidate for a student office.
   4. Individuals holding the following offices enumerated in this Constitution may not endorse any candidate or ticket—
      1. Student Body President.
      2. Student Body Vice-President.
      3. Student Body President-elect.
      4. Student Body Vice-President-elect.
      5. Chief of Staff.
      6. Members of the Election Committee.
      7. Student Union Board Executive Director.
      8. Student Union Treasurer.
      9. Class Council Officers.
      10. Off-Campus Council Officers.
      11. Hall Presidents Council Co-Chairs.
      12. Club Coordination Council President.
      13. Hall Senators.
      14. Off-Campus Senator.
   5. No individual currently holding an office enumerated in this Constitution may endorse a candidate for that same office.
   6. Candidates may not communicate an endorsement such that it can be construed to represent that of a Residence Hall, Student Union Organization, University department, office, or official.
   7. No student group may use funds of any type (allocated or unallocated) to support a candidate for a student office.
7. Candidates may not be involved in or instruct others to engage in any unethical behavior as detailed in 17.1(h).
8. Candidates are expected to behave ethically at all times. Unethical behavior will be penalized by the Election Committee of Judicial Council. Examples of unethical behavior include monopolization of limited bulletin board space, covering or defaming of any other candidates’ posters, insulting or defaming other candidates, and harassment or misconduct toward any election officials.
9. Beginning at midnight the day of the election, all forms of campaigning are prohibited in the immediate polling place. The immediate polling place must be cleared of all campaign literature by the Hall Election Coordinator in the case of in-hall voting, and by an Election Committee member in the case of voting that takes place elsewhere. In the case that the election is held online, a personal computer is not a physical ballot station. “Immediate polling place” is defined as the area within 20 feet of a physical ballot station provided by Judicial Council or Hall Election Coordinator. If the election is held online, no candidates/tickets may provide a link to the polling web site. Only Judicial Council may provide a link to the polling web site.
10. Blank votes, unapproved write-ins, or split ticket votes shall not count as valid votes and shall not be considered in the final tally.
11. In cases of elections where there is one candidate/ticket running unopposed the Judicial Council may recommend that the Student Senate suspend the election and the candidate/ticket shall be declared the winner.
12. No new bylaws pertaining to elections may be put into practice after petitions become available without a three-fourths vote of the Senate.
13. All allegations of election misconduct are to be submitted to the Vice-President of Elections. All potential violations must be reported within 48 hours of the time committed or 11:59PM on the day of the election, whichever is sooner.
    1. The Judicial Council shall then conduct a review of the allegation as outlined in Article XIII and follow appropriate procedures.
    2. The Election Committee reserves the right to change any sanction based on the magnitude of the offense. The committee will adhere to a policy of keeping all rules uniform to all candidates.
    3. In any dispute over the Election Committee’s interpretation of these rules, any interpretation may be appealed to the Student Senate.
    4. The penalty imposed by the Election Committee shall stand until such time as the Senate hears the appeal.
    5. No election result may be released to the public while any allegation or appeal is pending.
14. Failure to settle any penalties before election days shall result in immediate forfeiture of candidacy.
15. For the purpose of petitions, the original signature of an undergraduate student shall be required to signify approval of a candidate or ticket’s placement on the ballot.
16. In the event that an election proceeds to a runoff, all tickets in the runoff may have a nominal increase in their funding equivalent to 20% of the funding initially allocated for the primary election.
17. The Judicial Council President shall be responsible for verifying the validity of all votes cast in any election.
18. Where not otherwise specified, sanctions for violations of election regulations shall be up to the discretion of the Election Committee. The Election Committee shall be able to select an appropriate sanction, up to and including forfeiture of candidacy.

**Section 17.2. Student Body President, Vice President, & Class Councils.**

1. The exact date of the elections for Student Body President, Vice-President, and Class Officers shall be announced before January 30th each year.
2. There shall be an informational meeting for all candidates. The bylaws shall be explained and all rules and regulations will be discussed. It is the responsibility of all candidates to be fully aware of the official election rules as outlined in these bylaws and all University regulations in reference to posting.
3. Campaigning may begin as soon as a candidate/ticket has turned in a fully signed petition and it is verified and approved by the Election Committee.
4. No petition shall be accepted after the deadline without prior written approval of the Election Committee. A new member on a ticket without approval by the Election Committee must get new signatures. Only official petitions as distributed by the Election Committee may be used. An official list of candidates shall be posted outside the Student Government Office.
5. Receipts for all election materials purchased or donated must be presented to the Election Committee prior to any use of the materials. All receipts must be accompanied by a list of materials purchased.
6. Failure to disclose the proper cost of any election materials is a highly serious breach of campaign rules. Penalty shall be forfeiture of candidacy.
7. Copies of all physical campaign materials, including but not limited to posters, flyers, and table tents, must be submitted to the Election Committee and stamped for approval by a member of the Election Committee, excluding the Director of the Department of Internal Affairs, before posting.
8. Posters to be placed on bulletin boards may not exceed eleven inches by seventeen inches. Posters may be placed inside residence halls and within public buildings. No posters may be placed within the classrooms themselves.
9. Candidates may not be involved in or instruct others to engage in any unethical behavior as detailed in Section 17.1.
10. Social Media.
11. Candidates may utilize social media in campaigning.
12. Candidates may create a social media account or page specifically for campaigning. The account or page must be approved by the Election committee before use and be made accessible to Judicial Council. All activity on a social media account or page, including but not limited to text posts, photos, and videos must adhere to the guidelines detailed in Section 17.1.
13. A personal social media account or page may be used to campaign. If a candidate uses their personal media account or page for their campaign, that personal account or page must be made accessible to Judicial Council. All actions on a personal account or page (including but not limited to the posting of text posts, photos, and videos) which may be construed as campaigning must adhere to the guidelines detailed in Section 17.1.
14. Any spending associated with social media for campaigning purposes must be documented and approved by the Election Committee before it is incurred. Spending must have a specific, known cost before the action is taken.
15. “Social Media,” as a rapidly developing and changing field, shall be interpreted by the Election Committee on an ongoing basis. In the event of new or changing policies, candidates will be informed before the release of petitions, in accordance with Section 17.1.
16. All allegations of election misconduct regarding social media usage will be heard by the Election Committee in accordance with procedures in Section 13.5.
17. Write-in candidates are those candidates who missed the deadline or switched tickets after the deadline. Write-in candidates may be voted for, but will not appear on the ballot. Write-in candidates shall be approved under the following conditions before the date of the election:
18. Candidates must furnish independent proof of good academic standing from the First Year of Studies or the Office of the Registrar and proof of good disciplinary standing from the Office of Community Standards.
19. The Election Committee shall not undertake the responsibility of informing the student body of write-ins’ placement on the ballot.
20. Candidates must submit a petition with 100 unique signatures in addition to the required number of signatures for the position.
21. All materials for write-in candidacies must be submitted for approval by the Judicial Council no later than four (4) calendar days before the election.
22. Student Body President and Vice-President Election.
23. Candidates for Student Body President and Student Body Vice-President must run on the same ticket. Students may not split tickets when voting.
24. The primary election for Student Body President and Vice-President shall be held on the fourth Wednesday of the second semester. The run-off election will be held on the Monday following the primary.
25. Petitions for the office of Student Body President and Vice-President shall require 700 signatures for the placement on the ballot. Petitions will be made available at noon on the first Tuesday of classes of the second semester. The deadline for the filling of all petitions is noon of the Friday of the following week.
26. A campaign limit is set for all Student Body Presidential and Vice-Presidential candidates’ tickets at $200.00. All outside contributions count toward the limit. All donations shall be assessed towards the limit at their fair market value with the sole exception of an individual’s labor which shall not be assessed against the limit. Combining campaigning funds of more than one ticket is not permitted and shall result in forfeiture.
27. The Judicial Council shall make available funds to reimburse the candidates for Student Body President and Vice-President of expenses incurred for the purpose of campaigning. These expenses must have been presented to the Election Committee. Reimbursements shall not exceed the campaign spending limit, and the Judicial Council President shall approve these reimbursements.
28. The Judicial Council shall facilitate campus debates for the candidates running for Student Body President and Student Body Vice-President.

**Section 17.5. Election Results.**

1. To win the election, a candidate/ticket must receive a majority of valid votes cast. There shall be an option for the voter to abstain on the ballot, but a vote to abstain will not count as a valid vote.
   1. A run-off shall be held between the two highest vote-getting candidates/tickets if no candidate/ticket received the required total on the first ballot.
   2. In the event of a tie in the election of a Senator, Hall President, Hall SUB Representative, or Freshman Class Council election, additional run-off elections shall be held in the individual residence hall until a majority is obtained.
   3. In the event of a tie in the run-off election for the Student Body President, Student Body Vice-President, Class Officers, Off-Campus President, or Off-Campus Senator, the ticket/candidate which wins the most amount of Senate constituencies shall win the election.
      1. The Student Senate shall convene a special meeting for the purpose of observing the Judicial Council President announce the run-off election results from the individual Senate constituencies.
      2. The Judicial Council President shall announce the candidate/ticket who received the most votes in each Senate constituency.
      3. The Judicial Council shall not release any information regarding the results from the individual Senate constituencies prior to this meeting to any person.
      4. If there is a tie between the candidates/tickets in a Senate constituency, the respective Senator shall cast the deciding vote at this special meeting.
      5. If there is a tie between the candidates/tickets in a Senate constituency and the Senator is not present, the Senate constituency’s vote shall be voided.
      6. If the Senate constituencies stand equally divided, the Chairman of the Senate shall cast the deciding vote.
2. In the event that a candidate/ticket in a runoff election forfeits, whether due to choice or by sanction, a re-election will be given to the student body.
   1. The two top remaining tickets with the highest vote total from the primaries will be introduced in the run-off re-election.
   2. The re-election shall take place no later than four days following the forfeiture of the candidate/ticket.
   3. The two remaining tickets may receive a nominal increase of $35 to their spending limit.
3. In the event that there are no qualified candidates for a position or office, that position or office shall go unfilled.

**ARTICLE XIII JUDICIAL COUNCIL**

**Section 13.5. Hearings.**

1. All allegations of election misconduct are to be submitted to the Vice-President of Elections. All potential violations must be reported within 48 hours of the time committed or by 11:59PM on the day of the election, whichever is sooner.
2. If the Vice-President of Elections determines that the allegation has merit and may result in a potential sanction of a candidate or ticket, he/she must then call together the members of the Election Committee to review the allegation.
   1. The Vice-President will present the allegation.
   2. The accused party and the accusing party will both be permitted to speak and to call witnesses on their behalf.
   3. Where not outlined in the Constitution or its bylaws, the hearing shall follow the procedures outlined in *The Standard Code of Parliamentary Procedure*.
3. The Election Committee will then meet in a private forum for discussion and debate.
   1. The Election Committee must obtain a 2/3 quorum.
   2. The Election Committee will decide whether the campaign/candidate/ticket in question is in violation of election or campaign rules.
   3. If a violation has occurred, the Election Committee shall determine appropriate sanctions and/or penalties.
   4. Both decisions require a majority vote of the Election Committee. In the event of a tie, the chair will vote.
4. All verdicts, motions, votes, and decisions are to be recorded by the Election Committee for the purposes of notification and appeals.
5. Any time the Election Committee finds a candidate/ticket in violation of the elections regulations or guilty of misconduct, the Vice President shall issue a written decision on behalf of the Judicial Council to be released to the campus media, which shall include the violation, the sanction given, and a brief explanation for the decision. The Vice-President of Elections shall provide the candidate a full statement, in writing, of the Election Committee’s decision; the statement shall explain the process leading to the decision as best as possible and is for the candidate’s use only. All other information pertaining to hearings and appeals shall be considered confidential.
6. The Election Committee must convene within 24 hours of the submission of the allegation to the Vice-President of Elections.
7. No new allegations may be submitted after 11:59PM on the day of the election.
8. In the event that the full Election Committee has not yet been assembled at the time of an allegation, the Judicial Council President and Vice-President of Elections shall issue a decision and appropriate sanctions based on their judgment of the facts of the allegation.
9. Any decision of the Election Committee may be appealed directly to the Senate. Appeals of the decision of the Election Committee must be filed within 12 hours of the hearing.
10. If the Senate overturns the decision of the Election Committee, the Committee must reconvene within 24 hours to reconsider the allegation in light of the Senate’s decision. This decision of the Election Committee, which must be informed by the written report of the Senate and may not be identical to the original decision, is final.

**ARTICLE III SENATE**

**Section 3.7. Election Appeals.**

1. In the event of an appeal of an Election Committee decision, in accordance with Article XVII, the Senate shall convene within 48 hours to hear the appeal.
2. All appeals must be filed within 12 hours of the conclusion of the hearing.
3. Until such time as Senate can hear the appeal, the decision of the Election Committee shall stand.
4. The meeting of the Senate once the appeal has been filed shall proceed as follows:
   1. The Election Committee of the Judicial Council shall be represented by the Judicial Council President or the Vice President of Elections, who shall speak first to the Senate, stating the allegation made against the candidate(s), the Election Committee’s deliberations, and the sanction given. This shall take no more than five minutes.
   2. The candidate(s) shall then state his or her reason for appeal. This shall take no more than five minutes.
   3. After hearing initially from the Judicial Council and the candidate(s), the Senate must decide by a two-thirds vote that there are grounds to hear the appeal.
   4. If the Senate decides to hear the appeal, time shall be allowed for both sides to respond to the claims of the other and to call witnesses on their behalf
   5. The Senate may ask relevant questions of either party, or request the presence of any other relevant third-person(s) for questioning.
5. The Senate may force the Election Committee to reconvene within 24 hours for the purpose of reconsidering its decision by a three-fourths vote.
6. If quorum cannot be reached to hear the appeal, or a decision is not reached during the convened meeting, the decision of the Election Committee shall stand.