

Changes to the Election Section of the Constitution

passed
unanimously

Section I: General Provisions

1. Any Notre Dame undergraduate student in good standing with the University's registrar is eligible to declare candidacy. Good academic standing will be determined by the First Year of Studies Program for freshmen and by the Office of the Registrar for all other candidates. *(General)*
2. All election rules and campaigning are subject to University regulations as outlined in duLac. Please note that the placing of posters in non-bulletin board space is not permitted by University regulations, and candidates do so at their own risk. *(General)*
3. 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 pre-approved areas of the basement and the 1st 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. *(General)*
4. E-mail as a source of campaigning may be used; however, the use of Listservs is prohibited. 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. *(General)*
5. No candidate/ticket may solicit an endorsement from a person(s), organization, or hall. Penalty for violation may result in the forfeiture of candidacy. Personal emails shall not constitute **and** endorsement. *(General)*
6. Candidates shall be held responsible for the behavior of their supporters and anyone in their campaign organization. *(General)*
7. Candidates are expected to behave ethically at all times. Unethical behavior will be penalized by the Election Committee and Executive Committee of Judicial Council. Examples of unethical behavior include monopolization of limited bulletin board space, covering or defaming of any other candidates' posters, insulting or defaming other candidates, and harassment or misconduct toward any election officials. Penalty for misconduct may result in forfeiture of candidacy. *(General)*
8. Beginning at midnight the day of the election, the immediate polling place must be cleared of all campaign literature by the hall judicial board representative in the case of in-hall voting, and by a judicial board member in the case of voting that takes place elsewhere. "Immediate polling place" is defined as the area within 20 feet of the ballot station. Further, all forms of campaigning are prohibited after midnight the day of the election in this specific area. *(General)*
9. Blank votes, unapproved write-ins, or split ticket votes shall not count as valid votes and shall not be considered in the final tally. *(General)*
10. In cases of elections where there is one candidate/ticket running unopposed the Judicial Council may recommend that the Student Senate suspend the election and the candidate/ticket shall be declared the winner. *(General)*

11. No new bylaws pertaining to elections may be put into practice after petitions become available, without a three-fourths vote of the Senate. *(General)*
12. 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.
 - a. The Judicial Council shall then conduct a review of the allegation as outlined in the Judicial Council Article and follow appropriate procedures.
 - b. The Election Committee and Executive Committee of Judicial Council reserve the right to change any penalty based on the magnitude of the offense. Both committees will adhere to a policy of keeping all rules uniform to all candidates.
 - c. In any dispute over the interpretation of these rules, any interpretation may be appealed to the Student Senate.
 - d. The penalty imposed by the Executive Committee shall be suspended until such time as the Senate hears the appeal. *(General)*
13. Failure to settle any penalties before election days shall result in immediate forfeiture of candidacy. *(General)*

Section II: Student Body President & Vice-President and Class Officers

1. The election shall be held on or before April 1 each year. The exact date shall be announced before January 30. *(General)*
2. There shall be an informational meeting for all candidates. The Bylaws shall be explained and all rules and regulations will be discussed. It is the responsibility of all candidates to be fully aware of the official election rules as outlined in these Bylaws and all University regulations in reference to posting. *(General)*
3. Campaigning may begin as soon as a candidate/ticket has turned in a fully signed petition and it is verified and approved by the Election Committee. *(General)*
4. No petition shall be accepted after the deadline without prior written approval of the Election Committee. A new member on a ticket without approval by the Election Committee must get new signatures. Only official petitions as distributed by the Election Committee may be used. An official list of candidates shall be posted outside the Student Government Office. *(General)*
5. Receipts for all election materials purchased or donated must be presented to the Election Committee prior to any use of the materials. All receipts must be accompanied by a list of materials purchased.
6. Failure to disclose the proper cost of any election materials is a highly serious breach of campaign rules. Penalty shall be forfeiture of candidacy. *(General)*
7. 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 two members of the Executive Committee before posting. A violator's punishment is up to the discretion of the Election Committee. *(General)*
8. Candidates are also encouraged to construct a campaign web site on the Internet. The web addresses of such pages may be submitted to the Election Committee at any of the designated campaign material approval times. Judicial Council will send one e-mail to the undergraduate student body with a link to its web site prior to the elections. The Judicial Council web site shall contain the following: links to tickets' web sites; times, dates, locations, and participants in debates (upon availability); rules and regulations for elections; posted times, dates and locations of voting stations; and other relevant information, including how to contact Judicial Council. If a ticket submits a web

site to Judicial Council after the Judicial Council web site has been created, no additional links will be added. The Election Committee must approve all web sites if their addresses are to be distributed by Judicial Council. All pages will be monitored during the time allotted for campaigning for decency and appropriateness. *(General)*

9. Write-in candidates are those candidates who missed the deadline or switched tickets after the deadline. Write-in candidates may be voted for, but will not appear on the ballot. Write-in candidates shall be approved under the following conditions:
 - a. Candidates must furnish independent proof of good academic standing from the First Year of Studies or the Office of the Registrar.
 - b. The Election Committee shall not undertake the responsibility for informing the student body of write-ins placement on the ballot.
 - c. A petition with 150 signatures must be submitted. *(General)*
10. Student Body President and Vice-President Election
 - a. Candidates for Student Body President and Student Body Vice-President must run on the same ticket. Students may not split tickets when voting. *(SB, Senate, HPC)*
 - b. The primary election for Student Body President and Student Body Vice-President will be four Mondays after the first Tuesday of classes of the second semester. The run-off election is the Thursday of the week of the primary. In the event of a re-election run-off, the new run-off will be held on the Tuesday following the original run-off election. *(SB, Senate, HPC)*
 - c. Petitions for the office of Student Body President and Vice-President shall require 700 signatures for the placement on the ballot. *(SB, Senate, HPC)* Petitions will be made available at Noon on the first Tuesday of classes of the second semester. The deadline for the filing of all petitions is Noon of the Friday of the following week. *(General)*
 - d. A campaign limit is set for all Student Body Presidential and Vice-Presidential candidates' tickets at \$200.00. *(SB, Senate, HPC)* All outside contributions count toward the limit. All donations shall be assessed towards the limit at their fair market value with the sole exception of an individual's labor which shall not be assessed against the limit. Combining campaigning funds of more than one ticket is not permitted and shall result in forfeiture. Penalties are up to the discretion of the Election Committee. *(SB, Senate, HPC)*
 - e. The Judicial Council shall facilitate campus debates for the candidates running for Student Body President and Student Body Vice-President. *(SB, Senate, HPC)*
11. Class Officer Election
 - a. Candidates for Class Officers must run on one ticket that designates the positions of President, Vice-President, Secretary, and Treasurer. Students may not split tickets when voting. *(CC, OCS, OCP)*
 - b. Petitions for class officer shall require 100 signatures for the placement on the ballot. *(CC, OCS, OCP)*
 - c. A campaign limit is set for all candidates' tickets at \$75.00. ~~(See Section II, 3)~~ *(CC, OCS, OCP)* All outside contributions count toward the limit. All donations shall be assessed towards the limit at their fair market value with the sole exception of an individual's labor which shall not be assessed against the limit. Combining campaigning funds of more than one ticket is not permitted and shall result in forfeiture. Penalties are up to the discretion of the Election Committee. *(This is what Section II, 3 said)*

Section III: Hall Elections

1. General Hall Provisions
 - a. **All hall elections are to be conducted by the Hall Election Coordinator.**
 - b. Each Hall Election Coordinator is responsible for following the guidelines set forth by the Election Committee. *(General)*

- c. 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 (*adapted from General*).
 - d. **Each Hall Election Coordinator must hold an information session for students interested in the positions.**
 - e. Receipts for all election materials purchased or donated must be presented to the Hall Election Coordinator prior to any use of the materials. All receipts must be accompanied by a list of materials purchased (*adapted from General*).
 - f. Candidates may construct a campaign web site on the Internet. The web addresses of such pages may be submitted to the Hall Election Coordinator for approval. (*adapted from General*)
2. Hall Senator, President, Vice-President(s), and SUB Representative
- a. The election for Senator shall be held prior to March 1 of each year (*from Senate Article*). The election for President, Vice-President(s), and SUB Representative shall be held ~~on or~~ before April 1 each year. (*General*) **The Judicial Council reserves the right to specify dates for hall elections pending the approval of the Hall Presidents' Council. In the absence of specified dates, hall election dates may be determined by the Hall Election Coordinator, but must be conducted prior to the final meeting of the current Student Senate, Hall Presidents Council, and Student Union Board.**
 - b. **The A residence hall Senator, President, and SUB Representative must reside in the residence hall that he/she wishes to represent during the entire term of office. (*SB, Senate, HPC*) Halls may not have more than one person fulfill any of these positions during a term.**
 - c. **Each hall may have up to two Vice-Presidents. If a hall has two Vice-Presidents, they shall serve in different semesters. The Vice-President must reside in the residence hall during the semester in which Vice-President is serving. Vice-Presidents who split up their terms must run on a ticket together.**
 - d. **Each hall shall be responsible for determining the formation of tickets amongst any or all of the elected hall positions.**
 - e. Each hall shall be responsible for petitions for **candidates and/or tickets** ~~Senators and Hall Presidents.~~ (*SB, Senate, HPC*)
 - f. A campaign limit is set for all candidates for Senator, ~~and Hall President,~~ **Vice-President(s) and SUB Representative** at \$50.00. (*SB, Senate, HPC*) **If tickets are formed amongst any of these positions the spending limit shall apply to the entire ticket and not to the individuals who make up the ticket.** All outside contributions count toward the limit. All donations shall be assessed towards the limit at their fair market value with the sole exception of an individual's labor which shall not be assessed against the limit. Combining campaigning funds of more than one ticket is not permitted and shall result in forfeiture. Penalties are up to the discretion of the Election Committee. (*SB, Senate, HPC*)
3. Freshman Class Council (*all from FCC Article*)
- a. Freshman Class Council Representatives shall either be elected by a majority vote of the freshmen in each residence hall by September 15 or selected according to the following guidelines.
 - i. Written notification of intent to select a candidate rather than elect a representative shall be submitted to the Judicial Council President by the President of the residence hall no less than two academic weeks before the scheduled election.
 - ii. Each residence hall shall sufficiently advertise its intentions to select its own freshmen and allow all interested freshmen to participate to ensure a fair selection process.
 - iii. A freshman shall submit a petition of no less than 10% of the residence hall's freshman residents to be considered an eligible candidate.
 - iv. The hall council shall administer the application, selection, and interview process.
 - b. The selection and interview committee shall consist of no less than the Hall President and Vice-President and the previous representative to the Freshman Class Council. The hall rector shall

serve as a non-voting member of the selection and interview committee. Any additional members of the selection and interview committee shall be approved by the hall council.

- c. The selection and interview committee shall establish the criteria by which a candidate is selected.
- d. A campaign limit is set for all candidates at \$20.00. ~~(See Section II, 3)~~ (CC,OCS,OCP) All outside contributions count toward the limit. All donations shall be assessed towards the limit at their fair market value with the sole exception of an individual's labor which shall not be assessed against the limit. Combining campaigning funds of more than one ticket is not permitted and shall result in forfeiture. Penalties are up to the discretion of the Election Committee. *(This is what Section II, 3 said)*

Section IV: Off-Campus Elections

1. The election shall be held on or before April 1 each year. *(General)*
2. The off-campus Senator must reside off-campus during the entire term of office. Having a university-provided, on-campus residence disqualifies a person from this office. *(SB, Senate, HPC)*
3. Candidates for Off-Campus ~~Co~~-President **and Vice-President** must run on the same ticket. Students may not split tickets when voting. *(CC,OCS,OCP)*
4. Off-Campus Senator and Off-Campus President **and Vice-President** shall require no petition. *(CC,OCS,OCP)*
5. A campaign limit is set for all candidates' tickets at \$75.00. ~~(See Section II, 3)~~ (CC,OCS,OCP) All outside contributions count toward the limit. All donations shall be assessed towards the limit at their fair market value with the sole exception of an individual's labor which shall not be assessed against the limit. Combining campaigning funds of more than one ticket is not permitted and shall result in forfeiture. Penalties are up to the discretion of the Election Committee. *(This is what Section II, 3 said)*

Section VI: Election Results

1. To win the election, a candidate/ticket must receive fifty percent plus one of the valid votes cast.
 - a. A run-off shall be held between the two highest vote getting candidates/tickets if no candidate/ticket received the required total on the first ballot. *(General)*
 - b. In the event of a tie in a Senatorial, ~~or~~ Hall President, **or Hall SUB Representative** election, additional run-off elections shall be held in the individual residence hall until a majority is obtained. *(General)*In the event of a tie in the run-off election for a residence hall Senator ~~or~~ Hall President, **or Hall SUB Representative**, additional run-off elections shall be held in the individual residence hall until a majority is obtained. *(General)*
 - c. In the event that no candidates/tickets receive 50% plus one of the valid votes cast for candidates/tickets, in the run-off election, for the Student Body President, Student Body Vice-President, Class Officers, Off-Campus President, or Off-Campus Senator, the Student Senate shall convene a closed meeting and select the winner by a majority vote. *(General)*
 - i. Prior to the meeting, the Judicial Council president shall present each senator with the voting breakdown from the Senator's respective dorm.
 - ii. In light of this information, each Senator may cast his vote freely.
 - iii. If the Senate stands equally divided, the chairperson shall cast the deciding vote.
 - iv. All senators must be present at the meeting.
 - v. Strict penalties shall be enforced for breaking policies surrounding closed meetings.
 - vi. Following the vote, the meeting shall be opened and the decision of the Senate shall be announced to the Student Body.

- vii. If a Senator cannot attend this meeting, his/her vote shall be made by the Judicial Council President according to the plurality of this dorm. If there is no plurality, the vote must be abstained. *(General)*
- d. Candidates have the right to request a recount in all elections, but as a matter of procedure the Election Committee will recount all elections decided by less than twenty-five votes. *(General)*
- 2. In the event that a candidate in a run-off election is forfeited, whether due to choice or by sanction, a re-election will be given to the student body. *(General)*
 - a. The two top remaining tickets with the highest vote total from the primaries will be introduced in the run-off re-election. *(General)*
 - b. The re-election shall take place no later than four days following the forfeiture of the candidate/ticket. *(General)*
 - c. The two remaining tickets may receive a nominal increase of \$35 to their spending limit. *(General)*

Section VII: Absentee Voting

- 1. Undergraduate students absent from the University of Notre Dame campus on the day of any election have the right to vote absentee. Students must meet strict criteria for absence, including but not limited to, immediate family or medical needs or other extenuating circumstances.
 - a. Requests for absentee voting will be reviewed and handled on an individual basis.
 - b. All requests for absentee voting (except emergencies) must be received no later than three days prior to the election.
- 2. Absentee voting may be done via e-mail. Absentee e-mail votes must be signed by the voting student and be received by the Election Committee by a time decided by the committee.
- 3. The Election Committee shall determine the validity of absentee ballots.

Section VIII: Special Elections -- Abroad Voting

- 1. Any Notre Dame undergraduate students studying away from Notre Dame through a Notre Dame or Saint Mary's College sponsored program shall be afforded the right to vote in campus elections through a special election coordinated by Notre Dame Student Government at the site of the students' program of study or by e-mail absentee ballot.
- 2. A member will be selected from within the Election Committee to serve as a liaison to the abroad programs.
 - a. The liaison shall be responsible for updating abroad students on elections.
 - b. The liaison shall provide the abroad students with the necessary means for voting, including organizing special election sites.
 - c. Each special election site shall have an Election Coordinator approved by the Election Committee who is responsible for the efficient, orderly and honest running of the election. The Election Coordinator is responsible for making the official election materials available and the time of the time and place of the special election known to the Notre Dame undergraduates in the area of the program of study.
 - d. The Election Coordinator shall count the votes cast at the program site and phone in the results to the Election Committee by a time decided by the Election Committee.
- 3. If a special election site does not exist at the student's study abroad location, elections can be conducted overseas by a pre-approved liaison or by direct e-mail to the Judicial Council.