

University of Notre Dame

Student Body President
& Vice President

Election Packet 2020



POSTER POLICY

- All posters must be approved (stamped and initialed) by Halena, Matthew, 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 Matthew 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 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.
- 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.

- (a) 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.
- (b) 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.
- (c) 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.
- (d) 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. Campaigning within Duncan Student Center is allowed only on the 1st floor, with the exception of the radio station WVFI and other campus media outlets with prescheduled appointments only. 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, exam, or during the passing period directly before or after within the class venue.
- (e) Petitioning may be held only over a period specified by the Election Committee. Petitioning consists of any public contact for the solicitation of signatures to get on a ballot. Any petitioning 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. Petitioning within LaFortune is allowed only in the basement and the 1st floor. Petitioning within Duncan Student Center is allowed only on the 1st floor, with the exception of the radio station WVFI and other campus media outlets with prescheduled appointments only. No petitioning 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.

- (1) No potential candidates or their supporters may petition in any venue while occupied by a class period, exam, or during the passing period directly before and after classes within the class venue.
- (f) 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.
- (g) 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:
 - (A) Student Body President.
 - (B) Student Body Vice-President.
 - (C) Student Body President-elect.
 - (D) Student Body Vice-President-elect.
 - (E) Chief of Staff.
 - (F) Members of the Election Committee.
 - (G) Student Union Board Executive Director.
 - (H) Student Union Treasurer.
 - (I) Class Council Officers.
 - (J) Off-Campus Council Officers.
 - (K) Hall Presidents Council Co-Chairs.
 - (L) Hall Presidents and Vice-Presidents.
 - (M) Club Coordination Council President.
 - (N) Hall Senators.
 - (O) 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.
- (h) Candidates may not be involved in or instruct others to engage in any unethical behavior as detailed in 17.1(i).
- (i) 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.
- (1) The promise of any office or position in the Student Union by any ticket or candidate shall be considered highly unethical behavior, the penalty for which may include a maximum penalty of forfeiture of candidacy.

- (j) 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.
- (k) Blank votes, unapproved write-ins, or split ticket votes shall not count as valid votes and shall not be considered in the final tally.
- (l) 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.
- (m) No new bylaws pertaining to elections may be put into practice after petitions become available without a three-fourths vote of the Senate.
- (n) 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.
- (o) Failure to settle any penalties before election days shall result in immediate forfeiture of candidacy.
- (p) 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.
- (q) 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.
- (r) The Judicial Council President and the Judicial Council advisor shall be responsible for verifying the validity of all votes cast in any election.
- (s) 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, and Class Councils.

- (a) The exact date of the elections for Student Body President, Vice-President, and Class Officers shall be announced before January 30th each year.

- (b) There shall be an informational meeting for all candidates. All rules and regulations will be explained and discussed. It is the responsibility of all candidates to be fully aware of the official election rules as outlined in this Constitution and all University regulations in reference to posting.
- (c) 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.
- (d) 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.
- (e) 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.
- (f) Failure to disclose the proper cost of any election materials is a highly serious breach of campaign rules. Penalty shall be forfeiture of candidacy.
- (g) 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 Parliamentarian, before posting.
 - (1) 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.
- (h) Candidates may not be involved in or instruct others to engage in any unethical behavior as detailed in Section 17.1.
- (i) Social Media.
 - (1) Candidates may utilize social media in campaigning.
 - (2) 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.
 - (3) 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.
 - (4) 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.
 - (5) "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.
 - (6) All allegations of election misconduct regarding social media usage will be heard by the Election Committee in accordance with procedures in Section 13.4.

- (j) 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:
 - (1) 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.
 - (2) The Election Committee shall not undertake the responsibility of informing the student body of write-ins' placement on the ballot.
 - (3) Candidates must submit a petition with 100 unique signatures in addition to the required number of signatures for the position.
 - (4) 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.

- (k) Student Body President and Vice-President Election.
 - (1) Candidates for Student Body President and Student Body Vice-President must run on the same ticket. Students may not split tickets when voting.
 - (2) 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. **(SUSPENDED)**
 - (3) 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 filing of all petitions is noon of the Friday of the following week.
 - (4) 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.
 - (A) 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.
 - (5) The Judicial Council shall facilitate campus debates for the candidates running for Student Body President and Student Body Vice-President.

Section 5. Election Results.

- (a) 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 First Year 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, or Class Officers, or in the event that neither ticket receives a majority of the valid votes in the run-off election, the ticket/candidate which wins the most amount of Senate constituencies shall win the election.
 - (A) The Senate constituencies shall include and are limited to each undergraduate residence hall, who shall be represented by their respective undergraduate residence hall Senators, and the off-campus residents, who shall be represented by the Off-Campus Senator.

- (B) 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.
 - (C) The Judicial Council President shall announce the candidate/ticket who received the most votes in each Senate constituency.
 - (D) The Judicial Council shall not release any information regarding the results from the individual Senate constituencies prior to this meeting to any person.
 - (E) 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.
 - (F) 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.
 - (G) If the Senate constituencies stand equally divided, the Chairperson of the Senate shall cast the deciding vote.
- (b) In the event that a candidate/ticket in a run-off 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.
 - (c) The results of any election will be defined by either the number of votes or percentage of votes each candidate/ticket receives in a specific election. This information, as well as overall voter turnout, must be released according to the specifications below in all primary and run-off elections.
 - (1) For any Student Body President/Vice President Election, the results shall be made public to the undergraduate student body.
 - (2) For any Class Council Officers Election, the results shall be made public to the members of that class.
 - (3) For any Hall Election, the results shall be made public to the Rector and Hall Elections Coordinator, if applicable, and may be requested by any member of that hall, and may be released to the full residence hall at the discretion of the Rector and Hall Elections Coordinator.
 - (d) 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 13.4. Hearings.

- (a) 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.
- (b) The Vice-President of Elections along with the Judicial Council President and the advisor to Judicial Council shall decide if the allegation has merit and shall proceed to the consideration of the Election Committee. If the allegation is determined to have merit, the Vice-President of Elections 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*.
- (c) 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.
 - (d) All verdicts, motions, votes, and decisions are to be recorded by the Election Committee for the purposes of notification and appeals.
 - (e) 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.
 - (f) The Election Committee must convene within 24 hours of the submission of the allegation to the Vice-President of Elections.
 - (g) No new allegations may be submitted after 11:59PM on the day of the election.
 - (h) In the event that the full Election Committee has not yet been assembled at the time of an allegation, or if the Election Committee cannot reach quorum within the 24 hours of the submission of the 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.
 - (i) The decision of the Election Committee can only be appealed if there existed a procedural defect in the allegation hearing or if there is new evidence to present. Appeals of the decision of the Election Committee based on procedural defects or new evidence must be filed within 12 hours of the hearings and shall be addressed directly to the Senate. The Chairperson of the Student Senate and the Judicial Council President along with the advisor to the Student Senate shall decide if the appeal has merit and shall proceed to the consideration of the full Senate.
 - (j) 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.
 - (k) Any allegation or appeal submitted may be withdrawn in writing before the appropriate meeting is called to order.

Section 5. Debates. **(TO BE SUSPENDED)**

- (a) The Election Committee and Judicial Council shall facilitate campus debates for the candidates running for Student Body President and Student Body Vice-President. The debates shall provide interested students and candidates with opportunities to discuss important issues and answer questions and concerns provided by their constituency.
- (b) In the event of a run-off election, the Judicial Council shall host an additional debate between the run-off candidates on the Sunday following the primary election.
- (c) In the event of a run-off re-election, the Judicial Council shall host an additional debate between the run-off re-election candidates on Sunday night preceding the run-off re-election.

TIMELINE

- Monday, February 3rd 8pm: Candidates Meeting
- Tuesday, February 4th: Commencement of Campaigning
- Monday, February 10th, 9pm in Midfield Commons: Student Body Primary Debate
- Tuesday, February 11th: ELECTION DAY (8am - 8pm window)
- Wednesday, February 12th, 9pm in Midfield Commons: Run-off Debate
- Thursday, February 13th: RUN-OFF ELECTION