

The Code of Permanent Laws of the Student Government of  
the University of North Carolina at Chapel Hill

November 20, 2008

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## **Title VI**

# **Student Government General Election Laws**

## Article I. Statement of Purpose and Definitions

### Section 101. Purpose

The purpose of this Act is to establish the Student Government General Election Laws for the University of North Carolina at Chapel Hill. A violation of any provision of this Act may constitute an offense against the student body as defined by the Instrument of Student Judicial Governance and shall be reported to the Student Attorney General for investigation.

### Section 102. Definitions

For the purpose of this Act, the following terms shall be defined as:

- A. Days are defined as calendar days unless otherwise specified.
- B. A formal complaint is a written and signed statement, submitted by a petitioner, alleging violation(s) of the Elections Code (Title VI). Formal complaints shall, within the complaint, provide the Board of Elections with detailed information regarding the violation in question, including references to specific sections of Title VI.
- C. An administrative decision is a decision made by the Chair of the Board of Elections or the Board of Elections pertaining to these election laws. Administrative decisions shall remain a matter of public record.
- D. A punitive decision is a penalty enacted by the Chair of the Board of Elections or the Board of Elections for a violation of the Election Laws. Punitive decisions shall remain a matter of public record.
- E. Regular Elections are elections to fill campus-wide offices and Student Congress seats. These include the spring elections held on the second Tuesday in February.
- F. Special Elections are elections held to fill vacancies in Congress arising more than forty-five days before a regular election or to approve referenda not held during regular elections.
- G. A re-election is an election held in the event that the results of a previous election are voided.
- H. A run-off election is an election held when a candidate, needing a majority of the cast valid votes, fails to receive such votes in a regular, special, or re-election.
- I. A constituency is the pool of eligible voters for each respective office. They are:
  - (1) For President of the Student Body and for the President of the Carolina Athletic Association – All duly registered fee-paying students.
  - (2) For Senior Class officers – All duly registered fee-paying juniors or continuing seniors.
  - (3) For President of the Residence Hall Association – All residents of residence halls.
  - (4) For the President of the Graduate and Professional Student Federation – All duly registered fee-paying graduate and professional students.
  - (5) For Student Congress members – All duly registered fee-paying residents from the district of the candidate.
  - (6) For Residence Area Governor – All residents of an established, recognized residence area.
- J. Campaign materials shall be defined as all materials purchased and/or utilized by the candidate, or campaign, for the purpose of advancing a candidacy or referendum.
- K. Votes that have been declared void shall not be considered part of the vote total. Void votes shall include votes not eligible in accordance with Section 504. Votes for write-in candidates who do not wish to be considered candidates shall be considered valid. Votes for a disqualified candidate shall be considered valid. Such votes shall not be awarded to the candidate for whom they were cast, but shall still be considered part of the vote total. A vote indicating no preference for a given question shall be considered void.

- L. A campaign expenditure shall be defined as any expenditure for materials, gratuities, or services for or on the behalf of a candidate or referendum under the auspices of this Act, which, by intent or effect, tends to advertise the name of a candidate, to endorse or support his/her candidacy, or further a candidate's or referendum's campaign by any means. All campaign materials which are produced by a particular candidate or his/her staff must have the candidate's name on it in the following manner: "sponsored by the [name] for [post] campaign." If the material does not have this particular candidates' name on it, as stated above, then there is no penalty for its removal.
- M. A Campaign Worker shall be defined as any person who, with the candidate's knowledge, assists the candidate either directly or indirectly in publicizing the candidate's name or candidacy. Only duly registered and fee-paying students at UNC-Chapel Hill may serve as campaign workers.
- N. Private shall be defined as that which is not in the general view, not widely known, and not facilitated by University or government resources. Public shall be defined as that which is not private. For the purposes of this Act all University forums or forums sponsored by University organizations shall be considered public.
- O. The Elections Board shall hereinafter be referred to as the Board of Elections.
- P. A University Computer facility shall be defined as a group of four (4) or more University computers.
- Q. *Web page* or *website* shall be defined as a document or collection of documents on the World Wide Web and viewable by anyone connected to the Internet. Instant messaging programs and social networking services such as Facebook and MySpace groups shall not be construed as web pages or websites for the purposes of Title VI. computers.
- R. BOE – Board of Elections.

### **Section 103. Application of the Instrument of Student Judicial Governance to Student Elections**

Candidates and their campaign staffs are expected to know and obey the laws contained in Title VI. Violations of campaign laws are to be reported to the Student Attorney General as violations of the Campus Code of Conduct. The Elections Board shall have primary responsibilities for making such reports, but any student who has knowledge of an election law violation has a responsibility to report the violation.

## **Article II. The Board of Elections**

### **Section 201. Structure of the Board of Elections**

- A. A Chair of the Board of Elections and a Vice-Chair shall be appointed by the newly-elected President of the Student Body and approved by the Student Congress. Appointees for Chair of the Board of Elections shall have at least one term's experience on the Board of Elections unless allowed by a special majority of two-thirds (2/3) of the full Student Congress.
- B. The Chair shall determine the appropriate size of the Board of Elections with a minimum of six (6) and a maximum of ten (10) members exclusive of the Chair. The Chair and Vice-Chair shall appoint the remaining members of the Board of Elections, who shall be approved by a majority vote of Congress. The Board must be of at least the minimum size at the time of any election.
- C. Should the office of the Chair of the Board of Elections become vacant, the President of the Student Body shall select a new Chair, subject to approval by the Student Congress. Until such time as the new Chair is appointed and confirmed, the Vice-Chair shall serve as acting Chair.

### **Section 202. Tenure of the Board of Elections**

- A. The Chair and the Vice-Chair of the Board of Elections shall serve for one (1) school calendar year or until he/she (1) resigns, (2) becomes ineligible to serve on the Board of Elections, or (3) is removed by the Student Congress.
- B. Members of the Board of Elections, other than the Chair and the Vice-Chair, shall serve a term of one (1) school calendar year. Those members of the previous Board of Elections who wish to continue as members for future terms must submit their applications to the new Chair and the new Vice-Chair upon their appointment.
- C. Members of the Board of Elections, other than the Chair and Vice-Chair, may have their terms as members terminated by (1) resignation, (2) ineligibility to serve on the Board of Elections (as defined in Section 203 of this Article), or (3) dismissal by the Chair of the Board of Elections for improperly performing the duties of a Board of Elections member.

### **Section 203. Eligibility and Conduct in Office**

- A. All members of the Board of Elections must remain duly registered fee-paying students in good standing to retain their post.
- B. No member of the Board of Elections shall:
  - (1) Hold any other elected position in Student Government or residence hall government. Members may hold other appointed offices, Student Government positions, or offices defined in the Student Government Code through a two-thirds majority vote of Congress to exempt a member from this rule.
  - (2) Work or speak publicly for or against any candidate or referendum issue in a Student Body election.
- C. Any member of the Board of Elections who takes out or files a petition for any Student Government office shall be immediately disqualified and dismissed from the Board of Elections.
- D. Any Board of Elections member who violates these provisions shall be suspended by the Chair of the Board of Elections. A board member may be reinstated by a two-thirds majority vote of full Congress upon introduction of a resolution to do so.

### **Section 204. Meetings**

- A. All general meetings of the Board of Elections shall be open to the public. Notice of such meetings must be publicized at least 48 hours prior to such meetings in the Student Government offices.
- B. All meetings of the Board of Elections shall be conducted according to the most recent edition of Robert's Rules of Order when so requested by any member of the Board of Elections.

### **Section 205. Chair of the Board of Elections**

- A. The Chair of the Board of Elections is charged with conducting student elections in accordance with the Election Laws (Title VI).
- B. The Chair shall preside over meetings of the Board of Elections.
- C. The Chair shall maintain an updated list of all actions of the Board of Elections.

### **Section 206. Vice-Chair of the Board of Elections**

- A. The Vice-Chair of the Board of Elections shall assist the Chair of the Board of Elections in his/her duties at the Chair's direction.
- B. The Vice-Chair of the Board of Elections shall serve as Acting Chair in case of the absence of the Chair of the Board of Elections.

### **Section 207. Board of Elections Certified Volunteers**

- A. A Board of Elections Certified Volunteer shall be defined as a duly registered, fee-paying student who has undergone training by attending the Mandatory Board of Elections Volunteers Meeting.
- B. Certified volunteers should be limited in their duties to assisting the Board of Elections to operate polling sites. A Board of Elections Certified Volunteer must uphold the rules concerning eligibility and conduct in office for the Board of Elections defined in Title VI, Article II, Section 203.
- C. No certified volunteer can be certified or become a member of the Board of Elections after he/she has been found in violation of Title VI by the Board of Elections. Volunteer certification expires at the conclusion of each election.

## **Article III. Pre-election Procedures**

### **Section 301. Weekly Campaign Staff Briefings**

After the submission and certification of petitions for all candidates in each election, the Board of Elections shall schedule and hold weekly public briefings to which all campaigns must be invited.

### **Section 302. Duties of the Board of Elections**

- A. **Administration of Laws.** It shall be the duty of the Board of Elections to administer all laws governing elections and to conduct special elections as may be deemed necessary to fill vacancies in office. The Board of Elections shall recommend to the Student Congress such legislation as it shall deem necessary and proper.
- B. **Form of Petitions.** The Board of Elections shall determine the proper form of election petitions and other election-related documents required by this title, validate petitions, tabulate election results, establish and maintain comprehensive election records, and insure compliance with this title.
- C. **Issuance of Petitions.** The Board of Elections shall make available to each person wishing to have his/her name on the ballot for a specific office a list of necessary procedures in order to file a valid petition. Each petition must be dated for that election. Petition forms shall be made available to potential candidates twenty-eight (28) days before the regular election for that office, and twenty-one (21) days before any special election for that office.
- D. **Date of Regular Elections.** The election to fill the office of Student Body President, other specified campus-wide offices, and seats on the Student Congress shall be held on the second Tuesday in February.
- E. **Date of Special Elections.**
  - (1) Special elections shall be held during the Fall and Spring semesters on a day when classes are in session. The Chair of the Ethics Committee of the Student Congress shall report vacant Student Congress seats to the Chair of BOE within two (2) school days of the vacancy. BOE shall set the date for special elections to fill the vacant seat(s) in accordance with Title I, Article I, Section 1(E).

- (2) The Board of Elections shall be responsible for seeing that all referenda are held on the date provided by Congress. This date shall be incorporated as a rider to a resolution to hold a referendum.
- (3) Special elections for Student Body-initiated referenda, shall be held no fewer than seven (7) and no more than fifteen (15) days after the petition for such referenda has been certified by the Board of Elections and is received by the President. Special elections for recalls shall be held the third Tuesday after the petition is certified by the Board of Elections and is received by the President.
- (4) No elections shall be held within one week after a scheduled University recess or during a University exam period.

**F. Candidates Meeting.**

- (1) **Optional.** An optional meeting of interested candidates shall be held on the first Tuesday in December for the purpose of explaining the rules of the election, the conduct of the candidates, and for supplying each candidate of a campus wide office in attendance with election laws.
- (2) **Compulsory.** Candidates shall receive the complete Election Laws at the compulsory candidates meeting, to be held twenty-eight (28) days before a Regular Election or twenty-one (21) days before a Special election. In the event that a run-off election includes write-in candidates, a compulsory meeting of those candidates shall be held. It is the duty of the Board of Elections to adequately publicize the date of the compulsory candidates meeting at least seventy-two (72) hours prior to its occurrence.
- (3) **Board of Elections Information Sessions with Campaign Staffs.** Members of the Board of Elections shall conduct Election Laws briefings with members of each Student Body President candidate's campaign staff. Members of each Student Body President candidate's campaign staff must schedule an Elections Law briefing with the Board of Elections. These must be conducted at least fifteen (15) days prior to the general election. Failure of a Student Body President candidate's campaign staff to receive a briefing within the allotted time shall result in a written warning. Failure of a Student Body President candidate's campaign staff to receive a briefing prior to ten (10) days before the General Election shall result in the candidates disqualification and the mandatory repayment of any Student Government money spent by the candidate's campaign.

**G. Election Districts.**

- (1) Election Districts must be detailed at all times in the Student Government offices and must be kept at all times by the Chair of the Board of Elections in the Board of Elections Office.
- (2) The Board of Elections shall make a study and review of the Elections Districts at least every two (2) years in the fall. This study shall be submitted to the Rules and Judiciary Committee of the Student Congress for possible revisions of the district.

**H. Information Technology Services Letter.** The Board of Elections shall obtain a letter from Information Technology Services (ITS) seven (7) days before an election confirming that necessary computer systems are acceptably secure for conducting the said election.

**Section 303. Responsibilities of Candidates**

**A. Candidates for Annual Spring Elections. Offices to be elected:**

- (1) Student Body President.
- (2) President of the Carolina Athletic Association.
- (3) President of the Graduate and Professional Student Federation.
- (4) Student Congress members.
- (5) President of the Residence Hall Association.
- (6) Rising Senior Class Offices

**B. Qualifications for Office.** Candidates for office must meet the following requirements or be determined ineligible to hold, and/or run for, the office:

- (1) They must be duly registered fee-paying students in good standing at the University of North Carolina at Chapel Hill.
- (2) They shall not be on probation for violation of the Honor Code or Campus Code of Conduct, nor shall they be on probation after conviction by a Student Court for an offense against the Student Body, nor may any student run for Student Congress if he or she has filed for graduation.
- (3) They shall be constituents of the office for which they are candidates no later than six weeks into the next academic semester after the election is held.
- (4) Incumbents facing recall shall have the right to be a candidate in the recall election.
- (5) No person shall be a candidate for more than one office simultaneously.
- (6) No person chosen by the Selection Committee (i.e. Student Body Vice-President, Student Body Secretary, or Student Body Treasurer) of the Executive Branch, or senior member of the Judicial Branch shall have his/her election for Student Body President or Student Congress representative certified until he/she has submitted his/her resignation from such office to the Board of Elections. Failure to submit such resignations before the certification of petitions shall require disqualification. In such cases, ballots cast for that person shall be counted as void votes and the Board of Elections shall act accordingly.
- (7) It shall be the duty of the Board of Elections to determine the standing of all candidates qualified for election by petition or write-in.
- (8) Only those students of the University of North Carolina at Chapel Hill who are living in member residence halls of the Residence Hall Association may be eligible to run for the office of Residence Hall Association President.

**C. Petitions.**

- (1) Any student who is eligible and wants to become a candidate for any office and desires to have his/her name appear on the ballot, and receive student fee financing of their campaign may do so, provided that he/she submit the required petition, made available by the Board of Elections twenty-eight (28) days prior to a Regular election or twenty-one (21) days prior to a Special election, signed by himself/herself and the correct number of other students who are constituents for the office he/she seeks. This petition shall be submitted by 5pm twenty-one (21) days before a Regular Election and fourteen (14) days before a Special election. All petitions for Regular or Special elections shall be due by five (5) p.m. on the last eligible day. All potential candidates shall provide the Board of Elections with a written notice declaring his/her candidacy for a specified office before receiving the petition, gathering any petition signatures.
- (2) No student shall sign more than one petition for each office, nor shall he/she sign a petition for an office of which he/she is not a constituent. For Student Congress elections, students may sign as many petitions as there are seats on the ballot for that district. Violation of this clause shall constitute a violation of the Instrument of Student Judicial Governance and may be reported to the Student Attorney General for investigation. This stipulation shall be listed on the petition.
- (3) Each signature on the petition must be accompanied by a name, PID, the address (for undergraduates), department (for graduates) and class of the person signing the petition. These items must be filled out by the person signing the petition.
- (4) The Board of Elections may require candidates to gather additional information on a petition for any office it deems relevant. Any decision requiring such additional information must be made and communicated at least twenty-eight (28) days prior to distribution of the petitions.
- (5) The number of constituent's signatures required to file a valid petition shall be as follows:
  - a. For Student Body President and Carolina Athletic Association President, at least eight hundred (800) signatures.

- b. For Senior Class President and Vice-President and the President of the Residence Hall Association, three hundred and fifty (350) signatures.
  - c. For President of the Graduate and Professional Student Federation one hundred (100) signatures.
  - d. For Residence Area Governor, fifty (50) signatures.
  - e. For members of the Student Congress, twenty (20) signatures.
- (6) The Board of Elections shall release a list of certified candidates at 5pm nineteen (19) days prior to the Regular Election and twelve (12) days prior to a Special Election. BOE shall not, under any circumstances, release or certify, publicly or privately, some candidate(s) before other(s) except as outlined in (7) below.
- (7) Candidates whose petitions are not in order shall have twenty-four (24) hours to correct their petition and re-submit it to the BOE and shall have their certification delayed. The Board of Elections shall then release a final list of certified candidates at 9am fifteen (15) days prior to the General election or eight (8) days prior to a Special election.

## Article IV. Campaigning

### Section 401.

A violation of any provision of this Act may constitute an offense against the student body as defined by the Instrument of Student Judicial Governance and shall be reported to the Student Attorney General for investigation.

### Section 402. Responsibilities of Candidates and their Campaigns

- A. (1) No candidate, nor any campaign worker, shall publicly campaign for said candidate, nor publicly seek to further the interests of said candidacy prior to one's candidacy being certified by the Board of Elections. Reimbursement for campaign expenditures are prohibited prior to the Board of Elections certifying the petition of the candidate. Candidates may be reimbursed for expenditures made prior to certification once they are certified provided that none of the purchases are used prior to certification. Upon providing the BOE with an official declaration of candidacy a candidate and his/her campaign workers may begin seeking signatures for his/her candidacy petition and inform students, on a personal basis, about the candidate's platform, including information relating to their website. Further, none of the above is permitted until a regular election is within twenty-eight (28) days or in the case of a special election within fourteen (14) days.
- (2) Candidates and their campaign workers may at any time orally declare candidacy for a given office in a public setting and may orally provide contact information at public forums for those who may wish to join their campaign.
- (3) Candidates and their campaign workers shall at no time be restricted in their engagement in any private meeting or private campaigning.
- (4) Upon certification of the petition/candidacy by the BOE, candidates may publicly campaign for office, with or without campaign materials.

#### B. Spending Limits.

- (1) The following are the maximum amounts that may be spent by the candidates, their campaign workers or other people on behalf of the candidates, for the following offices, including gratuities or services. A candidate will be disqualified for exceeding his or her maximum spending limit. An exception shall be made for exceeding the spending limit by no more than 5% in fines which originate from the BOE; the candidate shall not be reimbursed for these or any fines from the BOE. The BOE need not consult a candidate's financial statement before assessing fines and may assess fines in excess of 105% of the spending limit.

- a. Student Body President - \$400.00
  - b. C.A.A. President - \$400.00
  - c. R.H.A. President - \$250.00
  - d. G.P.S.F. President - \$250.00
  - e. Senior Class Officers - \$150.00
  - f. Student Congress Members - \$20.00
- (2) If a candidate is involved in a run-off election, the following spending limits shall apply to the run-off stage of the election:
- a. Student Body President - \$100
  - b. C.A.A. President - \$100
  - c. R.H.A. President - \$75
  - d. G.P.S.F. President - \$75
  - e. Senior Class President - \$75
  - f. Student Congress Members - \$10
- (3) **Running Mates.**
- a. Running mates may not jointly spend money.
- (4) **Write-in Candidates.** The spending restrictions listed in this Section shall also apply to all write-in candidates.

**C. Campaign Expenditures.**

- (1) **Expenditures for Materials.** All funds spent for campaign materials, whether used or not, shall be considered campaign expenses. Failure to use campaign materials shall not be cause to exclude the cost of such materials from the candidate's financial report.
- (2) **Gratuitous Services.** Time spent by campaign workers campaigning for or on behalf of a candidate under the auspices of this Act shall be considered campaign expenses, but only in the amount of money expended for services rendered. Volunteered services by duly-registered fee-paying students of UNC-Chapel Hill shall not be considered campaign expenditures. All other services for or on behalf of any candidate under the auspices of this Act shall be deemed campaign expenditures.
- (3) **Evaluation of Goods and Services.** If goods and services are given gratuitously or excessively below normal cost, the candidate shall submit to the Board of Elections a receipt for the goods or services provided but assess such expenditures, in regards to spending limits, at fair market value. The said assessment shall be subject to revision by the Board of Elections and deliberate erroneous assessments may be subject to penalty.
- (4) **Exceptions.**
  - a. **Endorsements publicized by Student Organizations.** A candidate shall not be penalized in the instance that said candidacy is endorsed and that endorsement is publicized by recognized student organizations.
  - b. Any materials or funds expended for or on behalf of a candidate shall not be considered a campaign expense if used without the knowledge of the candidate or his/her campaign.
  - c. If the candidate obtains knowledge of a gratuity, service or material that did not have his/her prior consent, the gratuity, service or material must be returned or officially declined within twenty-four (24) hours of his/her discovery of the expenditure or it will be deemed a campaign expenditure.
  - d. **Officially Declining a Campaign Expenditure.** To decline a campaign expenditure a candidate must, to the satisfaction of the Chair of the Board of Elections, make a strong effort to remove or nullify an expenditure that did not have his/her prior consent. The candidate shall be entitled to all possible assistance from the Board of Elections in his/her effort. If the candidate makes such an effort and cannot remove or nullify the expenditure, the Chair of the Board of Elections may decide to not consider the expenditure a campaign expense.

- e. Any student who expends material, funds, or gratuitous services for or on behalf of a candidate without gaining candidate's prior consent shall be immediately served a *cease and desist* warning from the Board of Elections. Failure to cease and desist shall constitute a violation of this act and grounds for punitive action, including but not limited to notification of the Student Attorney General.
- D. Candidates' Responsibility for Campaign Workers.** All candidates shall be responsible for the actions of their campaign workers whether or not the candidate has knowledge of such actions. If a violation(s) occurs without the knowledge of the candidate, the candidate must take the following actions upon discovery or notification of such violation(s): 1) the candidate must try to nullify or correct the action causing the violation if possible; 2) the candidate must remove the worker from campaign work 3) the candidate must report the violation to the Chair of the Board of Elections within twenty-four (24) hours of the candidate's notification of the violation. Any further violations by that candidate's workers may result in the disqualification or fining of such candidate if the Chair of the Board of Elections deems it necessary.
- E. Removal of Elections Advertising.** All campaign materials advocating a particular candidate, platform, or voting stance in a given election must be removed from University property within ninety-six (96) hours after the close of the polls. The Board of Elections shall fine a candidate the sum of one dollar (\$1.00) for each of his/her campaign materials remaining on University property after the ninety-six (96) hour period has elapsed with a total not to exceed one hundred dollars (\$100.00).
- F. Damage to University Property.** No campaign materials shall be placed on University property in such a way as to damage that property. The Board of Elections shall fine a candidate the sum of five dollars (\$5.00) plus the estimated cost of repair for any damage incurred for each violation with a total fine excluding damages not to exceed one hundred dollars (\$100.00) with the advice and consent of the proper University officials.
- G. Damage to Trees and Plants.** No campaign materials may be placed on trees, shrubs, or other plants on the University campus. The Board of Elections shall fine such candidate the sum of five dollars (\$5.00) plus the estimated cost of restoration for each violation with a total fine not to exceed fifty dollars (\$50.00) with the advice and consent of the proper University officials.
- H. Defacement of Campaign Materials.** No person shall deface, destroy, alter or otherwise change any candidate's campaign materials before the election. No material of any candidate, unless in legally restricted areas, may be removed without the permission of the candidate. Materials in legally restricted areas may only be removed by members of and those persons authorized by the Board of Elections. All campaign materials shall be considered the personal property of the candidate.
- I. Misrepresentation of an Election Issue.** No person shall deliberately misrepresent any issue to be voted on by the Student Body in an election conducted under the auspices of this Act.
- J. Legally Restricted Areas.** The Cubes (The Pit and outside Chase Hall), outside the Student Union, and the non-glass exterior of all campus buildings shall not be used on behalf of any candidate or referendum. Regulations concerning campaign action in residence halls shall be determined by the Board of Elections, the Department of University Housing, and the Granville Towers Management, and the University legal counsel (Facilities Use Policy), and posted no later than the last day of classes of the Fall Semester for spring elections and fourteen (14) days prior to any special election. The Board of Elections shall remove or cover any such violation, and shall disqualify any such candidate who had prior knowledge that such an action was to take place. If the violation is in reference to a referendum, the Board of Elections shall determine whether or not a re-election is necessary.
- K. The Use of Incentives.** No person or student organization may offer incentives of cash value to the solicitors of signatures for a petition or to the signers of a petition for the purpose of placing a candidate or referendum on the ballot. Neither may any student or a student organization use an incentive to persuade a student to vote. Incentives are to be defined and judged upon by the Board of Elections.

**L. The Use of Technology.**

(1) **Web pages.** The following rules shall apply to candidate websites:

- a. Web pages must be on the campaign's student organization web space and must exist on the UNC server.
- b. URLs for candidate web pages must be specified in the candidate's financial statement.
- c. No campaign-related material, including web pages, instant message profile links or icons, and social network groups, shall be allowed on the web until a candidate's declaration of candidacy is filed with the BOE.
- d. No university-owned computers may be set to default a candidate's web page, social network group, or other campaign-related documents.
- e. Social networking groups shall be named in the following format: "(Re)Elect [Name] for [office]."

(2) **E-mail.** E-mailing to mailing lists shall be permissible for purposes of campaigning, unless otherwise prohibited by the BOE, once the candidate's petition has been certified by the BOE. The subject line of said e-mails must read: "(Re)Elect [Name of candidate] FOR [Office]" and the first line in the memo or text must read: "REPLY TO [E-mail address of sender] and may not be given a "high" or "URGENT" priority designation. Email lists reserved for the use of Student Government officials or any party acting on behalf of Student Government may not be used to advance the candidacy of any individual or support the passage or failure of a referendum.

**M. Political Solicitations Near Computer Facilities Prohibited.** No candidate or campaign may display campaign materials or solicit support within fifty (50) feet of or viewable from any University computer facility or generate disruptive noise or audibly campaign within prohibited zones. The Chair of the Board of Elections has the discretion to determine exactly where the point of solicitation may begin. Violation of this rule shall constitute grounds for disqualification from an election.

**N. Operation of Polling Sites Prohibited.** Only the Board of Elections may operate a polling site. A polling site shall be defined as a computer connected to the internet, or a conventional ballot box with legible ballots available for casting, that has been advertised as a place to vote.

**O. Telephone Services.** Mass use of voice mail is permissible for purposes of campaigning once the candidate has been certified by the BOE. The first words left in the message must be "THIS MESSAGE IS FROM [Name of candidate] FOR [Office]. REPLY TO [Phone number of sender]."

**Section 403. Duties of the Board of Elections**

**A.** The Board of Elections shall hold special meetings to hear complaints concerning candidates or the enforcement of elections laws, to be attended by a majority of the voting members. Such meetings may be closed to the public by a majority vote of the Board of Elections.

**B.** If the Board of Elections determines that violations of this Act have occurred the Board shall be empowered to issue fines, remove workers, call for a reelection, warn campaign staffs, and disqualify candidates. Penalties shall be appropriate to the relevant violation. The Board of Elections shall determine the appropriateness of such penalties.

**C. Written Administrative and Punitive Decisions.**

(1) The Chair of the Board of Elections shall be responsible for documenting all administrative and punitive decisions arising from formal complaints. The Board of Elections shall notify via email petitioners and the candidate(s) whose campaign(s) are in question of the position of the Board within twenty-four (24) hours of any decisions made. Documentation of such decisions, after all parties have been notified, shall be released and remain a matter of public record. A chair's decision may be appealed to the Student Supreme Court.

- (2) In the event that a Chair's administrative decision is appealed to the Board of Elections, the decision may be appended by counter-arguments of other concerned parties. In the event that a Board of Elections administrative decision is appealed to the Student Supreme Court, counter-arguments may be filed as specified under Title III of the Student Government Code. Counter-arguments must be filed within forty-eight (48) hours of the release of decision.

**D. Investigations.**

- (1) The Chair of the Board of Elections shall be given the authority to investigate matters that have come to his/her attention through direct or indirect means about possible violations of campus election laws. The Chair of the Board of Elections shall report to the Board of Elections his/her findings, with proper opportunity for the defendant to respond. When an investigation is initiated by the Chair of the Board of Elections, the Vice-Chair of the Board of Elections shall be placed in charge of the Board of Elections at all meetings concerning the matter under investigation. The Vice-Chair of the Board of Elections shall also be given the investigative powers of the Chair of the Board of Elections concerning this matter.
- (2) **Notification of Investigations.** In the event that a campaign is under investigation for a violation of this Act, then it is the responsibility of the Chair of the Board of Elections to notify the accused of the investigation. This notification, orally and written, must be given within twenty-four (24) hours after the commencement of investigation and no administrative decision may be issued until the defendant has been given an opportunity to respond to the accusations.

**E. Fines.**

- (1) Fines are punishments placed upon a student, candidate or campaign staff for a violation this Act. If the party receiving a fine is a candidate or campaign staff, these monetary fees are to be included as a part of that candidate's campaign expenditures and may cause a candidate to exceed their limit, which could lead to disqualification. Fines may be levied as a retributive action against one candidate and given to another candidate for damage caused to the aggrieved candidate's campaign materials. In the event that a candidate is fined a retributive amount, the candidate who receives the moneys from such a fine shall be allowed to use these moneys as a campaign expenditure, but will not count as a part of their total expenditure for that election
- (2) The defendant will be fined and if the defendant fails to pay such fines within ninety-six (96) hours after notification, he/she shall be declared ineligible for any future elections. If the defendant was elected to an office in the same election at the time his/her offense was committed, and if he/she fails to pay the fine imposed by the Board of Elections within the ninety- six (96) hour period specified above, he/she shall be disqualified from that office. Any defendant may appeal the decision of the Board of Elections as provided by this Act.
- (3) Fines levied against candidates receiving student government financing of their campaigns shall have the amount of the fine deducted from their student government appropriation and shall in addition pay the amount of the fine to the Board of Elections from a source other than student government monies. The amount of the fine shall only count as a campaign expenditure once.
- (4) Any fines collected by the Board of Elections under this Act shall be paid to SAFO and placed in the Student Government Unappropriated Balance.

**F. Remove Campaign Workers.** Removal of campaign workers is a punitive decision of the Board of Elections to prevent individuals who have demonstrated an unwillingness to abide by the Election Laws from further involving themselves in the election at hand. An individual may be removed from a staff for violating any part of this Act and the candidate whose campaign this individual was volunteering their time for shall make efforts to nullify or correct the actions of their campaign workers. When an individual is ordered to be removed as a campaign worker, he/she shall no longer be involved with the campaign and shall not contribute to the campaign in any way. Further involvement by this individual shall result in further penalties for that campaign.

**G. Warning a Candidate or Candidate's Campaign Staff.** Warning a campaign staff shall constitute the lowest level of punishment that a candidate or campaign staff shall receive. Warning shall constitute both written and oral statements of violation(s) that have occurred and the possible penalties that could result if further violations occur. Warnings must be given for irresponsible actions of a candidate's campaign workers and the failure of a Student Body President candidate's staff to receive an Election Laws briefing within the specified time. Warnings may be given for other violations in concordance with other penalties.

**H. Call for a Re-election.** The Board of Elections may call for a re-election if a violation occurred and it could have affected the outcome or compromised the integrity of the election. If the Board of Elections feels that a re-election is necessary, they must allow all affected parties the opportunity to present information concerning the decision to hold a re-election.

**I. Disqualification.**

(1) **Automatic Disqualification.** Under the auspices of this Act, there is automatic disqualification if the Board of Elections finds certain violations or a failure to submit various documents. These are:

- a. Disqualification for Failure to Attend any Compulsory Candidate's Meeting
- b. Disqualification for Illegal Use of Legally Restricted Areas with a Candidate's Knowledge
- c. Disqualification for Failure to Submit a Financial Statement
- d. Disqualification for Knowingly Falsifying a Financial Statement
  - i. A candidate who submits a falsified financial statement may be prosecuted under the Instrument of Student Judicial Governance.
  - ii. A candidate shall only be reimbursed for valid expenditures as determined by the BOE.
- e. Disqualification for Knowingly Committing an Illegal Political Solicitation or Campaigning Violation
- f. Disqualification for Exceeding Designated Spending Limit, as pursuant to Title VI, Article IV, Section 402.B.
- g. Disqualification for Failure to Submit a Resignation for an Executive or Judicial Branch position
- h. Disqualification for breaking the financial laws of Title V.

(2) **Other Disqualification.** The Board of Elections may find that a candidate has violated the Election Laws in such a manner as to be considered malicious and harmful. This shall include, but not be limited to, repeated or multiple violations of this Act by a candidate or his/her campaign workers, an intentional and/or organized act of a candidate or his/her campaign staff against another candidate, or a specific plan to obstruct the elections process. If the Chair of the Board of Elections believes that such a level of evidence exists, the Board of Elections must conduct a hearing of disqualification.

- a. **Hearing of Disqualification.** The Board of Elections must submit a written administrative decision to the defendant of the accusations placed against him/her. The defendant shall be given opportunity to respond to all charges and must be given forty-eight (48) hours notice of such action. Any information gathered during any investigation shall be presented to the Board of Elections, with the defendant given the opportunity to respond. After the presentation of information, the Board of Elections shall move into closed session to determine the case.
- b. **Administrative and Punitive Decisions.** After the Board of Elections concludes the hearing, they must present a written administrative and punitive decision to all parties involved.
- c. **Right of the Defendant to Appeal.** A defendant who is disqualified shall have his/her right to appeal to the Student Supreme Court guaranteed.

**J. Appeals of Chair of the Board of Elections' Decision.** Appeals of Chair of the Board of Elections' decision must be made in writing to the Board of Elections within forty-eight (48) hours of such a decision.

- K. Appeals of Administrative or Punitive Decisions.** Appeals of Administrative or Punitive decisions of the Board of Elections shall be heard by the Student Supreme Court. Such an appeal must be filed within seventy-two (72) hours of the said administrative decision.
- L. Protests and Appeals of an Election.** In the event that an election under the jurisdiction of this Act is protested or appealed on the basis of this Act or of any other official enactment of Student Government, and if such protest or appeal is not of a Board of Elections administrative decision, the Student Supreme Court shall determine the validity of the protest and shall have the power to call a re-election if it deems such a re-election necessary. All such protests and appeals shall be made in writing by the protesting candidate or any constituent of such affected district within ninety-six (96) hours of the certification of the election returns by the Board of Elections or before the elected officer is sworn in, whichever shall occur first.

#### **Section 404. Student Government Financing of Election Expenditures**

- A. Student Government Financing.** Any candidate whose name(s) shall appear on the ballot shall choose to fund their campaigns using only student government monies. Write-In candidates shall not be eligible for student government financing in regular elections, but may receive student government financing for a runoff. Campaign spending limits and all other election laws shall apply to write-in candidates.
- B. Eligibility for Student Government Financing.** The following actions shall be required of a candidate in order to receive Student Government financing of their campaign:
- (1) The candidate's campaign must obtain official recognition as a Student Organization and secure an account through the Student Activity Fund Office, with the exception of candidates for student congress who may choose to have multiple candidates use the same organization and certified treasurer.
  - (2) The candidate must attend all compulsory candidates' meetings.
  - (3) Only candidates for the offices of Student Body President, CAA President, RHA President, GPSF President and Senior Class President and Vice President must have a campaign treasurer certified by the Student Body Treasurer's Office. In the case of candidates for Student Congress, one treasurer may handle multiple campaigns' expenses if they choose not to form their own student organization.
  - (4) The candidate's campaign must submit an official declaration of candidacy before collecting petition signatures, due at the compulsory candidates' meeting.
  - (5) The candidate's campaign must submit a petition with the required number of signatures to the Board of Elections as specified in Section 303(C) of this Title.
  - (6) The candidate's campaign receives enough write-in votes to warrant a run-off, only upon the submission of; a written request for the SG funds, their financial statement as outlined in Title VI, Section 601, C-D, and the certification of a treasurer.
- C. Campaign Accounts to be Kept in SAFO.** Once a candidate has met the requirements in Part B of this Section the Board of Elections Chair shall notify the FCC who shall transfer funds from the Congress to an account in SAFO. The transfer of funds shall occur no later than fifteen (15) days prior to the election. Once funds have been transferred to SAFO a campaign may begin being reimbursed for campaign expenditures. All campaign spending must adhere to the Financial Affairs Laws contained in Title V of the Student Code.
- D. Additional Limitation on SG Campaign Funds.** Student Government Campaign Funds shall be used solely for campaign expenditures. The Elections Board Chair shall have the authority to determine whether expenses are campaign expenditures at any point in the elections process. If an expenditure is ruled by the Elections Board Chair to not be a legitimate campaign expenditure the candidate shall not be reimbursed for the expenditure and the Elections Board Chair shall require whatever acts he/she

deems necessary to nullify the effect of the expenditure, including but not limited to disqualification of the candidate. Candidates are advised to seek prior approval of the Elections Board Chair before making questionable expenditures. All decisions made by the Elections Board Chair are subject to appeal by the Board of Elections. Candidates wishing to appeal have twenty-four (24) hours to file the appeal and the Board of Elections shall then have seventy-two (72) hours to decide the matter. A majority vote of the entire membership of the Board of Elections shall be required to overturn a decision of the Chair.

### **Section 405. Student Government Participation in Elections**

**A. Student Government Offices.** For the duration of the campaign of any elected position, no campaign materials may be displayed or stored in the offices of Student Government, including but not limited to the offices of the Executive and Legislative branches and the offices of the Honor Court and the Student Attorney General.

**B. Student Government Involvement in Campaigns.**

(1) The following Student Government officers shall not participate in a campaign for any elected position or make public endorsement for any candidate nor shall they make any statement against a candidate or group of candidates:

- a. Student Attorney General
- b. Graduate and Professional Attorney General
- c. Chair of the Honor Court
- d. Any member of the Student Supreme Court

In addition, head of any Student Judicial Unit, in particular those listed above, may issue an executive order extending this section to its members.

(2) When participating in student body elections or endorsing a particular candidate, it must be made clear that the official is speaking only on behalf of himself/herself and not for Student Government or any subsidiary thereof.

## **Article V. Election Procedures and Voting**

### **Section 501. Responsibilities of the Board**

- A.** The Board of Elections shall be responsible for monitoring the online election, verifying the results, and ensuring that the process was not corrupted.
- B.** The Chair of the Board of Elections shall be empowered to declare void any votes for a candidate who is not qualified in accordance with Section 303 (B) of this Act.
- C.** All elections are to be won by majority vote except all congressional seats, which shall be won by plurality vote. Run-offs in plurality districts shall be held only in case of a tie vote occurring, causing one or more of the positions to be filled to remain undetermined as a result of that tie.

### **Section 502. Time of Regular, Special, Run-off, and Re-elections**

- A.** The Elections Board Chair may extend the closing time of any polling place if necessary to correct any inequality or discrimination caused by any unforeseen shortening of total hours for that poll site.
- B.** The Elections Board Chair may move a poll site due to weather or extraordinary circumstances. In the event that a poll site is moved, the Elections Board Chair shall be responsible for written notification of the new site at the original site.

### **Section 503. Passage of Referenda**

- A. A simple majority of the votes cast in a referendum shall be sufficient to pass constitutional amendments proposed by the Student Congress, and Student Body initiatives and reviews. A two-thirds majority shall be necessary to pass constitutional amendments in referenda called by petition. Referenda to alter the rate of student fees shall pass when at least ten percent (10%) of the Student Body eligible to vote on the referendum votes on the referendum, and a simple majority votes in the affirmative.
- B. Constitutional amendments proposed by the Student Congress may contain a statement of clarification preceding the body of the amendment, to be printed on the ballot, to explain the reasons for the amendment's consideration if such a statement is approved by two-thirds (2/3) vote of the Student Congress and a majority of the Elections Board. No other types of amendments, initiatives or reviews may contain a statement of purpose.

### **Section 504. Eligibility to Vote**

- A. All duly registered fee-paying students shall be eligible to vote in Student Government Elections.
- B. Voting Residence.
  - (1) Voting residence within the meaning of this Act for undergraduate students shall be defined as the place where one actually lives at the time of the election, as seen by the University Registrar, as distinguished from a place of temporary sojourn.
  - (2) In the case of graduate and professional students, residence for purposes of voting shall be defined as the School, Department, Curriculum, Program, Institute, or Division in which the student is registered as officially listed by the Graduate School of the University of North Carolina at Chapel Hill. If a student is duly registered to be in more than one of these, he/she shall be considered to be in the School, Department, Curriculum, Program, Institute, or Division of earliest entry. Further, graduate and professional students who reside in residence halls are members of the Residence Hall Association and therefore are able to vote for the Residence Hall President and policies and issues affecting the Residence Hall Association.
  - (3) Only those students living in member residence halls of the Residence Hall Association may vote in the elections for the Residence Hall Association President or on policies and issues affecting the Residence Hall Association

### **Section 505. Write-in Candidates**

- A. Any student who meets the qualifications for office may be elected to that office as a write-in candidate. The candidate and his/her supporters shall be subject to the limitations and regulations governing all candidates, except that he/she shall not be required to submit (1) written declaration of candidacy, (2) a petition for placing his/her name on the ballot, nor (3) attend the compulsory Candidates Meeting
- B. Write-in candidates must be uniquely identified by a voter. This requires at least the surname and the name by which the person is known (which is not necessarily their legal first name). In the case that this minimum identifies more than one individual who is qualified for office (see Section 303B), enough information to uniquely identify the individual must be given. Correct spelling is not required as long as it remains possible to uniquely identify one person

### **Section 506. Senior Class Officer**

Candidates for Senior Class President and Vice-President shall run on the same ticket as a single entity.

### **Section 507. Listing of Candidates on Ballots**

Candidates shall be listed by their full legal name on the ballot in an order determined by a lottery conducted by the Elections Board and open to the public at a date, time, and location to be publicly announced five (5) days in advance and if a dispute shall arise, any member of the student body may file a complaint with the Rules and Judiciary Committee of Congress. If a candidate has inserted a nickname on the written declaration of candidacy or in the petition, the nickname shall be printed on the ballot before the candidate's surname and shall be enclosed by quotation marks.

### **Section 508. Voting Procedures**

- A. Procedure. The Board of Elections shall provide a mechanism in the form of a computer program whereby every voter's name, PID number, class, district, and other relevant information are transferred into a polling book for every scheduled election. The Board of Elections shall also provide paper provisional ballots at its office and all physical polling places. Provisional ballots must include spaces for entry of all required voter information as detailed above, the voter's signature in agreement with the Honor Pledge, and the voter's choices for each office in the election. Provisional ballots shall be certified if the student has not otherwise voted and has provided verifiably correct and complete information as required above. The results according to this program and the certified provisional ballots shall be the official results of the election, unless otherwise decided by two-thirds (2/3) of the Board of Elections.
- B. Testing the Computer Voting System. The computer voting program must be established at least seven (7) days prior to an election and be made open to the public for beta testing for at least two (2) days to verify its operability and accessibility, and compliance with all requirements of this title.
- C. Publicizing the Voting Procedure. The Board of Elections must publicize voting procedures at least seven (7) days prior to elections. The Board of Elections may use any forms of media it deems appropriate to publicize the voting hours and the process of voting, including a listing of any polling places established and the location of and procedure for provisional ballots. In its publicity, the Board must provide an e-mail address and campus phone number at which students may contact the Board with questions or complaints at any time during voting hours
- D. Program Security.
  - (1) The election results, and all other election related information, shall be accessible only through the official election website by a logon and password selected by the Chair of the Board of Elections.
  - (2) The Chair and Vice Chair of the Board of Elections shall be provided the logon and password information. No person other than members of the Board of Elections shall have knowledge of this logon or password.
  - (3) The results may not be manually changed by any person at any time during or after the election except to eliminate the votes of students who voted more than once.

### **Section 509. Counting Ballots**

- A. All votes except for those on provisional ballots shall be tabulated automatically by the official election program. Provisional ballots shall be counted by hand after the polls close and shall be included in the final vote totals.
- B. No election results shall be divulged to the candidates, media, or the general public until the conclusion of the election.
- C. At the conclusion of the election, each candidate or authorized representative thereof, authorized representative of the media, and all write-in candidates shall be permitted to be present during the public announcement of the official election results.

- D. At the conclusion of the election each candidate's campaign, as well as any authorized member of the media shall have the right to a printed copy of the official election results.
- E. Write-in votes, whether through the computer voting system or provisional ballots, for candidates whose names already appear on the ballot shall not be counted.

### **Section 510. Provisional Ballots**

The availability of provisional ballots does not necessarily prevent an election from being invalidated in the event of technical difficulties.

### **Section 511. Technical Difficulties**

Should the election experience technical difficulties, the Chair of the Board of Elections may extend the duration of the election. Technical difficulties may be grounds for the Board of Elections to call for a re-election if technical difficulties compromised the integrity of the elections process or affected the outcome of the election. A decision must be made within ninety-six (96) hours of the scheduled closing of the election, and must be made only after consultation with all affected candidates, who may present evidence and witness testimony of such difficulties.

## **Article VI. Post Election Procedures**

### **Section 601.**

A violation of any provision of this Act may constitute an offense against the student body as defined by the *Instrument of Student Judicial Governance* and shall be reported to the Student Attorney General for investigation.

### **Section 602. Duties of the Board of Elections**

- A. The Board of Elections shall certify all election results, by majority vote, within ninety-six (96) hours of the closing of the polls. The Board of Elections may, by a two-thirds vote of those members present, decide to postpone a decision on certification due to an investigation. A postponement of the certification deadline may be for a period of no more than seventy-two (72) hours and shall not be renewable unless so ordered by the Student Supreme Court. Certification of the results of an election shall consist of the following:
  - (1) Preparation of a report on the number of votes cast in each election, referendum and initiative, including the total vote tabulations.
  - (2) Affirmation that the results reported are correct as counted.
  - (3) Affirmation that no Election Law violations, or other election irregularities have been detected which could compromise the integrity of the election process or change the outcome of the election.
  - (4) Preparation of a report on complaints of any alleged violations of the Election Laws and whether the Board of Elections considered them founded or unfounded, and what action was taken, if any.
- B. **Rescinding Certification.** In the event that the Student Body President-Elect, Carolina Athletic Association President-Elect, Graduate and Professional Student Federation President-Elect, or the Residence Hall Association President-Elect rescinds his/her certification and signals to either the Student Body President or the Chair of the Board of Elections his/her intent not to ascend to the office for which he/she was elected before his/her inauguration, the Student Body President shall call a Special Election to fill said vacancy. Said Special Election shall be open to all eligible students, shall be held on the earliest possible date, and shall be consistent with all other relevant provisions of this Act.

- C. All write-in candidates shall receive from the Board of Elections immediate notification of the need to submit financial statements as outlined in Article VI, Section 602 (A). Notification shall occur in the following forms: campus electronic mail and direct contact, either personally or by telephone or one telephone voice message.
- D. All write-in candidates not receiving notification of the need to submit financial statements as outlined in Article VI, Section 603 (A) by 10:00 p.m. EST on election night shall receive a 24 hour extension to the period established in Article VI, Section 603 (A).
- E. The Chair of the Board of Elections shall convene the Board of Elections to resolve any election disputes within forty-eight (48) hours of the closing of the polls. A decision on such disputes shall be made within seventy- two (72) hours of the closing of the polls. This section shall not prevent individuals from appealing such decisions. These shall be posted at the Board of Elections until the certification of the election is completed.
- F. The Chair of the Board of Elections shall inform the Student Body of all matters pertaining to the election results. He/she shall file a copy of all certified election results with the President of the Student Body, including the total vote tabulations in each race. This shall be completed within seventy-two (72) hours of certification.
- G. The Chair of the Board of Elections shall notify the winner of each election or the candidates qualifying for a run-off election within twenty-four (24) hours of the election's certification by telephone, and following with written notification by either campus mail, U. S. mail, or University email account.
- H. The Chair of the Board of Elections shall be empowered to declare void any votes for a candidate who is not qualified in accordance with Section 303(B).
- I. The Chair of the Board of Elections shall submit at the end of his/her term a report of the actions of the Board of Elections during the past year. This shall include a certification of all elections during their term, a complete list of the Board of Elections' administrative decisions, any Supreme Court materials dealt with during their term and a report on the state of the Board of Elections. These reports shall remain as permanent records of the Board of Elections, with copies stored at with the Board of Elections and the Archives of the University of North Carolina at Chapel Hill.
- J. **Date of Run-off Elections.** Run-off elections shall be held according to the following conditions and provisions:
  - (1) Should no candidate needing a majority of votes receive such votes in a race a run-off election shall be held for that office to determine the winner.
  - (2) The two candidates with the highest number of valid votes cast in that race shall be named on the ballot for the run-off election. In plurality Congressional districts run-offs shall occur only if a tie exists.
  - (3) Votes for individuals other than run-off candidates shall be considered voided ballots.
  - (4) Any run-off election shall occur the Tuesday of the first full week of classes following the initial election, unless prevented by Board of Elections or Student Supreme Court action.
- K. **Date of Re-Elections.** Re-elections shall be held as provided under the following conditions and provisions:
  - (1) After certification of returns for a particular race, a re-election may only be declared by the Student Supreme Court.
  - (2) The re-election shall be open to all qualified candidates of the initial election, except those disqualified by the Board of Elections or the Student Supreme Court.
  - (3) If the Board of Elections finds that violations of the General Election Laws have changed the outcome of an election and refuses to certify the results, it may order a re-election.

- (4) After any decision for a re-election, no re-elections shall be held within one week after a scheduled University recess lasting more than two school days or during a University exam period.
  - (5) If the Board of Elections determines a violation in a district affected the results for one or more but not all seats in the district, it may call for a re-election for only those seats and does not have to call for a re-election for all seats in the district. The Board can certify the results and not call for a re-election for individual seats not affected by violations.
- L. Record Keeping.** The Board of Elections shall make and maintain a written record of all elections conducted under its authority. This record shall include, but not be limited to: the final vote tallies as portrayed by the voting program, a copy of the voter log, a summary of all filed complaints, a summary of all official decisions regarding the election, copies of all collected financial statements, petitions, and written declarations of candidacy.
- M. Right to Information.** All members of the Board of Elections shall have the right to examine the voting program and any elections results under the supervision of the Chair or Vice Chair of the Board of Elections.
- N. ITS Letter.** The Board of Elections shall obtain a written document from ITS after an election reporting on the security of necessary computer systems and any technical difficulties that arose during the duration of an election before certifying the results of said election.

### Section 603. Responsibilities of Candidates

- A.** All candidates running for office, including write-in candidates shall submit financial statements, on a format to be specified by the Chair of the Board of Elections no later than five (5) p.m. the day after the regular, special, or run-off elections. The Chair of the Board of Elections may grant an extension of this time limit, not to exceed twenty-four (24) hours in length, to any candidate who requests such extension before the original deadline. The candidate must demonstrate to the Chair's satisfaction that he/she cannot, for a valid reason, submit his/her statement within the specified time limit. A financial statement must be submitted even if there are no campaign expenditures.
- B.** The Board of Elections may request any candidate to produce additional financial evidence clarifying or justifying his/her statements.
- C.** Any candidate who fails to submit a financial statement within the specified amount of time, including extensions if granted, shall be disqualified from that race or from participation in a run-off election, if necessary, by the Board of Elections.
- D.** No election shall be certified until all candidates for that office have turned in their financial statements and had them verified or have been disqualified for failure to submit a financial statement.
- E.** A candidate shall be disqualified if his/her campaign expenditures exceed one hundred-five percent (105%) of the spending limit listed in Section 401 (B) of this Act.
- F.** Any candidate who knowingly falsifies a financial statement or list of campaign workers will be disqualified from the election by the Board of Elections which is serving when the falsification is discovered. The Board of Elections shall rescind certification for that race, regardless of whether the candidate has assumed office or not.
- G.** Any candidate who feels he/she has been erroneously or unjustly disqualified from an election or office may appeal the Board of Elections' decision in the manner prescribed in Section 403 of this Act. The election for his/her particular office or inauguration for that office shall be temporarily suspended pending the outcome of the appeal.

## **Article VII. Installation of Officers**

### **Section 701. Campus-Wide Offices**

Campus-wide elected officials shall be installed in office upon taking the oath of office herein provided. This oath shall be administered on the first Tuesday in April. Any Supreme Court Justice and Chairperson of the Undergraduate Court shall have the power to administer oaths of office, except that the Student Body President may have his or her oath administered only by the Chief Justice, or in his or her absence, any Supreme Court Justice.

### **Section 702. Student Congress**

Members of the Student Congress shall be installed in office by and upon taking the oath of office herein provided. This oath shall be administered on the first Tuesday in April. The Student Attorney General, the Chair of the Undergraduate Honor Court, and Supreme Court Justice may have the power to administer the oath of office. In the event that new Congress members must be sworn in on a day other than the first Tuesday in April, the Speaker of Student Congress may also have the power to administer the oath of office.

### **Section 703. Procedure**

All oaths of office shall be administered to the officer, standing, with right hand up.

### **Section 704. The Oath**

The Oath of office for all officers of the Student Body and Student Congress members shall be: "I, (Name), do affirm that I will preserve, protect, and defend the general welfare of the Student Body of the University of North Carolina at Chapel Hill and its Constitution and all laws enacted under its authority."

## **Article VIII. Severability**

### **Section 801. Severability**

If any Article or Section is held unconstitutional, it shall not affect other Articles or Sections of this Act.

## **Article IX. Supersedence of Prior Legislation**

### **Section 901. Supercedes Prior Legislation**

This Act shall supersede all previously enacted legislation concerning the Board of Elections, campaign practices, spending limitations and installations and oaths of office.