

# IOWA STATE UNIVERSITY

GOVERNMENT OF THE STUDENT BODY

## *ELECTION CODE*

### 2015 Cycle

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# IOWA STATE UNIVERSITY

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## **I. Preface**

*The mission of the Election Commission shall be the fair and proper administration of all elections of the Government.*

-Bylaws of the Government of the Student Body, Election Commission Chapter

The purpose of this code is to serve as a guide for the Election Commission and to outline procedures for operating the Government of the Student Body (GSB) elections. The Election Commission seeks to ensure that elections are:

1. DEMOCRATIC: by providing candidates ample time for campaigning and forums for debate
2. FAIR: through enforcement of GSB Election Law
3. EQUAL OPPORTUNITY: by informing students of the requirements and procedures to run for office, and providing support and guidance for candidates who may need or desire it

The Election Commission's task is to inform candidates of this code and moderate the elections. Candidates are encouraged to ask questions if they have them.

## **CHAPTER 1. Election Law**

- 1.1 GSB Election Law consists of the following:
  - GSB Constitution---Article V
  - The GSB Bylaws---Chapters 12 & 13
  - This Election Code
- 2.2 Election Law specifies how the Election Commission is formed, the membership of the Election Commission, and the responsibilities of the Election Commissioner and Commission members.
- 1.3 Election Law also sets forth the procedures by which all general and special elections are to be run. These procedures are partially specified in the GSB Constitution and Bylaws. Additional details are specified in this Election Code.
- 1.4 Election Law empowers the Election Commission to strictly enforce these laws in the course of running the elections. This includes the ability to investigate and punish violations of Election Law. These violations and appropriate penalties are explained in this Election Code. Violations of Election Code not listed in Appendix A are subject to fines at the discretion of the Election Commission.

- 1.5 The Election Commission may prescribe rules, procedures, and regulations and adjudicate election matters (i.e. disputes about petitions, the imposition of fines) in the execution of this Election Code. Such regulations shall not be inconsistent with GSB Election Law as defined above.
- 1.6 This Election Code shall serve as the standing Election Code of GSB. Pursuant to the Bylaws, all necessary changes and alterations to be made to this Election Code shall be communicated to the Speaker of the Senate, who shall author a bill amending this document for consideration by the GSB Senate.

## **CHAPTER 2. Candidate Seminars**

- 2.1 Senatorial and Executive Candidates shall attend at least one (1) seminar. President and Vice-President Candidates of the same slate must notify the Election Commissioner if not attending the same seminar, but still required to attend a separate seminar.
- 2.2 Each candidate shall receive a packet containing the following:
  - A Statement of Intent Form
  - Blank Petition Form
  - The Election Code
  - An Election Calendar including time and locations for all events
  - Any other information the Election Commission deems necessary
  - Endorser Identification Form
- 2.3 Prospective candidates must sign a Statement of Intent form indicating their intent to run for a particular office and returned by the date on the election calendar.
- 2.4 Members of the Election Commission shall discuss the rules of campaigning, review the election timeline and campaign expenditures accounting procedures, and take questions from the candidates. The Commissioner may also pre-approve materials that require lead or printing time with the understanding they will be stamped after petitions have been approved.
- 2.5 Candidates who are absolutely unable to attend one of the scheduled seminars may fulfill this requirement by contacting the Election Commissioner at least one week before the deadline for petition submission.

### CHAPTER 3. Petitions and Ballots

- 3.1 Any student wishing to formally run for GSB executive office must petition to have his or her name placed on the ballot. Petition forms shall be issued to each executive candidate and slate for the purpose of obtaining student signatures.
- 3.2 All candidates must use the form provided by the Election Commission. This form may be reproduced to provide for the required number of signatures.
- 3.3 Petition forms shall be made available at the candidate seminars. Petition forms must be returned to the GSB office by the petition deadline specified in the General Election Timeline.
- 3.4 The following are specified in the GSB Bylaws and provided here for reference:
- *Slates for President and Vice-President must obtain a minimum of 500 signatures.*
  - *Candidates need not obtain signatures from students in the particular constituency they wish to represent.*
  - *A student may sign any number of petitions only once per individual seeking election, regardless of multiple candidates.*
  - *A valid signature shall include the student's printed name, signature, and ISU Student ID Number (middle nine (9) digits from the ISU Card).*
- 3.5 All information collected on petitions shall be considered confidential. The use of such information for any campaign-related purpose without explicit consent of the signatory is prohibited. Once submitted, the petition shall become sole property of the Election Commission and shall be considered final.
- 3.6 The Election Commission shall, within 72 hours of receipt of any petition form, verify the petition and notify the candidate or slate whether they have met the minimum signature requirement. All petition forms shall be checked for unacceptable or illegible names.
- 3.7 It is recommended that the candidate double-check the signatures prior to submission and redact any improper signatures with a single line drawn in ink through the entire row. The candidate shall initial such changes next to the alteration. Candidates should also take care that all information on the form is legibly printed.

- 3.8 To verify the signatures, the Election Commission shall select a minimum of 20% of the signatures per page and verify that these persons are registered students for the current semester. The Election Commission shall mark each selected signature and note whether it was accepted.
- 3.9 Any sheet found to have unacceptable signatures shall have its total signature count reduced by the number of rejected signatures. Any sheet found to have more than 20% unacceptable signatures (not previously marked by the candidate) shall be rejected completely and shall not be counted towards that candidate's minimum threshold. Any candidate or slate who has their signatures rejected may continue the petitioning process but must still have all forms returned to the GSB office by the petition deadline.
- 3.10 Any executive candidate or slate who fails to meet the minimum signature threshold shall not be placed on the ballot. If a candidate or slate is excluded from the ballot, the Election Commission shall notify them, in writing, of the reason for exclusion and the procedures for appeal. All candidates have the right to inspect their petitions after verification. The Election Commission shall keep all petition forms on file until the beginning of the following semester.
- 3.11 As petition forms are verified as they are received, it is recommended that all candidates and slates get their petitions to the Commission as early as possible. Petition forms returned to the Commission less than 72 hours prior to the petitioning deadline may not be verified before the deadline, so it is also recommended that candidates and slates obtain a surplus of signatures.
- 3.12 Collection of signatures through the method of passing around classes, lectures, labs, recitations, professor or Graduate Student lead review sessions or Supplemental Instruction sessions during the session will be a violation according to Appendix A.

## **CHAPTER 4. Candidate Debates**

- 4.1 A minimum of two (2) executive candidate debates shall be held. In the event that a Senate seat is at least fifty percent (50%) contested (50% more candidates than open seats), the Election Commission shall hold at least one candidate debate for this seat. Candidates who fail to attend these debates are subject to penalties as outlined in the Financial Penalties (Appendix A).
- 4.2 The Election Commission shall prepare questions for the debates. In addition, members of the audience shall be able to question the candidates. The Election Commissioner may discard any question from the audience on the grounds that it is non-germane, derogatory, or otherwise unsuitable for candidate debate.
- 4.3 All students are welcome to submit questions for consideration to the Commission in advance of the debate. The date, time, location, and format of any debate shall be decided by the Election Commission and provided to the candidates at least one week in advance.

## **CHAPTER 5. Financial Disclosure and Reimbursement**

- 5.1 Contributions shall include monetary donations and all non-monetary assets and services received by the candidate or slate. The Election Commission shall value non-monetary assets at the prevailing market rate for comparable items. Candidates and slates must issue receipts to all contributing third parties and provide a copy of all such receipts to the Election Commission. All donations need to have a signed statement from the donor, in lieu of a receipt. Donations will not count towards reimbursement.
- 5.2 Prior to the deadline specified in the General Election Timeline, each candidate and executive slate must file with the Election Commission a Final Revenues and Expenses Disclosure Form listing all campaign assets, contributions of assets, and criterion expenses. This form shall include:
  - Name, address, and phone number of the individual or group making the contribution
  - The amount of the contribution
  - The nature and fair market value of any in-kind contribution
  - Date contribution was made
  - Itemized listing of all goods donated to the candidate or slate in-kind This list must be supported by original receipts indicating the date item was purchased and the names of the provider. In the event that original receipts are unavailable, the Election Commissioner reserves the right to value such items at fair market value. Some items may not be eligible for reimbursement.

- 5.3 For an executive slate, the sum of all expenditures shall not exceed one thousand two hundred fifty dollars (\$1250.00) for any general election nor shall the sum exceed three hundred dollars (\$300.00) for any subsequent runoff elections. Likewise, for a Senate candidate, the sum of all expenditures shall not exceed one hundred dollars (\$100.00). This figure includes all donations, cash, and tangible in-kind support. The required fees and Good Faith Deposit shall not be counted towards this limit. Candidates shall be notified by the date specified in the General Election Timeline if they have exceeded the spending limit.
- 5.4 To be considered criterion campaign material, an item must bear the candidate's name, likeness, insignia, or symbol, or must have primary usable life within the campaign period. Such things include, but are not limited to:
- Advertising
  - Web space obtained for campaign purposes
  - Consumable office supplies, within reason, used for campaign purposes
  - Expenses determined by the Election Commission to be purchased purely for the purposes of campaigning
- 5.5 The Election Commissioner shall review all expenditures declared on the Final Revenues and Expenses Disclosure Form and shall have authority to determine whether a declared item is a criterion expenditure. A candidate shall maintain the right to appeal the decision of the Commissioner to the Election Commission if they should be dissatisfied with the decision.
- 5.6 The Election Commission shall reimburse all candidates for President and Vice President for up to fifty percent (50%) of their expenses, up to the spending limit, per executive slate. All reimbursement is subject to the verification of financial reporting and compliance with Government law. Only criterion expenses, as defined above, shall be eligible for reimbursement.
- 5.7 The following items shall be considered non-criterion items not eligible for candidate reimbursement, nor shall candidates be required to declare such expenditures:
- Campaign materials with a primary usable life outside the campaign, such as capital equipment, office supplies not consumed in the course of campaigning, and apparel not bearing the name, likeness, symbol, or insignia of the candidate or slate
  - Goods with no direct connection to the candidate's campaign



## **CHAPTER 6. Endorsements**

- 6.1 All endorsements shall be filed with the Election Commission before claiming the endorsement. In the case of a student organization endorsement, the candidate shall provide a statement, signed by the president and an additional officer or advisor affiliated with the group stating that an endorsement has been made. Any campaign material distributed by and/or paid for by the endorser are to be included as in-kind contributions on the candidate's Final Revenues and Expenses Disclosure Form. This excludes the endorser's newsletters delivered to regular members, letters to the editor authored by an endorser, and unbiased reports from a media source.
- 6.2 Student organizations receiving student fee allocations may make endorsements, but may not contribute funds to any candidate or executive slate. Candidates shall be held responsible for the election-related actions or materials of their endorsers during their campaign, and from any fine resulting from their violations of Election Law based on such actions or materials.

## **CHAPTER 7. Campaigning**

- 7.1 Campaigning for the GSB general election shall officially begin on the date specified in the General Election Timeline.
- 7.2 Campaigning is defined as the advocacy or advertising of a candidacy. Any of these activities conducted on behalf of a candidate or slate by a third party who qualifies as a campaign member or endorser per the Election Code shall also be considered campaigning.
- 7.3 A campaign shall be defined as a person or slate and their associates who assist in their campaign in winning an election or position on the ballot.
- 7.4 Campaigning does not include those meetings attended by campaign workers for developing a platform, adopting policy, or conducting business related to the internal affairs of a candidate or slate. Campaigning shall also not include the solicitation of signatures.
- 7.5 All third parties (individuals or organizations), excluding media sources, that are actively disseminating information on the candidacy of a person or persons or on issues related to a GSB election shall be required to mark all materials with a statement of funding source. Third parties campaigning on the behalf of a candidate or executive slate shall notify that candidate or slate of any items, such

- as literature and/or items including flyers, table tents, posters, signs and any other materials, that will be disseminated containing the name of that candidate or slate.
- 7.6 On the days of voting there should be no campaigning in or immediately outside of computer labs or Election Commission polling locations.
- 7.7 Members of the Election Commission shall be explicitly forbidden from engaging in any form of campaigning for any particular candidate, slate, or referendum question at any time during the election cycle.
- 7.8 In order for the Election Commission to accurately account for budgeted campaign material, printed election material must be approved by the Election Commission prior to dissemination.
- 7.9 A member of the Election Commission shall verify and record the quantity of any item individually. The Election Commission shall retain one copy of each item, unless the Election Commission grants an exception.
- 7.10 All publicly disseminated campaign materials must include a statement of funding source. Any candidate or executive slate campaign materials that have not been stamped or otherwise approved by the Election Commission shall be taken down at the discretion of the Election Commission.
- 7.11 Policies with Memorial Union:
- The Election Commission must approve solicitation in the Memorial Union, unless it takes place in the GSB office space.
  - When permission for a candidate to campaign is granted from a student organization meeting in the Memorial Union, the Election Commission does not need to grant permission.
  - All other policies found in the Iowa State University Memorial Union Facility Use Policy must be followed.
- 7.12 All candidates or slates must conform to the policies set out in the Student Activities Center Student Organizations Resource Manual. Any candidate or slate may request a rule waiver by scheduling a meeting with the Election Commissioner and the Assistant Director of Student Activities. Other campaign areas, such as the ISU Memorial Union, may be subject to additional policies, and it is the candidate's responsibility to conform to all such policies. Intentionally damaging/defacing, obstructing, or removal of the campaign material of another candidate or executive slate shall be prohibited.

- 7.13 Students at Iowa State University pay a mandatory computer fee, so campaigning by e-mail or Internet message boards does not have value that needs to be accounted for on the Final Revenues and Expenses Disclosure Form. However, the following rules shall apply to electronic campaigning:
- Any electronic campaigning, including but not limited to social networking, must at all times conform to the University Code of Computer Ethics and general Election Law.
  - Use of a university club or organization e-mail list must be approved by the club or organization in writing. A copy of this written authorization must be filed with the Election Commissioner prior to use of the list.
  - Campaign materials distributed through e-mail must be carbon copied to the Election Commissioner and must bear the following text as either a header or footer:

**“This message is not a random mailing. It is being <sent/posted> by <candidate/slate>, a candidate for Government of the Student Body <office name>. If you do not wish to receive messages of this type in the future, please send e-mail to that effect to the originator of the message and the GSB Election Commissioner at <election commissioner email address>.”**

- If any member of a list should object to receiving campaign-related material, candidates must either remove the individual from all lists the candidate owns, or, in the case of a list owned or associated with another group, immediately cease use of that list.
- Failure to carbon copy an e-mail to the Election Commissioner or failure to secure written authorization of the owner of a list prior to its use are subject to a minimum penalty per incidence, as specified in the Election Code.
- In addition, the candidate or slate may be subject to disciplinary action by the ISU Information Technology Services.

Campaigns are subject to adhere to the regulations that are set forth on specific electronic media such as website or message board regulations.

Candidates shall not purchase any University email list from the Office of the Registrar for the purpose of sending campaign material. The cost for the list shall be a non-criterion expenditure.

- 7.14 Prior to the opening of the polls, the election commission shall send out an informational email to all students through the university listserve that will present both executive platforms (in alphabetical order according to the last name of the presidential candidate). The candidates will submit their own typed paragraph stating what they wish to be sent out. All submissions must be approved by election commission.

- 7.15 Contests between student organizations, including but not limited to dormitory houses, Greek houses, or college councils, requiring the voter to reveal personal information, are prohibited. Penalties against members or groups for withholding this information are also prohibited. Student organizations may keep records of voter turnout; however, use of those records for other than statistical purposes is prohibited. Voter turnout drives and programs to assist voters are encouraged, but personal information may not be required of those participating.

## **CHAPTER 8. Write-in Candidates**

- 8.1 Any student wishing to run as a write-in candidate is strongly encouraged to contact the Election Commissioner and obtain a copy of the Election Law. All ISU students are eligible to run as write-in candidates, even if they have not contacted the Election Commission, provided they are eligible to hold office. Write-in candidates are not required to submit a petition to the Election Commission, nor are they eligible for any campaign reimbursement funds.
- 8.2 Write-in candidates are subject to all University policies, including policies specific to computer labs. Failure to abide by these policies may result in disciplinary action taken by the Dean of Students office. If a candidate violates these policies and is successful in winning election, their behavior may be considered an extreme malicious violation of election law.
- 8.3 Write-in candidates shall submit the final Revenues and Expenses Disclosure Form before they are eligible to receive the office for which they are running.

## **CHAPTER 9. Referenda Questions and Student Initiatives**

- 9.1 A student or group may seek to put forth a referendum or initiative by presenting the Election Commission with the exact text of the proposed referendum or initiative and requesting petition forms. A common language description of the benefits and consequences of the referenda or initiative will also be required to be placed on the ballot and in the Iowa State Daily. The Election Commission shall review the common language description and shall be the final authority on all information in the description.
- 9.2 In accordance with the recognized “Powers of the Student Body” as delineated in the Constitution, the students of the university may put forth a referendum or initiative by presenting a petition signed by two thousand (2,000) Iowa State University students. These signatures shall be checked by the Election

Commission in the same manner as prescribed in the Petitions and Ballots chapter of this Code. The Election Commission shall hold a special election on the question and publish the referendum or initiative in the Iowa State Daily prior to the opening of the polls.

- 9.3 As referenda questions and student initiatives represent direct questions before the student body and the passage of these referenda have force of law second only to the Constitution, freedom of speech to all students in expressing their support or dissent is paramount. Therefore, campaigns and campaign materials concerning referenda or student initiatives shall be exempt from all spending limits and shall not require prior approval of the Election Commission, unless such material expresses an explicit connection to a candidate or slate. Any campaign materials—whether circulated by candidates, slates, or third parties, pertaining to referenda or initiatives—with explicit reference to any candidate or slate must be approved by the Election Commission and shall be subject to the rules concerning candidate and slate campaign materials. A statement of funding source is required on all printed campaign materials.

## **CHAPTER 10. Penalties**

- 10.1 Any candidate or campaign found guilty of violating GSB Election Law shall be assessed a penalty based on the Financial Penalties in Appendix A. The Election Commission reserves the right to handle alleged violations on a case-by-case basis.
- 10.2 After considering the nature of the violation, the Election Commission may choose to suspend the financial penalty with any contingencies the Commission may deem fit. In all cases, penalties shall be assessed in the following order:
1. Candidate reimbursement (executive slates only)
  2. Stipend (Elected Slates Only)
  3. Executive Scholarship (elected slates only)
  4. Additional Fines
  5. Nullification of contest
  6. Barred from Future Elections, non-appealable to future Election Commissions
- 10.3 Extreme malicious violations may include, but are not limited to, buying votes or bribery, harassment of opposition or voters.

- 10.4 Extreme malicious violations of Election Law by a winning candidate, as determined by two-thirds of the Election Commission will result in a nullification of the contest in question. After an affirmative nullification vote by the Election Commission, there shall be an automatic appeal to the GSB Supreme Court on whether to uphold or reverse the ruling of the Election Commission.

## **CHAPTER 11. Polling Locations and Procedures**

- 11.1 No registered student at Iowa State University shall be denied the opportunity to vote in any GSB election. Each eligible voter shall have the following areas of voting eligibility: executive slate, referenda questions and student initiatives, residence area Senators, and college Senators. For each of the latter two constituencies, the voter shall be allowed to cast a number of votes up to and including the number of open seats for the constituency.
- 11.2 To better ensure the fairness of GSB election procedure, randomizing computer technology will be used to maximize the effectiveness of the electronic balloting system. Every candidate thus has an equal chance of being placed at the top of every ballot cast.
- 11.3 Voting shall occur in a manner designed to protect each voter's confidentiality. A secure Internet website provides access to all students, minimizes the possibility of voter fraud, allows ballot position to be randomized, and allows a high degree of confidentiality. At this website the voter shall be required to enter his or her valid ISU NetID and password. Students who do not have an ISU NetID or password shall be assisted by an Election Commission member.
- 11.4 All students voting shall be verified as current ISU students upon logging in to the web site. The voter shall then digitally sign the "Voter's Declaration of Eligibility Card" stating that he or she is a current ISU student eligible to vote and that he or she has not yet voted in the current election. The voter shall then be presented with a custom ballot displaying only the positions for which they are eligible to vote. After completing the ballot it must be submitted personally by the voter, subject to an additional password check. A voter may stop voting and void their current ballot at any time prior to final submission of the ballot.
- 11.5 If a student should stop voting for any reason during their voting session they shall be allowed to return at a later time and vote. If a voter abandons their ballot prior to final submission, it shall be canceled following a timeout period. The voter shall have the opportunity to vote at a later time while the polls are still open.

- 11.6 A copy of the digitally signed “Voter’s Declaration of Eligibility” shall be kept on file with the Election Commission until the beginning of the following fall semester, at which time it shall be destroyed. Knowingly providing false information to a student organization is a violation of the Student Conduct Code number nine (9): *“Knowingly furnishing false or misleading information to university officials, faculty, student organizations, or on official records, or altering such records is prohibited.”* In the event that a student falsifies information on the “Voter’s Declaration of Eligibility” he or she shall be referred to the Office of Judicial Affairs for possible disciplinary action.
- 11.7 Should a student discover an error in the custom ballot presented to them, he or she shall have the option to cast a challenged ballot. To cast a challenged ballot, the voter indicates which college and residence area for which he or she is eligible to vote for after which the voting system shall allow the voter to cast a vote under those constituencies.
- 11.8 Challenged ballots are uniquely numbered and held in a separate location from other election results. After a student submits a challenged ballot they shall be informed of their right to appear before the Verification Panel, make a written statement, and/or submit evidence supporting their qualifications to vote for the constituencies in which they voted. The student shall be presented with a form in which they can provide additional information to assist the Verification Panel.
- 11.9 If a student chooses to file a written statement and/or present evidence, it shall be given to the Election Commissioner, Vice Commissioner, or delivered to the GSB office within 24 hours of the close of the last polling place. All challenged ballots shall be individually reviewed by the Election Commission Verification Panel in accordance with standing Election Law.
- 11.10 Candidates shall not actively provide any computers or communication devices to potential voters during the period that voting is open.
- 11.11 The Election Commission shall be able to operate polling locations during the elections. Any other entity wanting to operate polling locations must gain approval from the election commission.

## Appendix A

## Financial Penalties

VIOLATION	MINIMUM ASSESSMENT
<b>Campaigning:</b>	
Campaigning within restricted areas or in unauthorized locations as described in Election Law	\$50 min.
Posting or distributing unapproved campaign material. (Includes printing more copies of material than stated on the <i>Number of Copies Form</i> .)	\$50 min.
Campaigning in a manner conflicting with University policy.	\$100 min.
Campaigning prior to the opening of the election timeline.	\$75 min.
Intentionally damaging/defacing, obstructing, or removal of the campaign material of another candidate or executive slate.	\$100 min.
Failure to appear at a debate as required by code	\$25 Sen. Candidates min. \$100 Exec. Slates min.
A violation of University policy dealing with chalk, window chalk and spray paint on sidewalks, stairs and buildings during the election timeline.	\$50 min and referred to Dean of Students
Passing around a signature sheet according to Chapter 3.4 restrictions	\$75 min.
<b>Finance:</b>	
Failure to indicate funding source on campaign materials.	\$25 min.
Intentionally falsifying the <i>Final Revenues and Expenses Disclosure Form</i> or supporting documentation.	\$200 min.
Failure to report contributions, whether monetary or non-monetary, on the <i>Final Revenues and Expenses Disclosure Form</i> .	200% of value of the omitted contributions.
Failure to report expenditures on <i>Final Revenues and Expenses Disclosure Form</i> .	200% of value of the omitted expenditures.
Failure to submit the <i>Final Revenues and Expenses Disclosure Form</i> by the day following the close of the polls.	\$15/day or part thereof.
Exceeding spending limits.	\$50 min. and 200% of the value of the expenditures over the limit.
Buying any university owned listserve	\$250
<b>Fraud:</b>	
Requesting personal voter information.	\$100 min.
Use of confidential voter information.	\$100 min. per incident
Holding a contest requiring personal information to be revealed to participate.	\$200 min.
Interfering with official acts of the Election Commission or Election Commissioner.	\$100 min., reimbursement, scholarship, and stipend.
Coercion and/or bribery in a deliberate attempt to gain votes for a candidate, slate, referendum and/or initiative, or to influence whether or not an individual votes.	\$1000 min. and reimbursement, scholarship, and stipend, and referral to the Dean of Students.
Supplying Computers/Electronic Devices to Voters	\$150 minimum