

The University of Texas at Austin

Campus-Wide Election Code

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Title I: Campus-Wide Student Elections

Chapter I - General Provisions

Sec. 1.1 PURPOSE OF CAMPUS-WIDE CODE. This code exists to facilitate a fair and educational experience for student governance positions at The University of Texas at Austin. The election of students is designed to expand their knowledge on running for office, navigating political systems, and building community coalitions for the purpose of express advocacy.

Sec. 1.2 ENACTMENT OF CAMPUS-WIDE CODE. This code shall become effective and be implemented immediately after its passage by all entities participating in campus-wide elections and approval by the necessary and proper channels as outlined by Title I Sec. 1.3 of this code. The Campus-Wide Election Code shall supersede any and all previous election codes, and the campus-wide election code shall supersede in cases where subject matter is covered in the campus-wide code and an entity's own constitution, bylaws, and/or specific election codes. Any and all previous

Sec. 1.3 AMENDING THE CODE. Per Regent Rules 50203, An amendment to the constitution or bylaws of a students' association may be adopted by an association, in accordance with its constitution and bylaws, but the change shall not become effective until transmitted to and approved by the chief student affairs officer and the president. The code becomes effective and implemented at completion of the approval process.

- a. This code must be reviewed annually;
- b. Each entity participating in the campus-wide elections will put forth one representative to participate in the election code reform process;
- c. The representatives will meet to agree upon and draft proposed changes to the campus wide-code. The physical presence of four of the five entities is required to achieve quorum and must unanimously approve proposed changes;
- d. The representatives will present the proposed changes to their governing bodies for review and approval in accordance with their respective constitution and by-laws;
- e. Submit a finalized copy of the updated Campus-Wide Election Code with proposed changes noted, a copy of the current Campus-Wide Election Code, notes from the Rules and Regulations Committee and/or other committees involved, and minutes from the Student Government assembly meeting in which the vote for approval was taken for review to the Associate Director of Student Governance Organizations. Proposed changes must be submitted no later than December 1 in order to meet timeframes to be included in the next election cycle., and;
- f. Approval by the chief student affairs officer and the president.

Title II: Campus-Wide Election Common Code

Chapter I - General Provisions

Sec. 1.1 UNIVERSAL APPLICATION. The provisions of Title II apply to all entities participating in campus-wide elections.

Sec. 1.2 PARTICIPANTS' COMPLIANCE. All entities participating in campus-wide elections agree to adopt the Campus-Wide Elections Code and have their candidates and races adhere to the code.

Sec. 1.3 ENTITY-SPECIFIC AND UNSPECIFIED SITUATIONS. Entity-specific situations not specified in this code should be addressed by each entity's respective election code.

Sec. 1.4 REFERRING VIOLATIONS. All entities participating in campus-wide elections may refer alleged violations of their election processes to the Election Supervisory Board via the online complaints form during the timeframe specified by the campus-wide elections timetable.

Sec. 1.5 STUDENT ACCESS TO ELECTION GOVERNING DOCUMENTS. Any student may access the Campus-Wide Election Code and all other election governing documents at any time online.

Sec. 1.6 SINGULAR REFERENCES INCLUDE PLURAL. References to the singular shall be construed to include the plural.

Sec. 1.7 CANDIDATE REFERENCES INCLUDE ALL CAMPAIGN STAFF. References to candidates shall be construed as to also apply to their agents and workers.

Sec. 1.8 RESPONSIBILITIES. Candidates, agents, or workers for any election shall be responsible for the regulations relevant to their election, as defined by this election code.

Sec. 1.9 IGNORANCE. Ignorance of this code shall not be an acceptable defense in response to any offence committed in any election under this code, either by the candidates themselves, their agents or workers, or the election regulatory bodies, as defined by this code.

Sec. 1.10 SINGLE AND SEPARATE APPLICATION. Each election under this code shall be considered a single and separate application of this code. There is no expectation or assumption of any precedent in the application of this code.

Sec. 1.11 RELEVANCY OF RULINGS. Rulings made by the Election Supervisory Board during any election period are relevant only to that election and associated runoff elections.

Sec. 1.12 UNIVERSITY REGULATIONS. All candidates, and their agents and workers, and the Election Supervisory Board shall be responsible for following all applicable University regulations.

Chapter II - Definitions

Sec. 2.1 “ADVISORY OPINION” refers to any opinion issued by the Election Supervisory Board concerning any matter affecting the campus-wide elections that may not be included within the language of the election code. Advisory Opinions issued by the ESB shall be binding and enforceable for the duration of the election to which they apply. Compliance with an advisory opinion shall constitute compliance with this code, and non-compliance shall constitute grounds for violations of this code.

Sec. 2.2 “AGENT” refers to any candidate-appointed worker who is authorized to speak and act on behalf of the candidate.

Sec. 2.3 “BUSINESS DAY” refers to the hours between 8:00 a.m. and 5:00 p.m. on any weekday not designated by the University calendar as a holiday.

Sec. 2.4 “CAMPAIGN” AND “CAMPAIGNING” refer to statements, literature, activities or deliberate uses or distribution of materials of any kind that have or are intended to have the effect of soliciting votes, support or interest for a candidate or elective office. Campaigning may only occur during the official campaign period as defined in this code.

Sec. 2.5 “CAMPAIGN MATERIALS” refers to all physical and digital materials and literature of any kind concerning any candidate that have or are intended to have the effect of soliciting votes, support, or interest for a candidate or elective office but excludes any individual endorsement not approved by the candidate.

Sec. 2.6 “CAMPUS-WIDE ELECTIONS” refers to any elections involving multiple entities that are governed by this code

Sec. 2.7 “CAMPUS-WIDE ELECTIONS FILING AGREEMENT” refers to the document electronically signed by the candidate that acknowledges the candidate is aware of and will adhere to the Campus-Wide Election Code.

Sec. 2.8 “CANDIDATE” refers to any student consenting and/or endeavoring to be elected as expressed by filing to run for office in accordance with this and all applicable election codes.

Sec. 2.9 “CANDIDATE SEMINAR” refers to the required event that all candidates, or an authorized agent of the candidate, must attend in person. The Election Supervisory Board shall determine the details, location, and logistics of the candidate seminar. Notification of this seminar will be communicated to both candidates and prospective candidates.

Sec. 2.10 “DAY” is one 24-hour period. A day includes both weekdays and Saturday and Sunday.

Sec. 2.11 “DEFEATED CANDIDATES” refers to candidates, whose elections already being decided, have lost in their respective elections.

Sec. 2.12 “ENTITY/ENTITIES” refers to the organizations that utilize and participate in campus-wide elections. They are currently as follows: Graduate Student Assembly, Student Government, Texas Student Media, the University Co-operative Society, and University Unions.

Sec. 2.13 “ESB” refers to the Election Supervisory Board established by and defined within this code.

Sec. 2.14 “OFFICER” refers to any sitting officer of any entity participating in campus-wide elections.

Sec. 2.15 “OFFICER-ELECT” refers to a candidate whose election already being decided, has won their respective election, but who has not yet been sworn-in nor seated yet.

Sec. 2.16 “POLLING LOCATION” refers to any internet-enabled device available for public use that is being used to vote in campus-wide elections.

Sec. 2.17 “POLLING STATION” refers to any publicly accessible on-campus polling location designated for the use of voting in the campus-wide elections by the Election Supervisory Board.

Sec. 2.18 “RULING” refers to any decision or ruling issued by the Election Supervisory Board resulting from a hearing.

Sec. 2.19 “RUNOFF ELECTION” refers to all secondary elections held to resolve races not initially determined by a general election.

Sec. 2.20 “STUDENT” refers to any individual whose name appears on the current roster of the registrar of the university, who is enrolled in a minimum of 12 credit hours undergraduate and 9 credit hours graduate, and physically attends The University of Texas at Austin during the election period and the period of their electable office.

Sec. 2.21 “UNIVERSITY” refers to The University of Texas at Austin.

Sec. 2.22 “WEEK” is defined as seven calendar days.

Sec. 2.23 “WORKER” refers to any person that contributes time, effort, or services for the purpose of supporting or furthering a candidacy, where the candidate or agent has knowledge of said contributions.

Sec. 2.24 “ELECTION CODE CHAIR” refers to the candidate-appointed worker (agent) in charge of reviewing university and election rules and procedures for the campaign staff. The candidate is the default election code chair. The candidate must disclose the name, phone number, and email of the appointed worker who will serve as the election code chair in accordance with Sec. 6.17 of this code.

Sec. 2.25 “VOTING PERIOD” refers to the period in which votes may be cast.

Chapter III - The Election Supervisory Board

Subchapter A: General Rules Regarding ESB

Sec. 3.1 ADMINISTRATION OF ELECTIONS. The Election Supervisory Board shall be responsible for the administration of campus-wide elections.

Sec. 3.2 JURISDICTIONAL BOUNDARIES. The jurisdiction of the Election Supervisory Board applies both on-campus and off-campus.

Subchapter B: ESB Selection

Sec. 3.3 ESB SELECTION COMMITTEE. Each entity participating in campus-wide elections will put forward one representative to participate in the selection of the Election Supervisory Board members.

Sec. 3.4 ESB SELECTION TIMELINE. The Election Supervisory Board Selection Committee must convene within one month after the election results are announced.

- a. The ESB Selection Committee must review, update, and complete the application for next year's ESB before the last day of class in the spring term.
- b. The ESB Selection Committee must release the application for the ESB within the first month of class of the following fall term.
- c. The ESB Selection Committee will finalize the selection of the new Election Supervisory Board within one month of the release of the application for the ESB.

Sec. 3.5 ESB SELECTION TIMELINE. The Election Supervisory Board Selection Committee must convene within one month after the election results are announced.

- a. ESB candidates must resolve the hypothetical case by referencing rules, precedent, or other authority they deem appropriate. ESB candidates must have deep knowledge of election documents and controlling precedents in order to explain their written option of the hypothetical case if granted an interview.
- b. The ESB Selection Committee must ensure that prospective ESB members demonstrate the ability to operate in an environment with a great deal of ambiguity and deliver answers that provide clarity and resolve issues equitably.
- c. Members of this Election Supervisory Board are not allowed to serve on any entity with appellate jurisdiction.

Sec. 3.6 ESB QUALIFICATIONS. A total of nine members will be selected to comprise the ESB from the applications submitted. Each shall possess the following qualifications:

- a. Shall not hold an elected position, endeavor to run, or be engaged in actively campaigning for an elected position for one of the entities; and,

- b. Must either be a graduate student, or an undergraduate student who has completed one semester in residence; and,
- c. Must have and maintain a minimum 2.5 cumulative grade point average; and,
- d. Must be in good standing with the University as determined by the Office of the Dean of Students and the University Registrar

Sec. 3.7 PROHIBITION ON SERVING ON ESB. Members of any entity with appellate jurisdiction are not allowed to serve on the Election Supervisory Board.

Sec. 3.8 ESB CHAIR SELECTION. The chair of the Election Supervisory Board shall be selected in the initial application and selection process.

Sec. 3.9 ESB MEMBER REMOVAL. Any member of the Election Supervisory Board may be removed for just cause by a unanimous vote of the ESB Selection Committee.

- a. The Election Supervisory Board Selection Committee will then convene and determine a replacement.
- b. Any Election Supervisory Board member may request that the ESB Selection Committee hold a hearing to remove a member of the ESB if they are not carrying out their duties.

Subchapter C: ESB Positions and Responsibilities

Sec. 3.10 CALLING MEETINGS. The chair of the Election Supervisory Board shall facilitate and organize the necessary meetings and hearings in order to accomplish tasks set forth by this code.

Sec. 3.11 ELECTION OF OFFICERS. The Election Supervisory Board chair shall facilitate elections to fill the secretary and vice chair positions by majority vote of all ESB members.

Sec. 3.12 ESB VICE-CHAIR. The Election Supervisory Board shall appoint a vice-chair, who shall be responsible for assisting the chair in the administration and enforcement of election procedures and regulations. The vice-chair serves as the chair in his or her absence and may perform additional duties as assigned.

Sec. 3.13 ESB SECRETARY. The Election Supervisory Board shall appoint a secretary, who shall be responsible for recording the minutes of Election Supervisory Board meetings and hearings, and keeping records of all opinions, rulings, and filings required of candidates under this code.

- a. The secretary shall provide a written copy of all decisions concerning individual candidates to the candidates involved.
- b. Failure to do so may result in revocation of duties by the Election Supervisory Board chair.

Sec. 3.14 ASSIGNMENT OF CANDIDATES. The remaining members of the Election Supervisory

Board shall be assigned a group of candidates for whose questions, complaints, and financial statements they are responsible.

- a. The ESB chair shall determine the organization and facilitation of candidates to members and may at any time change the organization of members' candidates for which they are responsible.

Chapter IV - Violations

Subchapter A: Hearings and Procedures

Sec. 4.1 FILING OF COMPLAINTS. Members of the Election Supervisory Board are prohibited from filing complaints.

- a. Any other student may file a complaint with the Election Supervisory Board.
- b. Complaints may be filed up to seven hours after the voting period ends.
- c. Members of the ESB shall be able to submit complaints only on violations of Advisory Opinions or the Protected Marks Agreement.

Sec. 4.2 RESPONDING TO COMPLAINTS. The Election Supervisory Board shall act on all complaints within two days after they are received by either dismissing the complaint or calling a hearing under the provisions of this subchapter.

- a. If after the two days, the Election Supervisory Board fails to act, the chair of the Election Supervisory Board shall have original jurisdiction over the matter.
- b. After the polls open, the two-day period for the Election Supervisory Board to act on a complaint is waived, with all complaints to be resolved by 11:59 p.m., 48 hours after the window to file complaints closes.

Sec. 4.3 DISMISSAL OF COMPLAINTS. The Election Supervisory Board may dismiss a complaint if:

- a. The complaint was not filed within a reasonable amount of time; or,
- b. The complaint fails to state a cause of action for which relief may be granted; or,
- c. The complainant fails to appear at the hearing.

Sec. 4.4 NOTIFICATION OF HEARING. If a complaint is not dismissed, then a hearing must be held.

- a. The Election Supervisory Board shall inform the complaining party and all individuals or groups named in the complaint of the time and place of the hearing via their [EID]@my.utexas.edu email address
- b. The parties are considered notified once they have received a copy of the complaint via email. The electronic timestamp on an email from the ESB shall be considered as receiving the complaint.

Sec. 4.5 TIMEFRAME FOR HEARING. The hearing shall be held at the earliest possible time, but not within 24 hours after receipt of the notice described in Sec 4.4, unless all parties agree to waive the 24-hour time constraint.

- a. This 24-hour time constraint is waived if the complaint is filed after the polls open.

Sec. 4.6 TEMPORARY RESTRAINING ORDERS. At the time a notice of a hearing is issued, the Election Supervisory Board, by majority vote, may issue a temporary restraining order if it determines that such action is necessary to prevent undue or adverse effects on any individual or entity.

- a. Any restraining order, once issued, will remain in effect until a decision of the Election Supervisory Board is announced after the hearing or until rescinded by the Election Supervisory Board.

Sec. 4.7 PUBLIC ACCESS. All Election Supervisory Board hearings, proceedings, records, and meetings must be open to the public, except for the deliberations that determine the outcome of complaint hearings.

Sec. 4.8 PRESENT AT HEARING. All parties involved in an Election Supervisory Board hearing shall present themselves at the hearing or authorize an agent in writing to carry on said proceedings in their stead. Parties may be accompanied by any other student from which they can receive counsel and have the option to be represented by that counsel. The hearings will proceed regardless of whether parties are present.

Sec. 4.9 ESB QUORUM AND CHAIR. For any hearing, a majority of sitting Election Supervisory Board members must be in attendance with the chair of the Election Supervisory Board presiding.

- a. In absence of the chair, the responsibility to preside shall fall to an Election Supervisory Board member designated by the chair.

Sec. 4.10 ESB HEARING PROCEDURE. The Election Supervisory Board shall determine the format for the hearing but must require that both the complaining and responding parties appear physically or virtually before the ESB to discuss the issues through a complaint, answer, rebuttal, and rejoinder format, when applicable.

- a. The purpose of the hearing is to gather the information necessary to make a decision, order, or ruling that will resolve an election dispute. To effectuate this purpose, the following rules should prevail at all hearings:
 - i. Complaining parties shall be allowed no more than two witnesses; however, the Election Supervisory Board may call witnesses in accordance with previous sections of this code;
 - a. If said witnesses are unable to appear at the hearing, signed affidavits may be submitted to the Election Supervisory Board chair for the purpose of testifying by proxy.
 - ii. All questions and discussions by the parties involved in the dispute shall be directed to the Election Supervisory Board;

- iii. There shall be no direct or cross-examination of any party or witness by complaining or responding parties during hearings;
- iv. Reasonable time limits may be set by the Election Supervisory Board, provided they give fair and equal treatment to both sides;
- v. The complaining party shall bear the burden of proof.

Sec. 4.11 DECISIONS. Decisions, orders, and rulings of the Election Supervisory Board must be concurred to by a majority of the Election Supervisory Board present and shall be announced as soon as possible after the hearing.

- a. The Election Supervisory Board shall issue a written opinion of the ruling within 24 hours of the announcement of the decision. After the polls open, ESB shall issue a written opinion within 12 hours of the announcement of the decision.
 - i. The written opinion must set forth the findings of fact by the Election Supervisory Board and the conclusions of law in support.

Sec. 4.12 SUBMISSION OF DOCUMENTS FOR APPEAL. If the decision of the Election Supervisory Board is appealed, the Election Supervisory Board must immediately submit its ruling to the court.

Subchapter B. Remedies and Sanctions

Sec. 4.13 CLASSES OF VIOLATIONS. Violations of the code shall be divided into four classifications:

- a. Class A violation shall result in a fine.
- b. Class B violation shall result in a moratorium of campaigning.
- c. Class C violations shall result in a combination of moratorium of campaigning and a fine.
- d. Class D violation may result in a disqualification from the election.

Sec. 4.14 DEFINING CLASSES OF VIOLATIONS. Within the ranges established by the Election Supervisory Board, the Election Supervisory Board shall select the amount of the fine or length of the suspension most appropriate to both the severity of the infraction and the intent of the violator as determined by the Election Supervisory Board. At the candidate seminar, Election Supervisory Board shall clearly define what would constitute each class of a violation.

Sec. 4.15 FINE. If a candidate, or a candidate's agents or workers, commits a violation resulting in a fine, the Election Supervisory Board has the authority to fine the candidate.

- a. Each election cycle, the ESB shall establish a fine matrix which quantifies fines. This matrix shall be presented at the candidate seminar and made public.
- b. Fines leveraged against a candidate by the ESB will be sent to Texas One Stop, which will add such fines to the "What I Owe" webpage.

- c. Any fine or total amount of fines against a candidate in an election cycle may not exceed the spending limit as defined by each race's respective code of origin.
- d. Any fine leveraged against a candidate by the ESB is additive and is added to their total expenditures and moves the candidate closer to their spending limit. Candidates are required to list fines in their expenditure reports after they have been assigned by the ESB.
- e. Fines leveraged by the ESB against a candidate that result in their total expenditures exceeding the 120% spending limit as outlined in Sec. 7.3, will result in automatic disqualification.

Sec. 4.16 CONSEQUENCES OF A CLASS B OR C VIOLATION. If, after a hearing, the Election

Supervisory Board finds a candidate, or a candidate's agents or workers, has committed a Class B or Class C violation, the Election Supervisory Board may restrict the candidate, or the candidate's agents or workers, from engaging in some or all campaign activities for some or all of the remainder of the campaign period. If an order is issued covering only part of the remaining campaign period, it shall take effect within 24 hours so that after its termination, the candidate will have an opportunity to resume campaigning during the days immediately prior to and including the election days.

- a. A moratorium of campaigning is defined as restricting a candidate, or a candidate's agents or workers, from soliciting votes from students or promoting materials that have the intended purpose of soliciting votes.

Sec. 4.17 CONSEQUENCES OF A CLASS D VIOLATION. If, after a hearing, the Election

Supervisory Board finds a candidate, or a candidate's agents or workers, has committed a Class D violation, the candidate's campaign is immediately terminated, their name is removed from the ballot, and they are barred from participating in any campaign activities for the remainder of the election period

Sec. 4.18 VOTER FRAUD. Any complaints concerning voter fraud filed through the Election Supervisory Board must be immediately and wholly turned over to the Office of the Dean of Students.

Subchapter C: Appeals

Sec. 4. 19 APPEAL OF ESB DECISION. Either party affected by a decision of the Election Supervisory Board may file an appeal with the entity with appellate jurisdiction within 24 hours after the adverse decision is announced. After the polls open, an appeal must be filed within 12 hours after the adverse decision.

- a. The entity with appellate jurisdiction shall have discretionary appellate jurisdiction over the Election Supervisory Board in all cases in which error on the part of the Election Supervisory Board is charged.

Sec. 4.20 DECISION OF THE ELECTION SUPERVISORY BOARD. The decision of the Election Supervisory Board shall stand and shall have full effect until the appeal is heard and decided by the entity with appellate jurisdiction.

Sec. 4.21 HEARING OF APPEALS. Before the polls open, the entity with appellate jurisdiction shall hear appeals of the Election Supervisory board rulings as soon as possible, but not within 24 hours after the Election Supervisory Board delivers to the appellant and the entity with appellate jurisdiction a copy of its written opinion in the case. After the polls open, the entity with appellate jurisdiction shall hear appeals of the Election Supervisory board rulings as soon as possible, but not within 12 hours after the Election Supervisory Board delivers its decision. After the polls open, the entity with appellate jurisdiction shall resolve all appeals within 24 hours, or by 11:59 p.m. on the first Sunday that follows the closing of the polls.

- a. Appeals may be heard prior to this time, but only if the appellant waives the right to a written opinion and the entity with appellate jurisdiction agrees to accept the waiver.

Sec. 4.22 REVIEWING ELECTION SUPERVISORY BOARD APPEALS. The entity with appellate jurisdiction shall review findings of the Election Supervisory Board when appealed.

- a. The entity with appellate jurisdiction over their particular election may affirm or overturn the decision of the Election Supervisory Board, or modify the sanctions imposed.

Sec. 4.23 APPELLATE REVIEW. The entity with appellate jurisdiction shall have full authority to fashion an equitable remedy appropriate to the circumstances of the case, but should endeavor to avoid remanding the case to the Election Supervisory Board.

[Should add a note or subsection that states who the final decision maker is for every entity – SG, GSA, TSM, Co-Op, and Union]

Chapter V - Election Timetable

Sec. 5.1 ELECTION DAYS. General elections shall be held on the Monday and Tuesday of the week two weeks prior to the start of the university's spring break.

a. Polling hours for the campus-wide elections shall be from 8 a.m. on the first day of voting in the campus-wide elections until 5 p.m. on the second day of voting in the campus-wide elections.

b. Runoff elections, if needed, will be held on two (2) consecutive weekdays in the week following the general election. Polling hours for the runoff election shall be from 8:00AM (CST) on the first day of voting in the runoff elections until 5:00PM (CST) on the second day of voting in the runoff elections.

Sec. 5.2 PROHIBITION OF ELECTION CODE CHANGE. No changes to the election code may be enacted within four weeks of the campus-wide elections.

Sec. 5.3 SUBMISSION OF CANDIDATE LIST. A list of all candidates campaigning for races in their organization must be submitted by each group to the Office of the Dean of Students by 12 noon on the day of the candidate seminar.

Sec. 5.4 ADVERTISEMENT OF BALLOT. The Election Supervisory Board shall advertise the complete ballot in the student newspaper of the university at least seven days prior to the campus-wide elections voting period.

Sec. 5.5 POSTING OF CANDIDATE INFORMATION. The Election Supervisory Board shall make public on the Dean of Students website (utexasvote.org) the following information on each candidate: name, position sought, major(s), link to a candidate(s) preferred media platform(s) and a statement of no more than 150 words at least five days prior to the campus-wide elections.

a. The Election Supervisory Board shall be able to restrict any false information.

Sec. 5.6 FILING COMPLAINTS. Complaints can be filed with the Election Supervisory Board from the moment the Election Supervisory Board is created until 11:59PM on the day the polls close to voting.

Sec. 5.7 WEB ADDRESS. The official web address used for voting shall be utexasvote.org.

Chapter VI - Candidates

Sec. 6.1 QUALIFICATIONS. All candidates must adhere to the qualifications set forth in this code, university policy, the General Information Catalogs, and all statutes enforceable by the Election Supervisory Board.

Sec. 6.2 ELIGIBILITY. All candidates must be deemed eligible by the respective election code of the group for which they are running in order to be able to participate in campus-wide elections.

Sec. 6.3 EXCLUSIVITY TO STUDENTS. Only students may actively seek office or vote in campus-wide elections.

Sec. 6.4 RECRUITMENT OF CAMPAIGN STAFF MEMBERS. During the filing period, only candidates and their agents may recruit individuals to join a campaign. They must recruit members on a one-to-one basis.

- a. When recruiting a potential new campaign staff member, a candidate or agent should recruit the individual in a manner that is clearly not a solicitation of a vote and make a clear distinction that they will be fulfilling the role of a worker as defined by Section 2.20 or an agent as defined by Section 2.2. Campaigns may not use mass solicitation platforms such as social media, mass texts, etc., to recruit multiple individuals at once.

Sec. 6.5 SUBMISSION OF CAMPAIGN AGENTS. Each candidate shall be required to submit to the Election Supervisory Board a list of agents they have authorized for their campaign on or before the candidate seminar date.

Subchapter A: Filing

Sec. 6.6 FILING PERIOD. The filing period shall open at 9 a.m. on the first day of the spring term and shall remain open until 12 noon the day of the candidate seminar. Candidates may file in-person or electronically.

Sec. 6.7 FILING AGREEMENT. Each candidate must complete and submit a Campus-Wide Elections Filing Agreement for each race they are entering.

Sec. 6.8 CODE AVAILABILITY. A copy of the updated version of this code and other relevant government documents is available to each candidate on the Student Elections webpage, <https://deanofstudents.utexas.edu/studentelections/>

- a. The election codes and other relevant documents on this website shall be considered accurate and the most up-to-date versions unless otherwise noted.

Subchapter B: Candidate Seminar

Sec. 6.9 DATE OF CANDIDATE SEMINAR. The Election Supervisory Board shall set the candidate seminar date.

- a. The exact time and place of the seminar shall be set no later than the beginning of the filing period.

Sec 6.10 NOTICE OF CANDIDATE SEMINAR. At the time of filing, candidates will be informed of the candidate seminar. After the initial notice is sent, ESB will send a follow-up reminder to candidates about the candidate seminar. Each notice about the candidate seminar will include the following information:

- a. The date, time, and location of the candidate seminar;
- b. The advantages of attending the seminar, including the opportunity to learn about the election rules;
- c. The rule that attendance is a prerequisite for joining the campus-wide elections organization;
- d. The benefits of being a member of the campus-wide elections organization.

Sec. 6.11 CANDIDATE SEMINAR AGENDA. The Election Supervisory Board shall set the agenda for candidate seminar.

- a. The agenda must include explanations of this code, review of the election timetable, and answering of candidate questions.
- b. Attendance at the candidate seminar is required of each candidate running in a race that is part of the campus-wide elections process. Failure to attend the seminar shall not be an acceptable excuse for violating this code.
- c. The ESB shall take attendance at the candidate seminar in any means they deem reasonable.

Failure to participate or fill out attendance is not an acceptable excuse for violating this code.

Sec. 6.12 CANDIDATE SEMINAR ABSENCE. If the candidate has an excused absence as determined by the Election Supervisory Board, then they may send an authorized agent in their place.

- a. The Election Supervisory Board must be notified of the substitution at least eight hours in advance of the candidate seminar.
- b. Failure to attend the seminar will result in an automatic disqualification from campus-wide elections. The ESB shall inform disqualified candidates by email within 24 hours.
- c. Failure to participate in or fill out attendance as required by the ESB at the candidate seminar will result in disqualification.

Sec 6.13 CANDIDATE ELIGIBILITY. Each entity will be responsible for certifying each candidate's eligibility before the candidate seminar.

- a. Candidates who fail to meet eligibility requirements will be disqualified immediately and notified of this action in writing.
- b. Each entity must provide the ESB with an eligibility roster by 1:00 PM the day of the candidate seminar.
- c. Both the ESB and each entity, respectively, shall notify any ineligible candidates via email within 24 hours.

Subchapter C: Financial Disclosures

Sec. 6.14 CAMPAIGN EXPENDITURE RECORDS. Each candidate must keep accurate and up-to-date records of all campaign receipts and expenditures. A template for financial disclosures for use by all candidates will be developed by the Election Supervisory Board and provided to each group by the first day of filing.

Sec. 6.15 PROHIBITED AFFILIATION. Except in cases of a bona fide executive alliance as provided for in this code, no candidate is allowed to contribute financially or provide any other form of tangible support, including but not limited to campaign materials, to another candidate's campaign.

- a. Sharing campaign money, campaign materials, and resources between and amongst candidates who are not in a bona fide executive alliance is strictly prohibited.

Sec. 6.16 FINANCIAL DISCLOSURE STATEMENT. Financial disclosure statements shall be filed on the campus-wide election webpage at the following times:

- a. by 4:30 p.m., on the first day of campaigning.
- b. by 4:30 p.m., on the last day of the general or special election.
- c. The ESB must make all financial disclosures submitted by campaigns publicly available within 24 hours of the submission deadline.

Sec. 6.17 NOTIFICATIONS OF FINANCIAL DISCLOSURE DEADLINES. ESB will send a notification of an upcoming financial disclosure deadline within 24 hours of the deadline but no later than 12 hours from the deadline.

- a. The notification will be sent by email to candidates.

Chapter VII - Campaigning

Sec. 7.1 START OF CAMPAIGNING. The sanctioned campaign period shall begin at 12:01 a.m. on the Monday two weeks prior to the opening of the polls.

Sec. 7.2 SPENDING LIMITS. Each group participating in campus-wide elections will set its own spending limits for campaigns and is responsible for enforcing these limits with the candidates running in their respective races.

Sec. 7.3 EXCEEDING SPENDING LIMIT. Candidates whose total expenditures exceed 120% of their designated spending limit will be immediately disqualified. In extenuating circumstance, ESB may apply a substitute sanction.

- a. Total expenditures will include all campaign expenditures, contributions of funds, fair market value of campaign materials and all fines issued by ESB and/or other regulatory bodies.
- b. Fair market value shall be defined as the price that property, goods, or services would sell for on the open market. It is the price that would be agreed on between a willing buyer and a willing seller, with neither being required to act, and both having reasonable knowledge of the relevant facts.
- c. The Election Supervisory Board shall reserve the right to audit any candidate's fair market value submitted in their financial disclosures. If requested, candidates must provide the board with receipts, calculations, or other methods for how they assessed fair market value.
- d. Failing to cooperate with an audit, or willful distortion of fair market value, shall constitute an immediate Class A violation levied by the ESB, subject to a fine.

Sec. 7.4 UNAUTHORIZED CAMPAIGNING. All candidates are prohibited from campaigning, soliciting, or otherwise bringing attention to their campaign or election before the campaign period.

- a. This prohibition includes all attempts to secure endorsements, sponsorships, or any other presentation of information made for public consumption or use.
- b. However, this prohibition does not include the personal individual recruitment by a candidate of individual team members.

Sec. 7.5 SOCIAL MEDIA ACTIVITY. Any social media activity that propagates specific language (by retweeting, sharing, or equivalent means) is considered speech on the part of the campaign and subject to the provisions in this code and university guidelines that regulate speech.

- a. Social media activity is defined as any action that originates from an account on a social media platform that is entirely intended to campaign for the individual or campaign-related material that originates from an account of a candidate or campaign agent as defined by Title II, Chapter II of the Campus-Wide Election Code.

- b. Candidates, agents, and workers may not be penalized for expressions of affirmation (including likes, heart-reacts, and similar expressions) that originate from their social media accounts.

Sec. 7.6 DISCLOSURE OF CAMPAIGN STAFF. Each campaign will be required to submit to ESB an up-to-date list of all agents and workers at least as often as each financial disclosure deadline.

- a. These disclosures will be made publicly available.
- b. It will be the responsibility of all campaign staff to ensure accurate and up-to-date records of agents and workers are kept between campaign staff disclosure dates and is the candidate's responsibility to ensure these records are disclosed to the ESB in an appropriate manner.

Sec. 7.7 VERBAL HARASSMENT. Candidates, as well as their agents and workers, will not engage in campaigning activities that subject students, faculty, or the administration to demeaning verbal harassment as determined by the university's institutional rules.

Sec. 7.8 PROHIBITION OF BRIBERY. No candidate, agent, or worker, may exchange anything of value or food-related items, excluding campaign material, in return for a promise of a vote at any time before, during and/or after the campaign period.

Sec. 7.9 ELECTRONIC MEDIA. All campaign materials must be in compliance with university regulations and the Campus-Wide Election Code governing the use of electronic media.

Sec. 7.10 DESTRUCTION OF CAMPAIGN MATERIALS. No candidate, agent, or worker will remove, obscure, or damage any campaign materials that are not their own.

Sec. 7.11 COMPLIANCE WITH BUILDING POLICIES. All candidates will be responsible for ensuring that their campaign activities and/or campaign materials are in compliance with university building policies.

Sec. 7.12 SANCTION FOR COLLECTING STUDENT IDS. The collection of personal identifiers or student identification to facilitate voting is prohibited in accordance with the policies of the university IT Security Policy Office and may subject the candidate to disqualification by ESB.

Sec. 7.13 ENTITY-SPECIFIC ELECTION CODES. Details regarding campaigning for a particular race that are not outlined within this code fall under the jurisdiction of the race's respective group.

Sec. 7.14 PROHIBITED USES OF ENTERPRISE TECHNOLOGY. No candidate or its agents or workers may campaign through the use of Canvas, UT-owned or managed email addresses, or any other technology that the board or members of the university seem to interfere with Instruction.

Chapter VIII - Polling

Sec. 8.1 JURISDICTION. The Election Supervisory Board shall have jurisdiction over all polling locations on the days of elections governed by this code.

- a. All polling locations must abide by this code.

Sec. 8.2 PUBLISHING STATION LOCATIONS. The locations of polling stations must be published online and publicized at least 24 hours before the start of the first election day.

Sec. 8.3 PROHIBITION OF CAMPAIGNING AND CAMPAIGN MATERIALS WITHIN POLLING

LOCATION PERIMETER. No campaigning or campaign materials may exist within 20 feet of any on-campus polling location.

Sec. 8.4 PROHIBITION OF VOTER EXCLUSION. No potential voter may be specifically excluded from casting a vote at any polling location.

Sec. 8.5 VALID VOTING MECHANISMS. Any electronic device with internet access is acceptable for use in voting in all elections. Students must provide their UT EID in order to vote.

Sec. 8.6 RANDOMIZED BALLOT ORDER. The order in which candidates in a single race appear on the ballot shall be randomized, so each candidate appears in each position an equal number of times across all ballots.

- a. If this is not possible as determined by the Office of the Dean of Students, the order in which candidates appear on the ballot for each race shall be randomized by the chair of the Election Supervisory Board. This random order will be the order of candidates on every ballot and shall be made known to the candidates at least 48 hours before voting begins.

Chapter IX - Election Calculations and Results

Sec. 9.1 CERTIFICATION OF VOTES. The Dean of Students and the Election Supervisory Board chair shall certify the votes in all races that are part of campus-wide elections immediately following the closing of polls.

Sec. 9.2 VOTE CALCULATIONS FOR SINGLE-WINNER ELECTIONS. In calculating the votes of any single-winner race, the candidate(s) who receives the most votes shall be certified in the respective position.

Sec. 9.3 VOTE CALCULATIONS FOR MULTIPLE-WINNER ELECTIONS. In calculating the votes of any multiple-winner race, the candidate(s) who receive the most votes shall be certified in the respective position.

- a. The candidates who receive the most votes shall be certified in the respective positions.
- b. If, at any point in the count, the number of continuing candidates equals the number of remaining unfilled positions, the continuing candidates shall be certified in the respective positions.

Sec. 9.4 NO MINIMUM NUMBER OF VOTES. There shall be no constitutional provision requiring a minimum number of voters participating in any general or special election to validate that election.

Sec. 9.5 RUNOFF ELECTION. In the result of a tie in any race, a runoff election will occur between the candidates to determine the winner.

Sec. 9.6 ELECTION RESULTS ANNOUNCEMENT. Results of any election under this code shall be announced no later than 5 p.m. the Monday after the polls close for the election. This timeline allows for all complaints and appeals to be fully resolved before election results are ratified and announced. The location of both the announcement and posting of the results is to be announced by the Election Supervisory Board no later than the candidate seminar.

Sec. 9.7 ACCESS TO VOTE AND TABULATION DATA. The vote and tabulation data of each race and/or software used to calculate the election results must be made available to any student who requests it.

Chapter X - Election Code Review

Sec. 10.1 PURPOSE OF THE REVIEW COMMITTEE. At the end of each election period, opinions made by the Election Supervisory Board will be reviewed and necessary changes will be made to the Campus-Wide Election Code to maintain the relevance and effectiveness of the document over time.

Sec. 10.2 REVIEW COMMITTEE. Each entity participating in campus-wide elections will put forward one or two representatives to participate in the review of Election Supervisory Board rulings made during the year.

Sec. 10.3 REVIEW PROCESS. Once assembled, the committee will review each opinion and determine whether it adds substantial guidance and clarity to the Campus-Wide Election Code. If so, the committee will draft amendments for the Campus-Wide Election Code to integrate the substance of the opinion.

Sec. 10.4 APPROVAL PROCESS. Any amendments drafted by the review committee need only the approval of four-fifths of the committee. Each entity will have one vote.

Sec. 10.5 ENTITY VETO. If a majority of voting members in any of the five entities reject the committee's proposed amendments by a vote or formal statement, the amendments will be considered vetoed. This veto would need to be formalized before the deadline to submit amendments to this election code.