

# Elections Procedures Manual

for

Student Government Association  
Homecoming Queen  
and  
Other Elections With  
University-Wide Interest

The University of Alabama

Revised 1/2006

## **Introduction**

The University of Alabama has a long and storied tradition of campus-wide elections that include the Student Government Association, Homecoming Queen, referenda concerning student issues with a campus wide interest, and other elections as deemed necessary. It is the purpose of this manual to provide a guide as to the method and procedures that are to be used in these elections. It is realized in the production of this manual that, as circumstances change, it will be necessary to alter some of the procedures used in conducting the elections. The primary purposes for Elections Rules and Policies is to insure:

1. That candidates strive vigorously for fair, open elections, and to punish any actions not in conformity with such elections or forbidden by this Manual.
2. That the aesthetic quality of campus is not disturbed.
3. No physical harm comes to any student or participant in the campaign process; and that routine campus business is not impeded during the campaign process.
4. That no one participating in the campaign process has built-in or unfair advantages.

The Division of Student Affairs is responsible for conducting student elections that are campus-wide in scope. The Elections Board will govern the administration of all University wide elections. It is not the responsibility of Student Affairs to conduct college officer elections or elections for offices in other student organizations. They traditionally conduct their own elections, although requests can be made of the Elections Board to assist with those elections.

## **Elections Board**

Responsibility for conducting the elections is left to the Elections Board, a group made up of three students (2 undergraduate and 1 graduate) and four administrators. Two administrators are appointed by the Dean of Students, one faculty member and one ex-officio staff representative will be appointed by the chairperson of the Student and Campus Life Committee and the three students are appointed by the Vice President of Student Affairs. The Convener of the Elections Board is appointed by the Dean of Students and is considered the ex-officio representative. Generally, it is their responsibility to conduct the elections, which includes setting dates for the elections, providing procedures for signing up for the offices, providing verification of candidates, candidate orientation and conducting the actual election. The Elections Board meets as often as necessary although most meetings occur near the time of Homecoming in the Fall and in early Spring for the Student Government elections. In the following procedures, unless otherwise stated, guidelines refer to the Student Government elections. Specifically, the Board is charged with the following responsibilities:

- To organize and administer all SGA and Office of the Dean of Students sanctioned elections.
- To make available a copy of the election rules, procedures, and dates to all candidates.
- To organize and supervise candidate orientation meetings.
- To certify qualifications of candidates.
- To prepare a ballot listing all eligible candidates for each elected office and provide procedures for posting campaign statements.
- To administer all aspects of election day voting.
- To conduct a voter education campaign on campus prior to election day and distribute factual information concerning voting procedures.

- To designate one Election Board member to assist with and route inquiries about campaign rules.
- To post a list (in a conspicuous location on election days) of those candidates who have withdrawn or have been otherwise removed from the ballot.
- To determine the legitimacy of charges and adjudicate election violation complaints.
- To certify the election results.
- To recommend to the Student and Campus Life Committee and to the Vice President for Student Affairs a change in the election rules and regulations that a majority of the Elections Board members deem appropriate.
- Provide campus media and University Relations with the results of the elections.

The Board reports to the Vice President of Student Affairs through the Office of the Dean of Students.

## **Dates for the Election**

The date of SGA elections varies from year to year but will generally follow a pattern established by the Elections Board. Annual dates are placed on the Dean of Students and/or SGA website. An illustration of dates follows:

Three Weeks Prior to Elections – Candidate Packets Available for Distribution

Two Weeks Prior to Elections – Declaration of Candidacy

Nine to Eleven Days Prior to Elections – SGA Orientation

Seven to Eight Days Prior to Elections – Campaigning Begins

Second Week of March – SGA Elections

Announcement of Winners – Approximately noon to 4:00 p.m. after Completion of Vote Certification

Second Week of April – Installation of Officers

This will provide the new Student Government Association three weeks before exams to get organized before summer.

The Homecoming Queen Elections date will be the Tuesday before Homecoming with the runoff, if necessary, occurring on Thursday. Dates for declarations and campaigning will be planned in cooperation with the Homecoming chairperson and his/her committee with the ultimate authority for setting the date of the election given to the Dean of Students

## **Election Logistics**

There is a considerable number of election logistical arrangements made prior to the election. The following list with explanations is presented in chronological order as each would occur leading up to the elections and beyond.

### **Date of Election**

The Elections Board should meet immediately following the election and set the date for the SGA election for the following year. This is necessary in order to have the dates available in the various calendars that are published each year in preparation for the following year and to allow opportunity to reserve space as needed.

Once the dates are selected, this information should be disseminated to University Relations, academic areas, SGA, and Student Media for inclusion in various publications.

### **Reservation of Space**

The Elections Board should determine the method of voting, the potential number and location of polling sites. If physical voting sites are utilized, reservations should then be secured for those locations. As many sites as can be properly monitored and managed should be provided.

### **Candidate Packets**

Packets for candidates are prepared in order to provide them with the essential information necessary to conduct their campaigns and stand for candidacy. The packets will be available at the receptionist desk in the Office of the Dean of Students one week prior of the deadline for public declaration of candidacy. Included in the packet are:

- Election Board Letter to Candidates
- List of Important Dates

- Statement of Candidacy and Intent
- Disclosure Reports for all three weeks
- Copy of the SGA Constitution which includes Eligibility Requirements and Statements of responsibility for all offices
- Copy of Election and Campaign Rules including a Statement of Zero Tolerance

### **Candidate Certification**

The candidate's grade point average will be checked in the Office of the Dean of Students to make sure that he or she meets the eligibility requirements. Those not having the correct GPA or number of completed credit hours will be notified that he or she is not eligible for the election.

### **Candidate Orientation**

A mandatory candidate orientation will be provided prior to the campaign. The Elections Board will determine the time, date, place, and agenda for candidate orientation. All candidates and their representative, regardless of office, must attend the entire orientation session.

Candidates who are not present, or do not have their campaign manager present, and/or candidates and campaign managers who do not attend the entire orientation session will be excluded from the ballot. They may alternately run as write-in candidates. Candidate orientation will provide the following:

- An explanation of the voting process.
- A challenge that will address ethics of campaigning.
- Diversity Training.
- Drawing for ballot placement.

Optional break-out sessions may be available and may cover such subjects such as: tips on getting your message across, how to get the most advertising buck for your dollar and campaign rules and regulations.

The last item on the agenda will be the drawing for ballot placement. Ballot position will be chosen at the candidate orientation meeting by a random drawing. The names for the offices are listed in no particular order; instead, a drawing determines ballot placement. It is from this information that the Elections Board will build the ballot for the election.

### **Candidate Forums**

A series of at least two forums will be presented by student organizations wishing to organize the forums. All forums must be sanctioned by the Office of the Dean of Students and the Elections Board and all appropriate candidates must be invited. An invitation may be in the format of an e-mail invitation to be issued at least 48 hours in advance of the forum or rally using the e-mail addresses supplied to the Elections Board by the candidates or sponsoring organization. The Elections Board will send the rally/forum request to the candidates.

The first forum should be for all executive candidates and the last forum for presidential candidates only. The dates for the forums must be confirmed prior to candidate orientation so that a schedule of the forums would be made available to all candidates. The addition of forums is not permitted after candidate orientation.

Forums for senatorial candidates should be arranged within each college. Senatorial candidates should be strongly urged to participate in these forums. It is suggested that the forums be organized and presented by the college student officers. Forums must be appropriately advertised. Sponsoring organizations must notify the Elections Board of all means of advertisement to be used.

## **Public Rallies and Election Events**

Public rallies must be open to all candidates for participation and must be registered with the Elections Board. A public rally is defined as one that any student may attend. All other elections-related events must be sponsored by organizations registered with the Office of the Dean of Students.

Registration forms and/or Grounds Use Permits must be signed by the organization's president and the faculty/staff advisor.

All public rallies and election-related events must be appropriately and sufficiently advertised. Sponsoring organizations must notify the Elections Board of all means of advertisement to be used.

## **Election**

The election will occur over a two-day period and must include one day of either Tuesday or Thursday and one day that includes Monday, Wednesday or Friday. The Elections Board will determine hours of operation for voting days.

## **Election Monitors**

If needed, monitors are to be solicited from the general University Staff, including support and professional staff. Neither students nor any staff member directly working with the SGA are eligible to serve as voting site monitors. Training, if necessary, is to be provided by the office of Network Support and/or the Office of the Dean of Students.

Site chairpersons will be appointed for each site. It is their responsibility to make sure that all signage is up, write-in candidates are posted, equipment is in place and that sufficient staff is present to monitor the election.

## **Signs for Elections**

It may be necessary to post a number of signs in order to conduct the election. They include *Vote Here, SGA Election or Homecoming Election, Action Card Required, and Exit*. Signs that encourage voting may be posted outside public buildings.

### **Election Results**

The Ferguson Center will be the principal location for the announcement of election results. Announcements take place at approximately noon to 4:00 p.m. on the Friday following the certification of votes. Local television coverage will be encouraged. The *Crimson White* and University Relations should be contacted with results and the request for regular reporting during the campaign and with the results. Regular contact should be maintained to ensure that they have the appropriate information needed to keep their constituencies well informed. Election results will be posted on the Dean of Students and SGA websites following the general announcement.

It is permissible for any qualified voter to write the name (first and last name) of a student whose name does not appear on the ballot, in a designated space of the ballot. The name and office must be specified on the ballot.

The Elections Board is responsible for supervising the tabulation of ballots and certification of results. Election results cannot be appealed.

## **Candidates - Qualifications**

A student for the semester in which he or she files a Statement of Candidacy and Intent during his or her term of office must be enrolled as a full-time student and must be in good academic and disciplinary standing (defined as no academic or disciplinary probation in force) at the University of Alabama; and must remain in this status during his or her term of office. Full-time student is defined as 12 semester hours for undergraduates, 12 semester hours for law school students, 9 hours for graduate or professional students, or as defined by the university registrar and/or graduate school. A candidate may seek multiple offices in a given election.

### **Candidate Eligibility – SGA Senate**

- All undergraduate students seeking a position in Student Senate must have an overall cumulative grade point average from the University of Alabama of not less than 2.30 on a 4.0 scale. Undergraduate candidates must have earned at least 12 credit hours at the University of Alabama.
- All law students seeking a position in the Student Senate must have an overall cumulative grade point average from the University of Alabama of not less than 2.50 on a 4.0 scale and have earned at least twelve credit hours from the University of Alabama.
- All graduate students seeking a position in the Student Senate must have an overall cumulative grade point average from the University of Alabama of not less than 3.00 on a 4.0 scale. Graduate candidates must have earned at least 9 credit hours from the University of Alabama.
- Any graduate or law school candidate whose undergraduate degree was earned from the University of Alabama is exempted from the credit hour requirement, provided his or her

undergraduate grade point average at the University of Alabama was at least 2.30 on a 4.0 scale and he or she currently has the appropriate graduate or law school grade point average.

### **Candidate Eligibility – SGA Executive**

- All undergraduate students seeking an Executive Office must have an overall grade point average from the University of Alabama not less than 2.30 and a 4.0 scale. Undergraduate candidates must have earned 36 credit hours with at least 12 of them from the University of Alabama.
- All law students seeking an executive office must have a cumulative overall grade point average of not less than 2.50 on a 4.0 scale and have earned at least 12 credit hours from the University of Alabama.
- All graduate students seeking an executive office must have an overall grade point average from the University of Alabama of not less than 3.00 on a 4.0 scale. Graduate candidates must have earned at least 9 credit hours from the University of Alabama.
- Any graduate or law school candidate for executive office whose undergraduate degree was earned from the University of Alabama is exempted from the credit hour requirement, provided his or her undergraduate G.P.A. at the University of Alabama was at least 2.30 on a 4.0 scale and he or she currently has the appropriate graduate or law school grade point average.
- All elected members of the executive branch and student senate shall be elected according to the procedures stated in Article VI of the Student Government Constitution. If a vacancy occurs in an elected executive or legislative office due to resignation, impeachment or failure to maintain full-time academic status or required academic or disciplinary status, the position(s) will be filled according to the provisions of the Student Government Constitution.

## Statement of Candidacy

All candidates must sign a Statement of Candidacy and Intent by a date designated by the Elections Board, which contains the following information:

- Name, local mailing address, place of residence, phone number, and student number of the candidate.
- The office, which the candidate seeks.
- The total number of hours attempted and the total number of semester hours of credit earned at the University of Alabama and at any other college or university for which transfer credit has been granted.
- The school or college in which the candidate is enrolled. Candidates in college senate races in the process of changing school or college must confirm their new college by the last day that Statements of Candidacy and Intent may be received.
- Name, address, and phone number of campaign manager, if any.
- An affirmation that the candidate read and understood the provisions of the Student Government Association Constitution relative to the duties and qualifications of the office he or she seeks.
- An affirmation that the candidate understands and will comply with all election rules.
- An authorization that the candidate allows the Elections Board to verify his or her grades, academic record, enrollment status and disciplinary status.
- An authorization that the candidate allows the Elections Board to release his/her grades, academic record, and enrollment status for voter information.
- An authorization that the candidate allows the Elections Board to disclose to the media and the general public all records of any type maintained by the University and containing any

personally identifiable information about the candidate concerning or related to their candidacy for SGA office including, without limitation, election information, violation of campaign and other SGA election rules and/or provision of the University's Code of Student Conduct, hearing results, and Sanctions imposed.

### **Write-In Candidates**

- Write-in candidates must meet the minimum qualifications set forth for candidates whose names appear on the ballot.
- If write-in candidates choose to campaign, advertise or otherwise spend money on a campaign, they must comply with the same election regulations (including disclosure reports) as previously registered candidates. Write-in candidates are extended all campaigning privileges including Crimson White and web/internet coverage when available. They may also be invited to candidate forums. Their names, however, will not be on the ballot.

## **Campaigning**

- Definition - Campaigning includes, but is not limited to, the following: distributing printed material, including candidate endorsement list; posting notices on authorized campus bulletin boards; chalking, according to approved chalking guidelines; placing paid advertisements in the campus newspaper(s); making speeches to groups, attending and/or speaking at political rallies, parties or other gatherings sponsored for, or intended to promote one's candidacy for office; door-to-door solicitation; electronic solicitation, telephone solicitation; and other forms of verbal and written expression of one's candidacy for office and qualifications/experience ambitions/platform for that office.
- Campaigning may begin seven to eight days prior to the scheduled election date as specified by the Elections Board; with the exception of the Preliminary Campaign Period (see below)
- It is the responsibility of the candidate to ensure that anyone electronically campaigning on her/his behalf follow all guidelines. Candidates are accountable for the actions of anyone campaigning on her/his behalf.
- Members of the faculty are discouraged from engaging in campaigning on behalf of students or making statements in support of selected candidates in the classroom.

### **Ethical Campaigning**

It is the goal of The University of Alabama to cultivate a hospitable campus environment in which all members of the University can work together and learn from each other in a climate of mutual respect. Students must practice personal integrity. By doing so, they respect the dignity, rights, and property of others, both students and all members of the University community. Candidates who suspect another candidate or campaign personnel is participating in unethical behavior or violating a campaign rule may wish to observe the following suggestions:

- Contact the candidate or campaign personnel, clearly and without emotion, explain the nature of the violation and request that the violation cease.
- Contact the designated member of the Elections Board to discuss alternatives for a sound, ethical decision.
- File an elections violation complaint. Be prepared to sign a written statement, participate fully in the adjudication process with clear, documented facts, and prepare to stand by the result of adjudicated sanctions.

An example of ethical decision-making follows: Candidate one observes fliers advertising candidate two on the Crimson White newsstand (violation of campaign rules). Candidate one contacts candidate two requesting that the signs be removed within 24 hours and offering to remove the signs for the candidate two.

At candidate orientation, all candidates will be asked to sign the **Pledge of Zero Tolerance** for criminal mischief, threatening communications, and/or falsifying evidence in regards to campaign or election violations.

Campaigning or solicitation for the purpose of coercion is unethical and is a violation of elections rules. *Coerced voting will not be allowed under any circumstances.* Intimidation is also considered unethical and is a violation. Intimidation can be defined as:

- Threat of loss of privileges (as a group or individual)
- Threat of physical harm
- Threat of social isolation

## **Preliminary Campaigning**

The preliminary campaign period will allow candidates to speak only to registered student organizations approximately one month prior to the beginning of the official campaign period. Prior to participation in preliminary campaigning, candidates **MUST** submit their official Statements of Candidacy and State of Intent to the Office of the Dean of Students.

This preliminary campaigning will allow candidates a greater opportunity to reach the campus-at-large by speaking to student organizations. Candidates should contact student organizations on an individual basis to arrange a date and time to speak to the group. It is up to each individual group whether or not to allow candidates to speak. Student organizations are asked that they be democratic and provide equal time to all who request it.

## **Public Declaration/Announcement of Candidacy**

Public declaration of candidacy can be made according to the following restrictions:

- Public announcement must be made during a time established by the Elections Board.
- The activities surrounding the announcement may last no longer than one hour.
- Banners and other campaign materials may be displayed thirty minutes prior to and after the announcement and only in the immediate area of the announcement.
- They may be made at various locations and may include a parade to the place of declaration. However, the parade and signs used can be publicly displayed no longer than 30 minutes prior to and after the declaration.
- A candidate declaration deadline will be determined after which no further candidates can qualify for the written ballot but could qualify as write-in candidates. Write-in candidates are subject to the same rules and regulations for campaigning as regular candidates.

- Announcement parties, receptions, dinners, luncheons and other social functions are prohibited until the official campaign period begins.

### **Endorsements**

Organizations and publications endorsing candidates must comply with all campaign rules and regulations.

University employees are discouraged from endorsing any candidate.

### **Financial Disclosure**

A campaign-spending limit of \$600 for executive offices and \$100 for all other candidates is allowed for the campaign. In the event of a run-off, candidates for executive office will be allowed to spend a maximum additional amount of \$25. This includes all in kind contributions (i.e. donated services/materials) that may be received.

- All candidate election disclosure forms are open to the public.
- All candidates are required to make full disclosure of (a) campaign funds and/or contributions, including money and services and (b) an itemized budget of actual campaign expenses.
- Each candidate is required to file campaign finance disclosure form listing campaign contribution and expenditures. The forms are provided in the packet and are to be filed with the Office of the Dean of Students in Ferguson Center once a week, each week, from the date they announce candidacy and ending the morning of the elections.
- An accounting of each candidate's record will be kept to ensure that campaign-spending limitations are not violated. Spending violations will be stringently enforced to include the

possibility of disqualification. In-kind contributions will be valued at the current market price.

- Any function or event presented on behalf of a candidate must be counted in the candidate's total expenditures.

### **Campaign Literature and Materials**

All regulations as outlined in the Student Handbook are to be followed. Specified parts which pertain to student elections include, but are not limited to, "Use of University Space, Facilities, and Amplification Equipment," "Advertisements, Co-sponsorship, Printed Material, and Solicitation," and Personal and Organizational Misconduct."

- Campaign materials (i.e., fliers or banners) may be distributed only at a place of residence or outside of a building on campus, or posted on authorized bulletin boards, and may not be affixed to any other surface, or left on any other surface, or left in any building, classroom, or any other public building on or off campus. Candidates must secure permission from authorized agents of buildings to hang banners.
- So long as equal space and facilities are made available to all candidates running for the same office, any publication or display board may be used in connection with campaign advertising. Commercial billboards are prohibited!
- A candidate is responsible for the actions of anyone campaigning on his or her behalf. Therefore, candidates must submit for registration purposes to the Elections Board Convener a copy of any authorized campaign materials to be used in the campaign. This material must be submitted to the Office of the Dean of Students as least 24 hours prior to distributing or posting. The material(s) will be on file with the Elections Board in case of any alleged violations of election rules.

- All campaign materials must be removed within 24 hours of closing of the polls after the conclusion of elections.

### **In On-Campus Buildings**

Candidates are allowed to distribute campaign materials in public areas, designated bulletin boards and, as approved, residence halls.

### **Off-Campus Campaigning**

Candidates are cautioned of campaigning off-campus because violation of city and county laws as well as the solitication policies of apartment complexes, businesses, etc could result in prosecution.

### **Electronic Campaigning**

Candidates may distribute appropriate electronic campaign materials. Candidates must abide by University guidelines for electronic distribution and are not allowed to distribute mass e-mails. Mass e-mail is defined as any message distributed to over 75 people at one time.

Overloading the electronic system will be considered an election violation and candidates may be disqualified from candidacy. Candidates will be encouraged to prepare a one-paragraph statement of intent that will be available on the SGA website.

Spamming, or randomly getting e-mail addresses, is strictly prohibited and is considered a campaign violation.

### **Telephone Campaigning**

Candidates are not encouraged to utilize the University telephone system for campaigning. If a candidate uses the telephone system, no campaigning can occur after 9:00 p.m. at night or before 9:00 a.m. in the morning. Campaigning can only include information about the specific candidate and can not include the names, information, or any editorial

comment on other candidates. Telephone system overloads will be considered a campaign violation and candidates may be disqualified from candidacy.

### **Banners/Print Campaigning**

Students must have permission to hang fliers and/or banners during election campaigns. Signs on stakes that are placed on public property may be removed by University personnel, if signage interferes with conducting general University business (e.g., cutting grass on the Quad). Students, not University personnel, are responsible for replacing signage.

One campaign flier will be posted in a display case in Ferguson Center. The display case will display one flier from each candidate.

No UA copy-written materials can be used as part of any candidate's advertising/publicity; this includes emblems, insignia, etc. available on the UA website.

### **Chalking Guidelines – Approved for 2002**

Chalking is a wonderful and inexpensive way for students to advertise or promote programs and events. However, in the absence of guidelines, inappropriate chalking can and does occur. Examples of inappropriate chalking include chalking on vertical surfaces such as the walls and doors of campus buildings, obscene and explicit words and drawings, under overhangs and porches, on columns and on decorative brick paver surfaces. In light of these problems the following guidelines are introduced. Failure to adhere to these guidelines will result in disciplinary action according to the Code of Student Conduct.

1. Chalking is only permitted on natural gray concrete sidewalks and streets that are subject to being washed by the rain. No chalking can occur on sidewalks or building entrances that are covered by a shelter of any type.

2. No chalking can be closer to a building than 20 feet. A building structure also includes porches, stairs, and drive-thru areas.
3. No chalking is permitted on any vertical surface including the riser portion of stairs.
4. Absolutely no chalking is permitted in the Plaza of the Ferguson Center or in the Crimson Promenade.
5. Chalking is not permitted on any type of brick or concrete paver.
6. Only solid concrete surfaces and streets as outline in 1-5 are subject to chalking.
7. The type of chalk used must be washable and not capable of withstanding several rains.
8. The following are expressly prohibited from chalking:

Plaza

Crimson Promenade

Walls anywhere on campus

Brick Pavers (bricks or brick like materials used for surfaces on which to walk)

Surfaces under porches or drive-thrus

Law School and surrounding sidewalks

Brick pavers surrounding the Culverhouse College of Commerce and

Business

## **Election Day Campaigning**

Personal campaigning and campaign materials (including badges, stickers, and T-shirts) may be conducted/distributed on election day(s) with the exception that all campaigning or distribution of materials is prohibited inside the building.

## **Campaign and Election Violations**

As an institution of higher learning, The University of Alabama attaches great value to freedom of speech and open debate, but it also attaches great importance to the principles of civility and respect which govern an academic community. Any student (group or individual) can be held responsible for election violations regardless of being a candidate. Candidates have an obligation to observe rules that benefit their classmates, other candidates, and their University. All students, including candidates should familiarize themselves with the election rules as listed in the *Student Handbook and Elections Handbook*. Students are expected to abide by the Code of Student Conduct. Additionally, student elections should rely on the involvement of our current students. Any inappropriate non-student participation may constitute an ethics violation. The Elections Board is available to provide advice on potential ethics violations if needed. Recognizing that some violations of campaign and/or election rules does not merit traditional adjudication through the Student Judicial process, this section will serve as a guide for adjudication of election violations.

### Violations under the Code of Student Conduct

Violations classified as offenses against the University Community, Persons, Organizational Misconduct, Abuse of the Judicial System, Property, and/or Disrupting Order or Disregarding Health and Safety fall under the jurisdiction of the Office of Judicial Affairs. Candidates who are found in violation of the Student Code of Conduct will enter the University judicial system. Disqualification from candidacy may result, based on the findings of the Office of Judicial Affairs.

Orientation will include campaign ethics and focus strongly on the need for honest and forthright campaigning.

Violations of campaign and/or election rules are reported to the Office of the Dean of Students and are adjudicated by the Elections Board. The Elections Board has the responsibility and authority to refer any violations to Judicial Affairs as deemed necessary. Sanctions may range from letters of reprimand, service hours, fines or disqualification. The final route of review is the Elections Review Board. Election results cannot be contested.

### **Filing a Complaint**

Any member of the University community may file election violation charges against any candidate or campaign personnel for misconduct. Any charge should be submitted within 2 business days of the occurrence. Only charges submitted in writing will be considered. Submission of a violation does not automatically mean that a hearing will be held or that sanctions will be handed down by the Elections Board.

The Elections Board, with reason to believe an election violation has occurred, may begin an investigation in the same manner as if a written complaint had been received. The Elections Board may charge candidates with election violations when members have reason to believe that a violation has occurred.

The Elections Board may issue an electronic summons for a student or organization to appear for discussions about a case or for a hearing in a pending case. The electronic summons may include an order to produce records which may be helpful in the course of an elections violation investigation.

The Elections Board may conduct an investigation to determine if charges have merit under the Code of Student Conduct, at which time referral will be made to the Office of Judicial Affairs. The Elections Board may conduct an investigation to determine if an election violation can be disposed of administratively by mutual consent of the parties involved on a basis

acceptable to the candidates and the Elections Board, subject to the approval of the Elections Board Chair.

All charges shall be presented to the accused candidate in written form. Electronic communication is considered an acceptable form of written communication to assure a timely manner for adjudication of election violations. Candidates are required to check their e-mail twice daily for communication from the Elections Board. A time will be set for a hearing, generally within the same day of a complaint filing, but not more than two days after the candidate has been notified.

### **Hearings**

Hearings shall be conducted by five (5) members of the Elections Board, consisting of three students, one faculty, and one administrator (the Panel) generally not known to the candidate. Hearings shall normally be conducted in private. Admission of any person to the hearing shall be at the discretion of the Student Chair participating in the hearing.

In hearings involving more than one accused student, the Student Chair may permit the hearings concerning each student to be conducted separately.

The accused has the right to be assisted by an adviser he/she may choose, at their own expense. Their adviser may be an attorney. The accused is responsible for presenting his or her own case, and, therefore, advisers are not permitted to speak or to participate directly in any hearing before the Elections Board Hearing Panel. Advisors are not permitted to initiate action on the students' behalf beyond the role of advising in the case at hand. Any inappropriate non-student participation may constitute an ethics violation. The Elections Board is available to provide advice on potential ethics violations if needed. The Elections Board Hearing Panel and the accused shall have the privilege of presenting witnesses, subject to the right of cross

examination by other parties involved and by the Elections Board Hearing Panel. Pertinent records, exhibits and written statements may be accepted as evidence for consideration by the Elections Board at the discretion of the Student Chair.

All procedural questions are subject to the final decision of the Student Chair of the Elections Board Hearing Panel. After the hearing, the Panel shall deliberate in private and shall determine (by majority vote of the Panel) whether the student has committed an elections violation or a code of conduct violation. The determination shall be made on the basis of whether there is substantial evidence that the accused student violated an election or campaign rule.

There shall be a single verbatim record, such as a tape recording, of all election hearings before the Elections Board. The record shall be the property of the University and may be destroyed after holding for 12 months.

Students who fail to obey a summons of the Elections Board may be found to have violated a community-agreed standard and may be disqualified from the election. A student who fails to obey a second summons of the Elections Board will be disqualified from the election.

Students found to have committed a violation or combination of violations may be disqualified. The Elections Board Hearing Panel must have a simple majority vote to disqualify a candidate(s).

Students who are deemed to have committed violations of the Code of Student Conduct will be forwarded to the Office of Judicial Affairs for immediate adjudication.

#### **Notification of Hearing to Complainant/Candidate**

Accused students will receive notification from the Student Chair of the Elections Board Hearing Panel by electronic communication of the day, date, time, and place of a hearing.

Students are required to respond that they received the communication and will comply. The student who filed the complaint will also be notified by electronic communication of the hearing date, location, and time.

### **Election Violation Judicial Procedures**

Election violations will be adjudicated by a panel selected from within the Elections Board. The panel consists of three students and two administrators. A student member will serve as the chair during the adjudication process. However, the Elections Board Convener will communicate any sanctions to candidates by electronic distribution with hard copy follow. Adjudication of election/campaign violations will probably occur within 24 hours of reporting so all candidates must check e-mail and telephone messages twice a day. Election judicial hearings will be held, as needed, in Ferguson Center at a time designated by the Elections Board. Sanctions will be forwarded to the Elections Board Convener.

### **Sanctions**

The following sanctions may be imposed upon any student found to have violated an election or campaign rule:

**Warning** – A written notice to the student to cease and/or correct the behavior

**Probation** – A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating additional election or campaign rules during the probationary period.

**Loss of Privilege** – Denial of specified privileges for a designated period of time.

**Fines** – Established and published fines may be imposed.

**Restitution** – Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

**Discretionary Sanctions** – Work assignments, service to the University or other related.

**Disqualification from Candidacy or Office** – Removal of candidate from either the election and/or from serving in office.

**University Suspension** – Separation of the student from the University for a definite period of time, after which time the student is eligible to return.

A candidate having charges of having violated elections rules may admit responsibility thereby eliminating the need for a hearing. In such cases, the Elections Board Chair will determine the sanctions or convene the five members of the Hearing Panel to determine sanction(s). The choice of which is left to the accused.

### **Elections Board Review**

A request for review of sanctions must be made, in written form, to the Elections Board Convener within 48 hours from receipt of the Hearing Panel sanctions. The Dean of Students, Chief Justice of the Student Senate and the Chair of the Student and Campus Life Committee are considered the Elections Review Board. The Elections Review Board represents the final route for consideration. No further requests for review of sanctions may be filed beyond this board.

The complainant does not have the right to request a review of sanctions levied against the accused. Only the candidate defending against charges may request a review of her/his sanctions.

## **Homecoming Elections**

Election Definition - The Homecoming election will be the election of the Homecoming Queen and Court and the Capstone Gentleman and Court.

### **Candidate Eligibility**

Any currently enrolled full-time student, with a minimum of 2.5 cumulative GPA and a total of 64 hours UA credit hours (transfer hours do not qualify), is eligible to apply for the Homecoming Queen.

### **Campaigning**

All campaign rules and regulations previously stated in this manual apply to candidates campaigning for Homecoming Queen or Capstone Gentleman. There is a cap of \$100 with regard to spending. All candidates must submit a disclosure report to the Elections Board on the morning of the Homecoming Election.

### **Election Administration**

The administration of the Homecoming Queen election will be governed by the Elections Board as are other student elections.

### **Election Procedures**

- All candidates must file an application or Statement of Intent containing the same information that is required of all Office of the Dean of Students sanctioned elections.
- Rules governing voting procedures, campaigning, campaigning dates and campaign literature and materials are the same as rules governing all Office of the Dean of Students sanctioned elections.
- Campaigning for Homecoming Court and Capstone Gentleman will last seven to eight days.

**Date**

The election will be held on a day during Homecoming Week designated by the Dean of Students.

**Voting Sites**

These will be recommended by the Elections Board and stipulated by the Dean of Students.

**Write-In Candidates**

It is permissible for any qualified voter to write the name (first and last) of a student whose names does not appear on the ballot, in a designated place on the ballot. All write-in candidates must meet the required qualifications for candidate eligibility.

**Tabulation of Results**

The Elections Board is responsible for supervising the tabulation of ballots.

- The candidates with five (5) higher vote totals will be the Homecoming Court and Capstone Gentleman's Court. In the event the fifth and sixth place candidates tie in the number of votes, the sixth place candidate will also be included in the court.
- The candidate, in each race, with the highest number of votes will be Queen and Capstone Gentleman, respectively. In case of a tie first place, a run-off election will be held no more than two (2) days immediately after the first election to determine the Homecoming Queen and Capstone Gentleman.

## **Announcement of Results**

The Homecoming Court and Capstone Gentleman Court results will be announced no later than the Homecoming Pep Rally. The Homecoming Queen and Capstone Gentleman will be announced at the annual Homecoming Pep Rally. Homecoming Queen and Court and Capstone Gentleman and Court election results cannot be appealed.