

2012

All-Campus Elections

RULES

ALL-CAMPUS ELECTIONS

April 2,3,&4, 2011

<http://sua.umn.edu/vote>

All-Campus Elections Commission
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All Campus Elections Commission (ACEC) Timeline 2011-2012

September 6, 2011	Applications for commissioners available online
September 23, 2011	Applications Due by 4:30pm
October 3-7, 2011	Interview/Hiring of new commission
October 19, 2011	Approval of new commission by MSA/GAPSA
December 9, 2011	Commission Training
January 30, 2012	Rules packets available on-line and in Student Activities Office
February 6, 2012	Filing opens at 8:00 a.m. – all filings must be proofed by ACEC
February 6, 2012	Campaigning Begins at 8:00 am
February-March 2012	Informational meetings by appointment (email: acec@umn.edu)
March 2, 2012	Filing closes at 4:30 pm
March 5, 2012*	Mandatory info session for President/VP candidates
March 9, 2012	Signature Endorsement closes at 4pm
March 19, 2012*	Voting Awareness Campaign
March 26, 2012*	MSA Presidential Debate
March 26, 2012*	MSA Vice-Presidential Debate
March 27, 2012*	GAPSA Presidential Debate
<u>April 2-4, 2012</u>	<u>ELECTIONS OPEN (8am on April 2nd until 8pm on April 4th)</u>
April 2, 2012	Get Out The Vote Rally – West Bank 11am-1pm
April 3, 2012	Get Out The Vote Rally – Coffman Union 11am-1pm
April 4, 2012	Get Out The Vote Rally – Saint Paul Student Center 11am-1pm
April 13, 2012	All complaints and financial statements due by 4pm
April-May 2012 (TBD)	Conduct hearings, if needed
April-May 2012 (TBD)	Mandatory review of rules and general elections for ACEC
April-May 2012	Wrap-up, re-register student group status and final review by ACEC members

**Dates subject to change*

All-Campus Elections Commission Preface

Designated student representatives and officers shall be elected by the student body of the University of Minnesota-Twin Cities campus through annual general student Elections supervised by the All-Campus Elections Commission.

Any student organization registered with the Student Activities Office shall be eligible to have candidates for office within the organization elected through student Elections under the Commission's supervision.

Any college board or student elected board is also eligible to have candidates for office elected through student Elections under the Commission's supervision. Deadline for student organizations to have their representative positions open in Elections shall be the last day of fall semester, unless otherwise ruled by the Commission. Student organizations that have had their representative positions open for Election in previous Elections shall notify the Commission if they wish to change their current standings in the Elections.

Chapter 1 Filing and Eligibility for Office

- 1.01 Filing for all elected positions shall start the third (3rd) week of spring semester. Filing shall close at least two (2) weeks before the General Election. Any candidate who wishes to withdraw from a race may do so by presenting the Commission with a signed letter of withdrawal from race. The Commission can vote changes in the opening date for filing.
- 1.02 In order to file for any office, each candidate must fill out an application provided by the Commission. The constitution and/or by-laws of each organization, which fills positions through the general Elections, shall determine the eligibility requirements for each position and the number of positions to be filled.
- 1.03 The Commission shall determine the eligibility of each candidate upon receipt of the application, and notify in writing each candidate of the eligibility or ineligibility of the candidate for each office sought.
- 1.04 Candidates who have met all filing & eligibility requirements will be included on the ballot and may equally participate in all ACEC sponsored events (debates, functions, etc...).
- 1.05 Organizations running Elections through the All Campus Elections shall determine the maximum number of endorsements a candidate can have on the ballot next to his/her name.
- 1.06 Any candidate may elect to have organizational or party affiliations appear by her or his name on the ballot, if the organization or party whose designation is desired has registered with the Elections Commission.
- 1.07 In order to have an organizational or party affiliation or appear by a candidate's name on a ballot.
 - a. The organization must provide the Commission with:
 1. Evidence of registration with the Student Activities Office;
 2. An abbreviation or acronym for the organization of no more than five (5) letters, which shall be used on Election ballots in designation affiliation with or

- endorsement by that organization or party;
 - 3. A typed list of all candidates endorsed by that organization (including position sought); and
 - b. The candidate must provide the Commission with the name of the organizational or party affiliation or endorsement that the candidate wishes to appear on the ballot by her or his name, subject to verification by the endorsing organization.
 - c. These must be provided to the Commission by the filing deadline as determined in 2.01.
- 1.08 Each organization shall use a unique acronym or abbreviation as historically recognized by the All-Campus Elections Commission. The Commission has the authority to refuse acronyms submitted by student organizations. Student organizations electing their membership through the Elections shall not appear as organizational affiliations on any ballot.

Chapter 2 Voting Eligibility

- 2.01 Any student who is deemed by the University of Minnesota Registrars Office as a registered student at the University of Minnesota-Twin Cities Campus for the current semester shall be eligible to vote in student Elections. The student's eligibility to vote in specific Elections will be determined by the automation of the election; the student's University of Minnesota Internet id and password shall provide the necessary identification. In cases the automation process fails to verify the student's eligibility, the student can present a valid driver license, U of M U-Card, or a University of Minnesota fee statement to the Commission.
- 2.02 Student groups conducting their student organization Elections through the Commission must provide the Commission a list of eligible voters in a format requested by the Commission and verified (signed) by two current board members of that student organization by a date set by the Commission.
- 2.03 Any student eligible to vote may obtain an absentee ballot by contacting the Commission in writing (including e-mail). The letter should include the student's name, ID number, official campus address as registered at the University of Minnesota, and the address where the absentee ballot is to be mailed. Ballots may be requested up until 2 calendar days before the voting period begins. Validation of the absentee ballot shall be consistent with ACEC precedent and standards but shall also facilitate an easy and convenient tally of votes in order to comply with regulations for reporting results.

Chapter 3 Campaigning Regulations

- 3.01 All candidates, and those individuals and organizations acting on their behalf, are responsible for, and shall abide by the following University policies in addition to any other policies subject to interpretation and the All-Campus Elections rules in the conduct of their respective campaigns.

Student Conduct Code

http://www1.umn.edu/regents/policies/academic/Student_Conduct_Code.pdf

Acceptable Use of Information Technology Resources, Academic/Admin Policy 2.8.1

http://www.fpd.finop.umn.edu/groups/ppd/documents/policy/Acceptable_Use.cfm

University of Minnesota and ResNet Policies and Netiquette

<http://www.resnet.umn.edu/html/policy.html>

Distributing Publications at the University, Policy 3.10.3

http://www.fpd.finop.umn.edu/groups/ppd/documents/policy/distributing_pubs.cfm

Chalking Policy, Procedure 3.10.3.1

<http://www.sua.umn.edu/groups/handbook/policies.php>

Campaigning in Residence Halls Policy

<http://sua.umn.edu/vote/documents/display/Campaigning%20in%20Residence%20Halls%20Policy.pdf>

- 3.02 Campaigning will be allowed on election days; within the following regulations:
- a. No campaigning, including the disbursement of campaign literature, will be allowed within twenty-five (25) feet of University designated computer labs or election (ACEC) designated voting zones.
 - b. Any person deemed to be harassing poll workers or voters will be asked to leave the polling area by either poll workers or Commissioners.
 - c. Poll workers have the right to call Commissioners to report improper behavior on the part of any persons supporting or not supporting a candidate or referenda. The Commission shall determine what action to take, as provided for in Chapter Six (6) of these rules.
- 3.03 All campaigning shall be limited to the period between the day filing opens at 8:00 A.M and the time polling closes on the last day of Elections. Campaigning is defined to include, but not be limited to:
- a. Soliciting of public space for any type of campaign use, including residence halls and contact tables.
 - b. The registration of a campaign related student group in the Student Activities Office.
 - c. Campaign websites and other materials made available on-line (including facebook and blogs).
 - d. Posting/Distribution of any campaign materials including hand-bills, t-shirts and buttons.
 - e. Any public declaration of intent to run of any kind (including on-line).
 - f. Gathering of signatures before opening of filing period.
 - g. All campaign preparations (including material preparation or campaign committee meetings) on or in sight of the University campus prior to filing opens must be made in a non-public area (i.e. an area made inaccessible to the general student body or general public). This does not include the use of the University's Copy Centers for the printing of campaign materials.
 - h. Use of the University of Minnesota "M" or Goldy Gopher logo is strictly prohibited by campaigns participating in the All-Campus Elections.
- 3.04 Special guidelines for email campaigning.
- a. Candidates may not send emails with voting information to an organization or an organization's list except as authorized under 3.04 Section B.
 - b. Candidates may send emails with voting information to:
Those lists or organizations that give the candidate *written* permission;
 1. Those lists or organizations that solicit the information; or

2. Those lists or organizations of which the candidate is a member: **provided** that the candidate send the email with voting information to the list owner (and not directly to the list) to be forwarded.
 - c. Candidates shall protect the privacy of members of a multiple-user list.
 - d. Candidates shall comply with all rules and policies of any listserv, which they use for campaigning purposes.
- 3.05 Write-in candidates are subject to same campaign regulations.
- 3.06 Any organization holding an election through ACEC may decide to request that a deposit be made by candidates running for that election. These deposits will be held by the Commission for the duration of the Elections until such time as the election results are certified and all complaints are resolved. This deposit will be returned in full at this time. Candidates who break campaign Commission rules may be fined by the Commission as a punishment in an amount not to exceed the original deposit amount that shall be taken only from this security deposit. Any fine money will be put towards the general fund of the following years Commission.
- 3.07 Organizations that run their election through the All Campus Elections may require additional policy compliance based on information submitted to ACEC before filing opens.
- 3.08 Complaints on any campaign irregularities are to be reported to the Commission. ***These complaints must be submitted in writing along with signature(s). No other forms of complaints will be accepted.*** Individuals shall not take it into their own hands to correct any irregularities or violations of another campaign.

Chapter 4 Campaign Finance: Rules and Regulations

- 4.01 Candidates shall not exceed the amount of \$2500.00 in campaign expenditure limits. THIS EXPENDITURE LIMIT SHALL APPLY TO DONATIONS, BUT NOT ON INDIVIDUAL CONTRIBUTIONS THAT THE CANDIDATE CONTRIBUTES TO HIS OR HER OWN CAMPAIGN.
- 4.02 Fee receiving student groups are prohibited from financial contribution using student fee money to any campaign but can support candidates financially from other sources of income. Documentation that demonstrates proof of the source of these donations must be submitted to the ACEC by the candidate or campaign on their financial statement.
- 4.03 If needed, candidates must provide documentation of ALL campaign finances to the Commission within 48 hours upon request.
- 4.04 Candidates shall not entice votes through monetary or any other compensation.

Chapter 5 The Elections

- 5.01 Write-in votes shall be valid in all Elections in the General Election. A write-in opportunity should be present for each race. Should the number of candidates be less than the number of positions available to fill the appropriate number of write-in spaces should match. All write-ins must be currently registered students at the University of Minnesota-Twin Cities Campus and eligible to serve in the position. Write-in votes, which do not meet the above specification, shall be void and shall be counted as such by the Commission.
- 5.02 In the event of a tie, the organization whose election ended in a tie will hold its own run-off election. In the event of an unresolved election issue, the issue will be forwarded to the appropriate student organization for action.
- 5.03 Any absentee or other paper ballots cast in each Election for the elective offices under the jurisdiction of the Commission shall be tallied following the closing of the polls. These ballots shall be retained for a period of thirty days following the close of the Elections.
- 5.04 Certification & Recount Policy
- a. Certification shall be defined to include, but not be limited to: an examination of voting results (electronic, paper ballot, absentee ballot and write-in candidates), determining eligibility of candidates and voters, identify voting irregularities (such as technical difficulties) and contacting the organization holding the election with the results. The Commission shall certify the votes for each elective contest within 24 hours, barring any technical difficulty, of the close of the polls.
 - b. A recount shall be defined as a re-certification process (as defined above) as well as an examination of any additional concerns outlined in an official recount request. Any candidate may request a recount of any ballot, (on which the candidate's name appears) in an Election by submitting a signed request, (email messages will not be accepted) to the Commission within forty-eight (48) hours after the certification of the results. If the recount results in no change in the order of successful candidates, the candidate(s) or organization(s) making the request shall be billed for the expenses incurred by their count. The Commission may require the requesting party(ies) to post a security bond of fifty dollars (\$50.00) prior to conducting the recount. All recounts shall be completed within three (3) school days of the day the full Commission is formally notified. This applies to organizations sponsoring referenda as well.
- 5.05 The Commission will conduct a formal recount within 24 hours if the margin of difference is 1% of the total votes cast to ensure accuracy of results.
- 5.06 Referenda policy:
- a. A referendum must be sponsored by at least one student organization registered with the Student Activities Office.
 1. If more than one sponsoring organization is involved, one must act as the principal sponsor and shall be responsible for complying with the referenda rules.
 2. The sponsoring organization shall provide or be responsible for funding any advertising for the referendum.
 - b. In order to have the Commission consider placing a referendum on the ballot, the Commission must receive, for each proposed referendum, by the General Elections filing deadline;

1. A petition signed by at least 450 currently enrolled University of Minnesota-Twin Cities campus students (including Name, x500 id and Signature) requesting placement of the referendum on the General Elections ballot.
 1. The petition shall have the referendum as it will appear on the ballot typed at the top of the page.
 2. All x500 ids on the petition must be legible to be considered valid.
 3. Acceptable ID numbers are University of Minnesota-Twin Cities x500 logins.
- c. The Commission will also reserve the right to reject a ballot or refuse a referendum because of inadequate and/or unclear language. An attempt will be made, if possible, to return the proposed referendum for revision within 4 business days.
- d. The referendum question must be stated so students vote either YES or NO.

5.07 Amendments to a Student Group's Constitution

If a registered student group chooses to have their proposed constitution or amendments to their constitution ratified through a vote by the student body, the ACEC shall only have the power to conduct and certify the vote. The ACEC shall designate on the ballot a special title identifying it as a proposed amendment to the student group's constitution. The amendment shall not be treated as a non-binding referendum. Any amendment forwarded to the ACEC must follow the guidelines for doing so within that student group's constitution.

5.08 Voting Zone

The Elections shall be conducted via the World Wide Web and/or at such polling places as may be designated by the Commission. Every effort shall be made to distribute polling places around the Twin Cities Campus and to keep them open at such times as to enable qualified students to vote. Official polling zones include:

- a. University designated computer labs.
- b. Other voting stations, such as communication kiosks and personal computers, *which* are not subject to campaigning rules.
- c. Coffman Memorial Union and the St. Paul Student Center.

5.09 The Election shall be held between the ninth (9TH) week and tenth (10TH) week of spring semester, the exact dates to be determined, and established by the Elections Commission, unless the Commission establishes and announces another date by the end of the first week of spring semester. The date of the election must not occur during finals week, or during the first week of spring semester classes.

5.10 All balloting in Elections under the supervision of the Commission shall be by secret ballot.

5.11 If a voter is blind, disabled, or physically unable to mark his or her ballot, a poll judge may, upon request, provide the voter with necessary assistance.

Chapter 6 Interpretation and Enforcement of Election Rules

6.01 Jurisdiction

The Commission shall have the power and responsibility to interpret and enforce these rules, to call a hearing as deemed necessary by the Commission, and to govern actively the general conduct of the Elections. Such jurisdiction shall include, but not necessarily be limited to, the

following types of conduct:

- a. Alleged violations of Elections rules, or other ACEC guidelines;
- b. Interference with the conduct of Elections;
- c. Attempts to influence the outcome of Elections through bribery or coercion of election personnel;
- d. Questions regarding the validity of ballots cast;
- e. Eligibility requirements of candidates and/or voters
- f. Other matters affecting the integrity or validity of student Elections.

6.02 Filing of Complaints

All complaints alleging violations of Elections rules must be submitted in writing with signature(s) to the Director of the Student Activities Office within three (3) business days of the close of the polls for that Election. Complaints must clearly state the following (see page 25):

- a. The rule(s) alleged to have been violated;
- b. The person(s) or group(s) alleged to have committed the violation;
- c. The act(s) or behavior constituting the alleged violation.

6.03 Evaluation of Complaints

Allegations of violations of Elections rules will be directed to the All Campus Elections Commission who may perform any additional investigation necessary for complete evaluation of complaints submitted. The Commission will review all complaint(s) within twenty-four (24) hours of the complaint submission deadline and may take any of the following actions:

- a. Return the complaint to the submitting party for a more complete statement;
- b. Determine that the allegations, even if accurate, would not constitute a violation of the Elections Rules, and notify the submitting party accordingly in writing;
- c. Call a hearing;
- d. Determine whether complaint needs immediate action or to postpone hearings to a later date.

6.04 Notification of Hearing

Hearings shall be held as promptly as possible after the Elections Commission has determined that a hearing is necessary. The Rules/Finance Coordinator of the Elections Commission shall notify all parties of the following at least seventy-two (72) hours prior to any scheduled hearing:

- a. The time, date, and place of the hearing;
- b. The allegations that constitute the charge;
- c. The Elections Rule(s) alleged to have been violated;
- d. The sanctions available to the Commission.

6.05 Hearing Procedures

The following procedures shall be observed in the conduct of all hearings:

- a. The members of the Commission shall constitute the hearing panel and the chair of the Commission shall be the panel chair.
- b. A quorum for holding a hearing shall be three panel members, in addition to the panel chair. All panel members, including the chair, shall be entitled to vote.
- c. Hearings shall be open. Deliberative sessions shall be closed.
- d. Hearings shall be tape-recorded (for appellate purposes). Upon request, parties are entitled to a copy of the tape transcriptions provided that they pay for the cost of reproduction.
- e. All parties may:

1. Be accompanied or represented by a University advisor of their choosing;
 2. Present their cases, including evidence and witnesses;
 3. Hear or see all evidence against them;
 4. Be confronted by the accusers; and
 5. Question adverse testimony.
- f. All parties may challenge any hearing panel member(s) for bias or pre-formed judgment. Challenged panel members may respond. The panel chair will rule on the challenge. An objection to the ruling of the chair shall result in a vote by the remaining panel members, *minus the panel chair and the challenged panel member*. A majority vote is necessary to overrule the chair.
- g. The panel chair shall rule on all motions regarding admissibility of evidence, time limits on presentations, general objections, or any other procedural matters not directly addressed in these rules. The remaining panel members shall vote an objection to the ruling, with a majority vote necessary to overrule the chair.
- h. The complaining party must prove the validity of the charges by a preponderance of the evidence. A majority vote of the panel is necessary to sustain the charges. A tie vote results in the charges not being sustained.

6.06 Sanctions/actions available to the Elections Commission

Upon determination by the hearing panel that a violation did occur, the panel may levy sanctions or take other actions as follows, but sanctions shall not exceed the gravity of the violation:

- a. Determine that no sanction or action is appropriate;
- b. Limit its action to the issuance of its decision;
- c. Direct that the offending candidate make corrective statements in the future (e.g. on campaign literature);
- d. Direct that the offending candidate limit future expenditures and/or campaigning;
- e. Direct that the offending candidate be disqualified and not be permitted to assume office or that the candidate vacate an office already assumed, in which case the Elections Commission may certify the candidate with the next highest vote total as the winner;
- f. Direct that the offending candidate be barred from further participation in student Elections for a period of time not to exceed one year;
- g. Invalidate a particular election(s) and direct that a new election(s) be held for the office(s) in question;
- h. Take other appropriate action not inconsistent with the Elections Rules or with other University policies.

These sanctions/actions are applicable to organizations sponsoring referenda as well.

6.07 Any corresponding penalties, where applicable, will be enforced within seven days after complaint hearing.

6.08 Notification of Disposition

The Communications Coordinator of the Elections Commission shall notify all parties in writing of the following within seventy-two (72) hours of the hearing;

- a. The findings of the hearing panel;
- b. The sanctions levied and/or actions taken by the hearing panel;

c. The procedures for appeal.

6.09 Appeal of Elections Commissions Decisions

Decisions of the Elections Commission in matters of violations of Elections rules may be appealed to the Director of the Student Activities Office. Requests for an appeal must be made in writing, by parties who filed the original complaint or parties in which the complaint was filed against stating the ground(s) for appeal, and be filed with the Director of the Student Activities Office within five (5) weekdays of receipt of the decision of the Elections Commission.

6.10 Role of Precedent

Prior rulings of the Elections Commission shall be kept in a permanent file (by ACEC advisor) and should be reviewed by those serving on the hearing panels in the resolution of complaints for the purpose of general consistency over time. The Elections Commission should attempt to make rulings that are not inconsistent with those of previous years. However, in recognition of the fact that situations and circumstances change, prior rulings or actions shall not bind the Elections Commission.

6.11 Record of Elections Commission Actions/Decisions

Records of actions/decisions of the Elections Commission in matter involving alleged violations of Elections Rules shall be maintained in a permanent file. Because this file will be comprised largely of records of open hearings, the file shall be open to public inspection.

6.12 Complaints against the Elections Commission

Complaints against the Elections Commission as a body (e.g., that the Elections Commission has violated student organization rules or responsibilities) are not subject to the provisions of Chapter 9, which deals only with violations of Elections Rules. Complaints against the Elections Commission in its role as a student organization should be filed for evaluation and action with the Director of the Student Activities Office.

Chapter 7 Rule Changes

7.01 Amendments to these rules shall be passed by a simple majority vote of the Commission. All amendments must be submitted in writing to the chair of the Commission 24 hours prior to the meeting in which the change will be discussed. Upon a resolution for a change of the rules by the Minnesota Student Association or the Graduate and Professional Student Assembly, in accordance with their bylaws, the changes shall be reviewed by the Commission subject to ratification by both the Minnesota Student Association and the Graduate and Professional Student Assembly. A review of the rules shall be performed no more than four (4) years after the last review.

7.02 Changes to the Rules shall go into effect the July 1st following the academic year in which the Rules changes were passed.