

Resolution SS1112-09

September 28, 2011

COMMITTEE ON OVERSIGHT
BEN NOE, CHAIRMAN**A RESOLUTION PROPOSING AN AMENDMENT TO THE
CONSTITUTION OF THE UNDERGRADUATE STUDENT BODY
CONCERNING ELECTIONS****I. Clause (VI)(1)(a)(1) is hereby amended to read as follows:**

(1) Each Senator shall be elected by the undergraduate residents of each hall prior to March 1 each year. Students who both reside off-campus currently and will by fall semester shall elect one undergraduate student prior to the third Friday of March of each year to serve as the Off-Campus Senator.

II. Subsection (VI)(8)(a) is hereby amended to read as follows:

(a) In the event of an appeal of an Election Committee decision, the Senate shall convene within 24 hours to hear the appeal.

III. Subsection (VI)(8)(b) is hereby amended to read as follows:

(b) All appeals must be filed within 12 hours of the conclusion of the hearing.

IV. Subclause (XIV)(1)(c)(2)(A) is hereby amended to read as follows:

(A) The Judicial Council Vice-President of Elections shall coordinate the duties of the Hall Election Coordinators, Election Committee, and the elections in accordance with the elections stipulations in Article XVIII of this Constitution.

V. Subclause (XIV)(1)(c)(2)(C) is hereby repealed.**VI. Subsection (XIV)(2)(c) is hereby repealed.****VII. A new subsection, to be designated Subsection (XIV)(2)(e), shall be inserted after Subsection (XIV)(2)(d) and shall read as follows:**

(e) Hall Elections Coordinators.

(1) A Hall Election Coordinator shall be appointed by the president of each residence hall by September 15th.

(2) Hall Elections Coordinators shall be responsible for ensuring each hall election proceeds according to the guidelines stipulated in this Constitution.

(3) Hall Elections Coordinators shall be overseen by the Vice-President of Elections.

VIII. Subsection (XIV)(5)(a) is hereby amended to read as follows:

(a) All allegations of election misconduct are to be submitted to the Vice-President of Elections. All potential violations must be reported within 48 hours of the time committed or by 11:59PM on the day of the election, whichever is sooner.

IX. Subsection (XIV)(5)(e) is hereby amended to read as follows:

(e) Any time the Election Committee finds a candidate/ticket in violation of the elections regulations or guilty of misconduct, the Vice-President shall issue a written decision on behalf of the Judicial Council to be released to the campus media, which shall include the violation, the sanction given, and a brief explanation for the decision. The Vice-President of Elections shall provide the candidate a full statement, in writing, of the Election Committee's decision; the statement shall explain the process leading to that decision as best as possible and is for the candidate's use only. All other information pertaining to hearings and appeals shall be considered confidential.

X. Subsection (XIV)(5)(f) is hereby amended to read as follows:

(f) The Election Committee must convene within 24 hours of the submission of the allegation to the Vice-President of Elections.

XI. Subsection (XIV)(5)(g) is hereby amended to read as follows:

(g) No new allegations may be submitted after 11:59PM on the day of the election.

XII. Subsection (XIV)(5)(i) is hereby amended to read as follows:

(i) Any decision of the Election Committee may be appealed directly to the Senate. Appeals of the decision of the Election Committee must be filed within 12 hours of the conclusion of the hearing.

XIII. Subsection (XIV)(6)(b) is hereby amended to read as follows:

(b) In the event of a run-off election, the Judicial Council shall host an additional debate between the run-off candidates on the Sunday following the primary election.

XIV. Subsection (XVIII)(1)(d) is hereby amended to read as follows:

(d) Campaigning may be held only over a period specified by the Election Committee. Campaigning consists of any public contact for the solicitation of votes. Personal appearances, placement of posters, or distributions of any election materials is considered campaigning. Any campaigning before or after the specified period is a violation of campaign rules, the penalty for which may include a maximum penalty of forfeiture of candidacy. Campaigning within LaFortune is allowed only in the basement and the first floor. The only exception to this is the radio station WVFI. In addition, no campaigning may take place in or near any Student Union office or venues occupied by the Student Union, including (but not limited to) all meetings, events, or agendas of official business, as well as space that is funded by the Student Activities

Office. In addition, no candidates may campaign in any classroom whether before, during, or after class period. A violator's punishment is up to the discretion of the Election Committee.

XV. Subsection (XVIII)(1)(e) is hereby amended to read as follows:

(e) E-mail as a source of campaigning may be used; however, the use of Listservs is prohibited. A Listserv email is any email sent that ends in "@listserv.nd.edu" and any variations in terms of capitalization thereon. Any allegations of misconduct with e-mail will be heard on an individual basis and acted upon by the Election Committee in accordance with Election and Judicial Council bylaws. Candidates may be held responsible for the actions or misconduct of their supporters.

XVI. Subsection (XVIII)(1)(f) is hereby amended to read as follows:

(f) Endorsements.

- (1) Candidates/tickets may solicit and campaign on endorsements from student groups.
- (2) No Student Union organization may endorse a candidate for a student office.
- (3) No student group may use funds of any type (allocated or unallocated) to support a candidate for a student office.
- (4) Candidates may not solicit, accept, or campaign on endorsements from University offices, departments, etc.

XVII. A new clause, to be designated Clause (XVIII)(1)(m)(5), is to be inserted after Clause (XVIII)(1)(m)(4) and shall read as follows:

(5) No election result may be released to the public while any allegation or appeal is pending.

XVIII. Subsection (XVIII)(2)(g) is hereby amended to read as follows:

(g) Posters to be placed on bulletin boards may not exceed eleven inches by seventeen inches. Posters may be placed inside residence halls and within public buildings. No posters may be placed within the classrooms themselves. Copies of all campaign materials must be submitted to the Election Committee and stamped for approval by the Vice President of Elections or a voting member of the Election Committee before posting. A violator's punishment is up to the discretion of the Election Committee.

XIX. Clause (XVIII)(2)(j)(2) is hereby amended to read as follows:

(2) The primary election for the Student Body President and Student Body Vice-President shall be held on the Wednesday after the first Sunday in February. The run-off election is the Monday following the primary election.

XX. Clause (XVIII)(5)(a)(5) is hereby repealed.

XXI. Section (XVIII)(6) is hereby repealed.

XXII. Section (XVIII)(7) is hereby repealed.

XXIII. Subsection (XVIII)(1)(m) is hereby amended to read as follows:

(m) All allegations of election misconduct are to be submitted to the Vice-President of Elections. All potential violations must be reported within 48 hours of the time committed or by midnight on the day of the election, whichever is sooner.

XXIV. Subsection (XIX)(5)(a) is hereby amended to read as follows:

(a) Funds of any type (allocated or unallocated) cannot be used for a direct contribution to any candidate for political office, including student elections.

XXV. A new clause, to be designated Clause (XIX)(5)(c)(6), is to be inserted after Clause (XIX)(5)(c)(5) and shall read as follows:

(6) None of these activities may be used to support a candidate for student office except for endorsement. No funds of any type (allocated or unallocated) may be used to support a candidate for student office.

XXVI. This act shall take effect pursuant to Section (I)(4) of the Constitution of the Undergraduate Student Body.