



***University of Iowa Student Government Elections Code***  
**Student Elections Commissioner**

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Revised Spring 2013

## 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.
- B. The Student Elections Commissioner (hereafter "The SEC") has original jurisdiction over all rules, infractions, and questions arising out of election procedure. The rules are set forth by statutory order of the SEC. The SEC will hear all cases of election irregularities, discrepancies and violations of election rules.
- C. This Election Code shall apply to all University of Iowa Undergraduate Student Government elections.
- D. The fall and spring campaign and election dates shall be determined by the SEC.

## 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. Candidates shall include all individuals running for the position of President, Vice President or Senator.
- B. Ticket shall be defined as:
  - 1. Any four candidates running as one for the positions of President and Vice President.
- C. Party shall be defined as:
  - 1. Consisting of, but not limited to, a presidential ticket, its affiliated senators and/or adherents.
- D. Campaigning shall be defined as:
  - 1. An act done by a candidate and his/her adherents to obtain a majority or plurality of the votes cast.
  - 2. Running for office or candidacy for office.
  - 3. Any organized effort to promote a cause or to secure some definite result with any group of persons.
- E. Polling place or site shall be defined as:
  - 1. Any area on campus where at least one public computer is located.
- F. Hearing shall be defined as:
  - 1. An in person meeting with the defendant, accuser and a quorum of SEC.
- G. Debates shall be defined as:
  - 1. Formal discussion, verbal or in writing, between two or more persons of differing parties, in which they take sides of a question, and maintain them, by facts and arguments.

## III. Ballot, Petition, and Bond Procedures

- A. All interested candidates must attend a mandatory meeting before the start of the campaign that will cover the code, procedures for election, etc.
- B. Public Notification: Any notification of election material printed in The Daily Iowan, emailed to candidates, presented at the mandatory meeting, or posted on the UISG website will be considered official notice to candidates under these rules.
- C. Ballot
  - 1. Candidates for the presidential ticket shall run as a ticket 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 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.
- 5. Candidates may not simultaneously run for more than one seat in the legislature
- 6. Candidates may run for a seat in the legislature independent of a presidential ticket or party.
- 7. The ballot will not reference any current national political party.
- 8. Candidates wishing to form a party may have said affiliation listed on the ballot upon written request to the SEC.
  - a. Affiliation must be declared on deadline of petition submission.
- 9. Candidate placement on the ballot is randomized by the online voting system.
- 10. Each Presidential candidate must view & approve by their signature, all members of their party's ticket before the entire ticket will be placed on the ballot.

#### D. Petition

- 1. Only the official petition distributed by the SEC will be accepted for verification.
- 2. The presidential ticket's petition shall be accompanied by no less than 300 student names, signatures, and the complete student identification numbers.
  - 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 less than 75 student names, signatures, and the complete student identification numbers 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. Each candidate who has a completed petition must return it to the University Box Office located on the first floor of the Iowa Memorial Union by the time and date specified by the SEC.
- 6. 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 SEC.
  - b. Appeals must be filed in writing within 24 hours of notification from SEC and submitted to the SEBC drop box, located at the SEC desk (Suite 260 Desk A2, IMU).
  - c. SEC must respond to all appeals of an invalid petition within 24 hours.

#### E. Bond

- 1. Submission of the petition to the University Box Office.
  - a. Each ticket member and/or candidate must present his or her University identification card with the completed petition to the Box Office personnel.
  - b. Each ticket member and/or candidate will be required to complete a bond certificate at this time for the total amount of \$100.
  - c. The Box Office 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 will receive a copy of the bond for his or her 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 slips 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 parties may be charged for the amount designated by the SEC. In the event of a fine to a presidential 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 Vice Presidential debate must be conducted.
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 parties 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 she/he choose, shall prepare questions for the debates. All current undergraduate students may submit debate questions to the SEBC desk (Suite 260 Desk A2, IMU), for consideration at least 24 hours prior to the debate.

1. 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. 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
6. List server emails
7. Websites
8. Anything that displays the approval or opposition of a candidate

B. Personal correspondence needs no prior approval by the SEC.

1. Personal correspondence shall be defined as any form of person-to-person communication, not copied in mass or numerous duplicated, and not in violation of rules set forth in the University of Iowa Student Elections code.

C. Prior to the distribution of any individual campaign material through any medium, all candidates must give to the SEC (Suite 260C Desk A2, IMU) a copy of said material and a completed campaign material approval form.

D. UISG and affiliated list servers may not be used to support any candidate or political party.

E. The SEC and the necessary University authority must approve use of any University property.

F. Campaign material cannot use the University of Iowa Student Government logo or image without the written consent of UISG.

G. Campaign material cannot use the Tiger Hawk, Hawkeye logo, or any trademarked/licensed image without all necessary licensing and copyright approval.

H. Campaign material cannot use any celebrity endorsement without all necessary licensing and copyright approval.

I. Candidates are required to adhere to University policy in their campaigning practices, including the guidelines distributed by the following:

1. University Housing

2. Cambus
  3. Iowa Memorial Union/ University Box Office
  4. Other Academic/Non-Academic buildings and spaces
- J. Candidates shall adhere to the following guidelines regarding student organizations:
1. Candidates may claim the support of a student organization:
    - a. To claim support, candidates must submit to the SEBC a completed Student Organization Support Form signed by a principle representative of that Student Organization.
    - b. 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.
- K. The following campaign practices are prohibited:
1. Campaigning or displaying of campaign materials prior to the first day of the designated campaign period, as established by the SEC.
  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 of any organization without an approved Student Organization Form or letter of endorsement.
  5. Any campaigning in the student government office (Suite 260B IMU).
  6. Verbal or physical harassment or intimidation of other party candidates or adherents.
- L. All campaign materials, including electronic campaign material, must be removed from public areas within 48 hours of the conclusion of the election unless under the regulation of Cambus, University Housing, the University Box Office or any other Academic/Non-Academic buildings and spaces, or be fined.
- M. It shall be the duty of the candidates to police their own campaign.
- N. The SEC shall enforce all rules regarding campaign materials.
- VI. 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.
  2. Candidates are not responsible for any material that has been distributed through the University Box Office, the Cambus office, University Housing or any other Academic/Non-Academic 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. Use of wireless access on campus for the purpose of soliciting votes in person. This includes but is not limited to:
  - i. Handing an individual an electronic device with the explicit intent of getting them to vote
  - ii. Attempting to influence students to vote for a particular candidate or party in person on their personal electronic device
  - iii. Any and all other personal acts of solicitation as determined by the SEBC

#### B. On-Line Polling

- 1. On-line 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. Presidential Election will be conducted using Instant Run-Off Voting. Senatorial elections will be conducted using a plurality vote. The final results will be certified and announced by the SEBC Director.
  - 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.

### VII. Campaign Spending

- A. The maximum campaign-spending limit for a full slate of a President and Vice president is \$3,000.00; Any Senate candidates (whether affiliated with a presidential ticket or running independently) have a maximum spending limit of \$300, including In Kind donations.
- B. Candidates are required to keep track of all expenditures. A Campaign Finance Record will be available to candidates online at the SEBC website, located at ([uisg.uiowa.edu](http://uisg.uiowa.edu)), 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.
- C. 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. A candidate is allowed to accept a discount for materials and/or services rendered however, the candidate is required to declare the expense at its fair market value.

### VIII. 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 and submitted to the SEC drop box, located at the SEC desk (Suite 260C Desk A2, IMU). Oral and electronic complaints will not be accepted.
- 4. Complaints must contain the following:
  - a. Name of the candidate and/or party 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.

- d. 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 time the violation occurred. This time period shall be tolled for the hours the SEC office is closed.

#### B. Committal Hearing

1. The SEC will only hold Committal Hearings on complaints that are deemed properly filed.
2. Once a complaint is filed, the SEC will 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 party 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.
  - a. In the case of an appeal by either party per the proper procedure set out in the SEC 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 parties.
  - a. Notification sent to the University email account of the involved parties 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 the SEBC drop box, located at the SEC desk (Suite 260C Desk A2, IMU). Oral and electronic hearing demands will not be accepted.
  - b. The accused may also enter a plea of guilty to the violation.
3. If the accused does not demand a Merits Hearing or enters a plea of guilty to the violation, then the SEC shall find the accused guilty 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. The accused may be represented by counsel, but none will be provided by the SEC.
  - c. All evidence, including affidavits, must be submitted to the SEC at least 48 hours prior to the Merits Hearing.
  - d. All involved parties may view all evidence upon request to the SEC.
5. If the SEC determines a guilty verdict in the Merits Hearing, the SEC has the discretion to impose a penalty.



6. Penalties include but are not limited to monetary fines and disqualification. The SEC has the discretion to determine which course(s) of action will be taken.
  - a. Monetary fines will be deducted from the candidate's bond until that bond is exhausted, at which time the fine will be billed to the candidate individually.
  - b. Appendix B of the Election Code shall provide a basis for monetary fines.
  - c. Each member of a ticket will pay equal portions of fines imposed against a party unless other arrangements are made with the SEC.
7. On all violations, notification of the SEC's ruling will be sent to the relevant parties.
  - a. Notification sent to the University email account of the parties is presumed sufficient.
8. Any party accruing more than \$500 in fines shall be disqualified.
9. SEC maintains the right to publicly disclose the verdicts of any hearings.

#### D. Appeals

1. After notification of the SEC ruling, the accused 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.

#### IX. 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 Student Elections Board.
- C. All results shall be made public and results may be furnished upon request by any candidate or party member.