



2022 Elections Cycle
Constitutionally Mandated General Provisions for Elections

From Article XV, Section 1

- (a) Any Notre Dame undergraduate student in good academic standing as determined by the Office of the Registrar and good disciplinary standing as determined by the Office of Community Standards is eligible for candidacy.
- (b) A candidate/ticket shall be defined as any undergraduate student(s) with the intent of seeking office who are therefore subject to election 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) **Candidates are expected to behave ethically at all times.** Involvement in or instruction of others to engage in any unethical behavior will be determined and penalized by the Election Committee of Judicial Council.
- (e) Petitioning and campaigning may be held only over a period specified by the Election Committee.
 - (1) **Petitioning consists of any public contact for the solicitation of signatures to get on a ballot.** For the purpose of petitions, the original signature of an undergraduate student shall be required to signify approval of a candidate/ticket's placement on the ballot.
 - (2) **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.
 - (3) **Any petitioning or campaigning before or after the specified period is a violation of campaign rules.** Petitioning and campaigning within LaFortune is allowed only in the basement and the 1st floor. Petitioning or 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 petitioning or campaigning may take place in or near any Student Union



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office or venues occupied by the Student Union, or any space that is funded by the Student Activities Office. **No one may petition or campaign in any venue while occupied by a class period, exam, or during the passing period directly before or after 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/ticket.
- (2) No student group may use funds of any type (allocated or unallocated) to support a candidate for a student office.
- (3) No Student Union Organization; Judicial Council Officer; Member of the Election Committee; member of the Senate apart from Executive Cabinet Department Directors; or University department, office, or official may endorse a candidate/ticket for office, and no candidate/ticket shall seek or claim to have received any such endorsement.

(h) Social Media.

- (1) **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 the Judicial Council. All actions on a personal account or page which may be construed as campaigning must adhere to the guidelines detailed in this Article.**
- (2) “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.



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(i) Campaign Finance

- (1) A campaign limit is set for all elections. 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. A campaign limit is set for all Student Body Presidential and Vice-Presidential candidates' tickets at \$200.00. 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.
 - (A) A campaign limit is set for all First Year Class Council candidates at \$20.00
 - (B) A campaign limit is set for all Class Officer candidates at \$75.00.
 - (C) A campaign limit is set for all Senator, Hall President, Hall Vice-President(s), and SUB Representative at \$50.00.
 - (D) A campaign limit is set for all Off-Campus candidates at \$75.00.
- (2) If tickets are formed amongst any of these positions the spending limit shall apply to the entire ticket and not to the individuals who make up the ticket. Combining campaigning funds of more than one ticket is not permitted and shall result in forfeiture.
- (3) Receipts for all election materials purchased or donated must be presented to the Election Committee or Hall Election Coordinator prior to any use of the materials. All receipts must be accompanied by a list of materials purchased.
- (4) **Failure to disclose the proper cost of any election materials is a highly serious breach of campaign rules. Penalty shall be forfeiture of candidacy.**
- (5) 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.



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- (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.

- (k) The Judicial Council President and the Judicial Council advisor shall be responsible for verifying the validity of all votes cast in any election.
 - (1) 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) No new bylaws pertaining to elections may be put into practice after petitions become available without a three-fourths vote of the Senate.

- (m) 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.

From Article XII, Section 4

- (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 within one hour of the end of voting, 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.



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- (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 an allegation is resolved, the Chair of the deciding body shall write an opinion explaining the reasoning behind the result, which shall be reviewed by the Judicial Council President and Advisor to Judicial Council before being released.
- (1) In the event that a constitutional violation was found, they shall release the result, including any sanctions imposed, to the alleging and alleged parties and to campus media, and may also publicize the opinion with the alleging party's name redacted.
 - (2) In the event that no constitutional violation was found despite a hearing of the Election Committee, they shall release the result to the alleging and alleged parties, and may also publicize the opinion with all names redacted after the conclusion of the pertinent election.
 - (3) In the event that the allegation was found to lack merit to proceed to a hearing of the Election Committee, they shall release the result to the



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alleging party, and may also publicize the opinion with all names redacted after the conclusion of the pertinent election.

- (4) All other information pertaining to allegations and hearings shall remain confidential, and they may withhold the reasoning behind any decision in light of the confidentiality concerns it implicates.

- (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. Any penalties imposed by the Election Committee shall stand until the appeal is heard. 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.



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(k) Any allegation or appeal submitted may be withdrawn in writing before the appropriate meeting is called to order.