

Summer 5-1-2012

## Senate Bill SB-12SA-2598 Title VI Revisions, Elections and Appointments Act of Summer 2012

Student Government Association  
*University of North Florida*

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# SENATE LEGISLATION

## SB-12SA-2598

### *SB-12SA-2598 : The Title VI Elections and Appointments Act of Summer 2012*

Whereas: The Student Government of the University of North Florida was established to represent student concerns in all University wide matters; and

Whereas: The Student Senate is the legislative body of the University of North Florida's Student Government given the responsibility of carrying out such legislative acts that are necessary and proper for the Student Body of the University of North Florida; and

Whereas: Legislation dealing with necessary and proper statutory revisions shall be considered by Student Senate; and

Whereas: Title VI is being further updated and changed,

Therefore; the following revisions are being made to Title VI;

### **TITLE VI: THE ELECTION AND APPOINTMENTS CODE**

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#### **Chapter 600: Introduction and Guidelines**

##### **600.1 Introduction**

- 2 A. In accordance with Florida Statutes (Title XLVIII Chapter 1004.26), "Each  
3 student government shall be organized and maintained by students and  
4 shall be composed of at least a president, a student legislative body, and a  
5 student judiciary. The president and the student legislative body shall be  
6 elected by the student body; however, interim vacancies and the student  
7 judiciary may be filled in a manner other than election as prescribed by the  
8 internal procedures of the student government." Therefore, the University  
9 of North Florida Student Government will hold General, Special, and/or  
10 Inter-Collegiate Elections occurring during the Fall and Spring Semesters  
11 to elect a President, Vice-President, and Student Senators.  
12
- 13 B. The standing committee of the University of North Florida (UNF) Senate  
14 assigned the responsibility for oversight, review, and periodic update of the  
15 policies expressed in the Election Code shall be known as the Elections &  
16 Appointments Committee (E&A).  
17
- 18 C. The ad-hoc committee of the UNF Senate assigned certain electoral  
19 responsibilities during an election cycle shall be known as the Elections  
20 Commission (EC). Such responsibilities shall be prescribed in Chapter 605.  
21
- 22 D. Amendments to the Election Code are subject to Article 2, Section 10A  
23 and require two-thirds (2/3) approval from Senate.  
24
- 25 E. For Senatorial and Executive Elective Offices and Apportionment refer to  
26 Article V of the Constitution.  
27

## 28 Chapter 601: Definitions

29  
30 The following words and phrases, when used in this title, shall be defined as  
31 the following:  
32

- 33 A. Billboard Campaigning- Placement of constructed materials (i.e.: road  
34 signs, plywood billboards, posters, etc.), advertising or calling for support  
35 of a specific candidate(s) or party for an elective office of Student  
36 Government.  
37
- 38 B. Campaigning- All publicizing and/or distribution of campaign materials  
39 (i.e.: flyers, handbills, food, etc.) on campus which solicits or calls for  
40 support of a candidate(s) or party for an elective office of Student  
41 Government during the campaign period:  
42
- 43 1. Active Campaigning- Campaigning in which the person engages  
44 individuals in an unsolicited manner on campus. One example  
45 is a candidate passing out flyers or other promotional materials  
46 to a constituent.  
47

2 2. Passive Campaigning- Campaigning in which individuals call  
3 for support of a candidate without soliciting others in an active  
4 or verbal manner.

5  
6 3. Verbal Campaigning- campaigning with sign language and/or  
7 speech (including internet).  
8

9 C. Campaign Expense- the full cost of all materials used to support or  
10 promote a party's or individual's Student Government election campaign.  
11

12 D. Campaign Guidelines Document- A university document derived  
13 separately from the Election Code, and designed to inform candidates of  
14 University and University-related regulations relevant to campaigning.  
15

16 E. Campaign Materials- all written or printed materials and items that are  
17 distributed in a manner which advertises or calls for support of a specific  
18 candidate(s) for elective office.  
19

20 F. Candidate- Any student who has properly submitted all of the necessary  
21 paperwork and has met the eligibility requirements for seeking an elective  
22 office of Student Government (i.e.: Senator, President, etc.)  
23

24 G. Day- as referred within the Election Code or mentioned as business day,  
25 shall be defined as being weekdays (Monday through Friday), 8am-5pm,  
26 during academic sessions. Academic Sessions include Spring, Summer and  
27 Fall semesters only. Spring Break and University holidays shall not be  
28 considered as business days.

29 H. Election Cycle- The Election Cycle will begin on the first day that a  
30 candidate application is properly submitted to the Election's Supervisor  
31 and will end after all Election related disputes have been resolved.  
32

33 I. Full Cost- The total dollar amount spent toward the purchase of a good  
34 or service.  
35

36 J. Incumbents- Individuals who currently hold an office in Student  
37 Government. Appointees are considered incumbents.  
38

39 K. Party- A political group; organized to promote and support common  
40 goals through the use of shared campaign materials and/or monetary  
41 resources.  
42

43 L. Polling Region- A seventy-five foot (75') radius surrounding the polling  
44 station.  
45

46 M. Exit Polling- A sample poll taken by any A&S Fee paying student,  
47 immediately following the casting of the votes.  
8

- 2 N. Exit Polling Barrier- A twenty foot (20') radius surrounding the polling  
3 station.  
4  
5 O. Referendum- A senatorially approved question or legislative act which is  
6 placed on the official ballot during an election for majority vote by the  
7 electorate. The decision of the majority of votes that are cast is not a final  
8 decision but will stand as a strong suggestion to Student Government,  
9 with the exception of a Constitutional Referendum, which is binding upon  
10 validation of the election.  
11  
12 P. Statute of Limitations- A statutorily prescribed time limit in which any  
13 election complaint may be filed.  
14  
15 Q. Ticket- Two (2) candidates cooperatively engaged in a campaign for  
16 President and Vice-President.  
17  
18 R. Total Campaign Cost- The sum of all campaign expenditures as reported  
19 by a candidate, ticket, or party.  
20  
21 S. Validation- Action taken by the Senate that formally acknowledges and  
22 ensures the accuracy of the vote totals as presented by the Elections  
23 Supervisor.

24 **Chapter 602: Election Timeline**

25 The following timeline will aid in the Election in that it outlines the specific time  
26 requirements set forth in this title. The Election Supervisor shall compile a candidate  
27 timeline with relevant dates. This timeline shall be distributed with the Candidate  
28 Application. This timeline shall be distributed with the Candidate Application.  
29  
30

Election Timeline	
Attribute	Time Period
<ul style="list-style-type: none"> <li>Candidates must attend one (1) Senate and two (2) Committee meetings</li> </ul>	Within the same school semester as the Elections
<ul style="list-style-type: none"> <li>Declaration of Intent</li> <li>Acknowledgment and Release Form</li> <li>Party Registration/ Re-Registration</li> </ul>	Due <del>on the twentieth (20) business day preceding the election</del> <u>on the second (2) day prior to the last opportunity to fulfill their Senate and Committee Obligations.</u>
<ul style="list-style-type: none"> <li>A list of all candidates who submitted a Declaration of Intent must be posted for two (2) Business Days</li> </ul>	On the business day succeeding the Declaration of Intent deadline
<ul style="list-style-type: none"> <li>Three (3) Candidate Seminars must be held</li> </ul>	Between the Declaration of Intent deadline and the Application deadline
<ul style="list-style-type: none"> <li>Candidate Applications Due</li> </ul>	On the Fifteenth (15) business day preceding the election
<ul style="list-style-type: none"> <li>Sample Ballot must be posted and remain up for two (2) business days</li> </ul>	On the business day succeeding the Application Deadline
<ul style="list-style-type: none"> <li>Candidate qualifications must be checked</li> <li>All unqualified candidates must be notified</li> </ul>	On the fifth (5) business day succeeding the Application deadline
<ul style="list-style-type: none"> <li>Candidate may petition disqualification to the Elections Primary Court</li> <li><u>Candidate may appeal Party Naming Restrictions</u></li> </ul>	Within two (2) business days of notification of disqualification
<ul style="list-style-type: none"> <li>Billboard Campaigning begins</li> </ul>	On the tenth (10) business day preceding the Election
<ul style="list-style-type: none"> <li>Elections Supervisor will host at least one (1) Public Debate</li> </ul>	No earlier than the day Billboard Campaigning begins
<ul style="list-style-type: none"> <li>Elections information must be posted in the Spinnaker</li> <li>Absentee Ballot information must be posted in the Spinnaker</li> </ul>	At least once prior to the start of the Elections
<ul style="list-style-type: none"> <li>Absentee ballots must be made available</li> </ul>	On the fifth (5) business day preceding the Election
<ul style="list-style-type: none"> <li>Supervisor must tape off Polling regions</li> <li>Ballot cannot change</li> </ul>	On the second (2) business day preceding the Election
<ul style="list-style-type: none"> <li><b>ELECTIONS</b></li> </ul>	Six (6) to twelve (12) weeks into the Semester (Fall/ Spring)
<ul style="list-style-type: none"> <li>Absentee ballots due</li> </ul>	At the closing of the polls of the last day of the Election
<ul style="list-style-type: none"> <li>Complaints to Invalidate Elections due</li> <li>All candidates are responsible for removing campaign materials.</li> <li>Financial Statements due</li> <li>Elections Complaints due</li> </ul>	The end of the business day immediately succeeding the elections
<ul style="list-style-type: none"> <li>Supervisor must release unofficial results as long as they are available</li> </ul>	No earlier than the end of Candidates Complaints deadline.
<ul style="list-style-type: none"> <li>Elections Supervisor must file complaints that occur after the close of elections to the Attorney General.</li> </ul>	Before Election is validated in Senate.
<ul style="list-style-type: none"> <li>The Elections Primary Court will review all complaints for merit.</li> </ul>	Within three (3) business days after the complaint filing deadline
<ul style="list-style-type: none"> <li>The Elections Primary Court will hold hearings to determine the type of violations that occurred.</li> </ul>	Within three (3) to five (5) business days after merit is determined.
<ul style="list-style-type: none"> <li>All decisions made by the Elections Primary Court may be appealed to the Elections Supreme Court</li> </ul>	Within one (1) business day after the ruling
<ul style="list-style-type: none"> <li>The Elections Supreme Court must hear and vote on all appealed Complaints. All decisions made by the Elections Supreme Court are final.</li> </ul>	Within three (3) to five (5) business days after an appeal has been made.
<ul style="list-style-type: none"> <li>The Senate must vote on Validation of the Elections</li> </ul>	At the Senate meeting following Elections

2  
3 **Chapter 603: Elections and Appointments Committee**  
4

5 603.1 The E&A Committee is one of four standing committees of the Student  
6 Government Senate. The E&A Committee is responsible for overseeing and  
7 enforcing the Election Code outside the election cycle, planning and  
8 organizing all elections, and evaluating appointments to the Senate.  
9

10 603.2 The Elections and Appointment Committee shall set all dates and deadlines;  
11 create a calendar; organize a debate or forum; for all Elections.  
12

13 603.3 The Elections and Appointment Committee shall schedule the Fall and  
14 Spring General and Inter-College Elections between six (6) to twelve (12)  
15 weeks into the semester, excluding spring break. General and Inter-College  
16 Elections must occur at the same time.  
17

18 603.4 The Elections and Appointment Committee ~~may forward appointees to the~~  
19 ~~Senate by two-thirds (2/3) vote.~~ has the sole authority to forward appointees  
20 to Senate.  
21

22 **Chapter 604: Elections Supervisor**  
23

24 604.1 The Chairperson of the Elections & Appointments Committee will serve as  
25 the Elections Supervisor and shall assume the following powers,  
26 duties, and responsibilities once the Election Cycle has  
27 commenced:  
28

- 29 A. Shall serve as the Chair of the Elections Commission and set the agenda  
30 for meetings, as well as ensure that accurate minutes are taken at each  
31 meeting.  
32  
33 B. Seek an opinion of the Student Government Elections Code from the  
34 Attorney General when the need arises.  
35  
36 C. Compile and revise the Campaign Guidelines Document pending  
37 approval of the E&A Committee.  
38  
39 D. The Elections Supervisor, with the assistance of the Student Government  
40 Advisor, shall investigate the qualifications of all candidates and may reject  
41 candidates that do not satisfy requirements specified within the Election  
42 Code.  
43  
44 E. Disqualify candidates who fail to submit all forms correctly by set  
45 deadlines.  
46  
47 F. Disqualify candidates who make false statements about their qualifications  
48 for office.

- 2
- 3 G. Notify unqualified candidates in writing. Any disqualified candidate(s) may
- 4 appeal to the Elections Primary Court.
- 5
- 6 H. Publish adequate information concerning elections in a format readily
- 7 accessible to any member of the student body. This shall be done
- 8 throughout the election cycle.
- 9
- 10 I. Adequately publicize and conduct at least one (1) public debate or forum.
- 11
- 12 a. The Elections Supervisor has the authority to approve or
- 13 deny and debates or forums sponsored by an A&S-
- 14 funded entity.
- 15
- 16 J. Create a visual display at each polling station which contains candidate
- 17 pictures and platform statements. All portraits must be generally the same
- 18 size and the display shall be formatted in a similar way as the official
- 19 ballot.
- 20
- 21 K. Mark off the polling region and exit polling barrier with tape or other
- 22 tangible items.
- 23
- 24 L. Shall ensure that all absentee ballots submitted and awaiting tabulation are
- 25 secure from damage, loss, theft, or alteration.
- 26
- 27 M. Invalidate absentee ballots cast by members of the electorate that are
- 28 contrary to the Student Government Statutes Election Code, pending
- 29 approval of the Elections Commission.
- 30
- 31 N. Must file any and all elections complaints that occur after the close of
- 32 elections. (Example; Financial complaints and Campaign materials)
- 33
- 34 O. Maintain the final results of all elections as permanent public record.
- 35
- 36 P. Issue Certificates of Election to elected candidates. These certificates must
- 37 be signed by the President and the Elections Supervisor.
- 38

39 **Chapter 605: Elections Commission**

40

41 605.1 The Elections Commission shall be the central body responsible for the

42 management of the elections for the duration of the election cycle. Its

43 primary objectives are twofold, to ensure that the polls are properly run and

44 that all witnessed violations are filed.

45

46 605.2 The Elections Commission shall be composed of the following people:

47



1. The Student Government Elections Supervisor who shall serve as the chair of the Elections Commission and vote only in case of tie.
2. Senators not running in the election are considered members of the Elections Commission at the time the Declaration of Intent is due and shall have one (1) vote in all decisions made by the Commission.
3. The Attorney General who shall be a non-voting ex-officio member of the Elections Commission.
4. The Student Advocate shall be a non-voting ex-officio member of the Elections Commission.
5. The Student Government Advisor shall be a non-voting ex-officio member of the Elections Commission.

605.3 The members of Elections Commission shall assume the following responsibilities and duties:

- A. Meet at least once prior to the election.
- B. Senators who miss an Elections Commission meeting will result in the assessment of one (1) absentee point per meeting missed.
- C. Work at the polls for a total of two (2) hours per Election Day.
- D. Failure to work the polls will result in the assessment of three (3) absentee points per day.
- E. Enforce all rules and procedures outlined herein and all other rules/laws applicable to the candidates by filing violations to the Attorney General.
- F. Adhere to the following polling station procedures:
  1. Keep the polling station clear of campaign materials at all times during elections.
  2. Ensure voter privacy through all reasonable measures.
  3. Disallow exit polling within twenty feet (20') of the polling station or any campaigning within the polling region.
- G. Seek an opinion of the Student Government Elections Code from the Attorney General when the need arises.

2 H. Meet to invalidate the election, if necessary. Violations against  
3 candidates shall not be considered a sufficient reason to invalidate the  
4 election.

5  
6 I. At the conclusion of the election, the Elections Commission shall draft  
7 and approve, by majority vote, a bill validating the election. Following  
8 passage, the bill shall be placed on second read and is subject to the  
9 normal legislative process.

10  
11 605.4 Duties of the Student Government Advisor

12 A. The Advisor shall be unbiased and aware of all policies and procedures  
13 surrounding the election. He/she shall be a non-voting ex-officio  
14 member of the Elections Commission.

15 B. The Advisor shall assist the Election Supervisor in investigating the  
16 qualifications of all candidates.

17 C. In the event of an election code violation, the Advisor is to be made  
18 aware of the violation by the Attorney General.

19 **Chapter 606: Candidacy**

20  
21 606.1 Qualifying for Candidacy

22 To qualify as a candidate for Student Government elective office, one must:  
23 be an A&S fee paying student, enrolled in at least one (1) class during both  
24 the fall and spring semester, and maintain a 2.25 GPA or higher unless one  
25 has attended the University of North Florida for less than one (1) semester.  
26

27 606.2 Candidacy may be withdrawn up to the time the ballot may no longer be changed by  
28 presenting a written and signed statement of withdrawal to the Elections Supervisor.  
29

30 606.3 Becoming a Candidate

31  
32 To become a candidate for Student Government elective office, one must  
33 submit a completed Candidate Application. Each form referenced hereafter  
34 is considered part of the Candidate Application which can be obtained  
35 through the Student Government office or the Student Government website.  
36

37 A. A completed application shall consist of the following forms with  
38 their deadline being found on the elections timeline:  
39

40 1. Declaration of Intent Form,

41 a) Must contain the candidate's name as reflected by  
42 his/her Osprey1Card.

43  
44 b) The Declaration of Intent must also have the name by  
5 which a candidate wishes to appear on the ballot.

- 2  
3  
4  
5  
6  
7  
8  
9
- a. Only Common alternate names are ~~also~~ acceptable (example: a candidate named "Robert" could request to be referred to as "Rob," "Bob," "Bobby," etc. on the official ballot).

10  
11  
12  
13  
14  
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16  
17  
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20  
21

2. Party Affiliation Form

- a. Note: any candidate desiring to run with a party must obtain the signature and N-Number of the current party chair. Party Affiliation Forms not meeting this requirement shall be considered invalid.

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48

3. Student Government Authorization and Release Form

4. Candidate Information Form

5. Student Endorsement

- a. Those seeking Senatorial seats must submit at least one hundred fifty (150) signatures.
- b. Those seeking College Seats must submit at least one hundred fifty (150) signatures, with at least fifty (50) being of students from their respective college.
- c. Those seeking a Presidential/Vice-Presidential ticket must submit at least four hundred fifty (450) signatures.
- d. Presidential/Vice-Presidential incumbents, in which both individuals are the same and running for the same office, are not required to receive student endorsement.
- e. Each signature must represent a current A&S fee-paying student of the University of North Florida and shall be accompanied by the student's N-number and printed name.

6. Senate and Committee Attendance Forms

7. Code of Ethics Form

8. Elections Timeline and Calendar

- B. Presidential, vice-presidential and senatorial candidates are required to attend the following:

1. One (1) full Senate and at least two (2) full Committee meetings
  - a. In the event of an extenuating circumstance, the candidate may be excused from attendance requirements through a written appeal to the Elections Commission. This appeal must be submitted with-in twenty-four (24) hours before the deadline to submit the candidate application. All appeals are considered approved if passed by a majority vote of the Elections Commission.
2. A Candidate Seminar, which shall be held on at least three (3) separate dates prescribed by the Elections Supervisor
  - a. In the event of an extenuating circumstance, the candidate may request a meeting with the Elections Supervisor. Such requests must be placed with-in twenty-four (24) hours after the final candidate seminar.
  - b. Failure to attend a candidate seminar or fulfill the provisions of Part A shall result in a candidate's disqualification.

## **Chapter 607: Party Registration**

- 607.1 All parties and candidates associated with them are required to follow these guidelines.
- 607.2 Party Formation
  - A. All A&S-fee paying students have the right and ability to form a party.
  - B. In order for an A&S-fee paying student to register a party he/she must submit a Party Registration Form.
- 607.3 Party Re-Registration
  - A. In order for a party chair to re-register a party, he/she must submit a Party Registration Form.
  - B. A party must re-register every spring semester. If a party fails to re-register, as prescribed by 607.4, B, then that party name may not be used until re-registration takes place, and that party will be considered inactive.

- 2 C. If a party fails to re-register for two (2) election cycles following the one in which it  
3 was declared inactive, that party shall cease to exist and shall forfeit exclusive rights  
4 to its name.  
5

6 607.4 Party Registration Form  
7

- 8 A. This form shall be provided by Student Government and shall have spaces for the  
9 following:  
10  
11 i. The party's name  
12 ii. The current party chair's name, N-number, and signature (if  
13 applicable)  
14 iii. The new party chair's name, N-number, and signature  
15  
16 B. This form shall be turned into the Elections Supervisor with the same deadline as the  
17 Declaration of Intent.  
18  
19 C. Each party must have a designated party chair. Only A&S-fee paying students may  
20 become party chairs. Party chairs do not have to be candidates.  
21  
22 a. If the current party chair is no longer an A&S-fee paying student, he/she  
23 shall be allowed to remain party chair and retain party rights until the end of  
24 the next two (2) election cycles.  
25

26 607.5 Naming Restrictions  
27

- 28 A. The Elections Supervisor shall have the authority to deny a party registration request  
29 on the grounds that it violates any of the naming provisions contained in this  
30 section. The candidate has the right to appeal any naming restrictions to the  
31 Elections Courts as per the Election Timeline. ~~The Elections Supervisor's decision~~  
32 ~~may be appealed to the Judicial Council.~~  
33  
34 B. No party may register under a name that gives the impression of university  
35 endorsement or that uses official university language. Examples include but are not  
36 limited to: "The University of North Florida Party," "The Blue and Grey Party,"  
37 "The No One Like You, No Place Like This Party," "The Ozzie Party," or "The  
38 Osprey Party."  
39  
40 C. No party may have the same name or give the impression of having the same name  
41 as another registered party. Examples include but are not limited to: "The Kool  
42 Party" and "The Cool Party," or "The Rock Party" and "The Rockk Party."  
43  
44 D. No Party may register a party name as "No Party Affiliation" or any name with the  
45 word "Independent."  
46

47 Chapter 608 Campaign Finances  
48

2 608.1 Contributions

- 3
- 4 A. Any items donated (not purchased directly by a candidate) shall be
- 5 reported on a party's or individual's financial statement in the same
- 6 manner as an expense (purchased directly by a candidate).
- 7

8 608.2 Expenses

9

10 A. Claiming Expenses

- 11
- 12 i. Indirect campaign materials (example: staplers, paint brushes,
- 13 hammers, shovels, printers, etc.) do not need to be claimed as an
- 14 expense on a party's or an individual's Financial Statement.
- 15
- 16 ii. Direct campaign materials (example: billboard signs, road signs, paint,
- 17 flyers, banners, giveaways, etc.) shall be claimed at full cost on a
- 18 party's or an individual's Financial Statement.
- 19
- 20 iii. Re-used campaign materials may be claimed at forty percent (40%) of
- 21 their original cost. If receipts cannot be furnished to validate these
- 22 amounts, a candidate or party must claim such items at full cost.
- 23
- 24 iv. Radio, television, and newspaper advertisements shall not be
- 25 considered a campaign expense if free, equal time is available for each
- 26 candidate for a particular office. Should free, equal time not be made
- 27 available, the broadcast time must be claimed at full cost.
- 28

29 B. Expense Limits

- 30
- 31 i. A Presidential/Vice-Presidential Ticket shall have total expenses not
- 32 to exceed three thousand five hundred dollars (\$3,500).
- 33
- 34 ii. A senatorial candidate shall have total expenses not to exceed five
- 35 hundred dollars (\$500).
- 36
- 37 iii. If multiple candidates are running as a party, that party's total
- 38 expenses shall not exceed the sum of the candidate's individual limits
- 39 combined.
- 40

41 608.3 Financial Statements

- 42
- 43 A. A complete Financial Statement must be submitted to the Elections
- 44 Supervisor as prescribed by the Election Timeline. Upon submission,
- 45 Financial Statements become public record.
- 46
- 47 B. Each unaffiliated candidate must submit a Financial Statement. If
- 3 candidates are grouped into a party, that party shall submit one (1)

comprehensive financial statement signed and verified by the party chair.  
and each candidate running with that party.

C. A complete Financial Statement consists of:

a. List of Expenses

- i. This itemized list of all expenses must include a description of each good/service purchased or donated for a party's or an individual's campaign. All items on this list must be claimed at the appropriate cost.
- ii. The list of expenses must also state the total cost of a party's or an individual's campaign.

b. Copies of receipts and/or invoices proving the cost validity of all campaign purchases, donations, and re-used items.

c. Campaign expenditures of a purely off-campus nature (example: off-campus promotional events) do not have to be claimed as expenses on the Financial Statements. This clause does not apply to off-campus radio, television, or newspaper advertisements.

## Chapter 609 Campaigning

609.1 All Candidates and individuals associated with specific campaigns are required to follow these guidelines. These guidelines are to assist both parties and unaffiliated candidates in carrying out a legal and fair campaign.

### 609.2 Campaign Materials and Practices

- A. No campaigning may occur at any time on the third floor of building fifty-eight (58) East.
- B. Campaign materials may not be distributed in such a way as to create excessive litter or to willfully deface any property, public or private.
- C. Each candidate is liable for all campaign materials relating to his/her campaign, and shall see to their proper disposal, except materials discarded by voters in the polling region while the polls are open.
- D. No campaigning or advertising may take place within a classroom while class is in session, unless the candidate has received prior written permission from the instructor to do so.
- E. It is the responsibility of the candidates to remove campaign materials inside the polling region by the opening of the polls on the first day of the election.

- 2 F. ~~No campaigning may occur within the polling region while the polls~~  
3 ~~are open. No campaigning and visual campaigning materials within~~  
4 ~~polling regions are allowed during voting~~  
5  
6 G. Bands and loud speakers audibly promoting candidates or parties  
7 shall not be allowed while the polls are open.  
8  
9 H. Candidates and parties are responsible for removing their materials  
10 associated with billboard campaigning as described in the elections  
11 timeline and each party or non-affiliated candidate can only receive  
12 one complaint for failing to abide by the deadline.  
13

#### 14 Chapter 610: Election Code of Ethics

15  
16 610.1 The Code of Ethics shall be applicable to all candidates running for Student  
17 Government elected office.  
18

- 19 A. No candidate shall physically, emotionally, or mentally abuse any  
20 other candidate, student, or university employee.  
21  
22 B. The Code of Ethics shall be a part of the Candidate Application that  
23 is distributed to prospective candidates. The Code of Ethics  
24 Agreement must be signed, dated, and submitted.  
25  
26 C. No candidate or party shall misrepresent any material fact(s) through  
27 any campaign material(s) or action(s).  
28  
29 D. No candidate or party shall misrepresent any campaign material(s) or  
30 action(s) as being the property or undertaking of any other candidate  
31 or party.  
32  
33 E. No candidate or party shall condone or authorize the destruction or  
34 theft of another candidate's or party's campaign material(s).  
35  
36 F. No candidate or party shall commit written, printed, or verbal  
37 defamation.  
38  
39 G. Candidates and parties are responsible for the actions of other  
40 individuals and/or organizations acting on their behalf.  
41

#### 42 Chapter 611: The Ballot

- 43 A. Format  
44  
45 1. The official ballot must contain the list of all vacant offices to  
46 be filled by the election, referendum questions, and  
7 constitutional amendments.



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2. Candidates shall be listed in alphabetical order by their last names in accordance with their party affiliation. There shall be separate groupings for each party. Each party group will appear in alphabetical order. Candidates who do not affiliate with a party will appear in a grouping called "No Party Affiliation."
  3. A sample ballot must be posted in the Student Government Rotunda as prescribed by the Election Timeline. All errors or discrepancies must be reported to the Elections Supervisor in writing during this timeframe.
  4. The Official Ballot may not be changed or altered after a certain point as described by the timeline.
  5. Unopposed candidates shall be deemed to have voted for him or herself and declared the winner by acclamation. No election for the respective seat shall be held.

B. Constitutional Referenda

1. The Elections Supervisor shall include Constitutional referenda on the official ballot as prescribed by Article VI, Section 1
2. The official ballot for a referendum shall give a brief statement, supplied by the Constitution and Statues Chair (which is subject to the Senate President Approval), regarding the proposed changes. Voters shall be given the opportunity to vote "YES" or "NO" for the proposed changes.
3. If completed copies of all proposed referenda or revisions cannot be printed on the official ballot itself, copies shall be available for inspection at the voting booths.

C. Absentee Ballots

1. Absentee ballots shall consist of a copy of the official ballot and instructions for voting.
2. Students may request absentee ballots from the Elections Supervisor as prescribed by the Election Timeline. This ballot must be returned to the Elections Supervisor no later than the close of the polls on the last day of elections. Students submitting absentee ballots must enclose, with the ballot, a

2 photocopied version of their Osprey1Card. Envelopes shall  
3 be provided in the Student Government Rotunda.  
4

- 5  
6 3. The Elections Supervisor must submit all absentee ballots to  
7 the University's ITS Department before unofficial results are  
8 announced. A representative from that department shall then  
9 cross reference the absentee ballots with the electronic ballots  
10 to prevent students from casting multiple votes.  
11

## 12 Chapter 612: Voting and the Polling Stations 13

- 14 612.1 Every student currently registered and paying A&S fees to the University of  
15 North Florida shall be entitled to vote in all Elections;  
16  
17 612.2 The polls shall be open from 9:00 a.m. until 7:00 p.m. The Elections  
18 Supervisor, upon majority approval by the Elections Commission, may  
19 extend but not shorten the hours of the election.  
20  
21 612.3 Students voting for Inter-College Candidates may only vote for those  
22 candidates within their respective college.  
23  
24 612.4 No individual may stand over a voter while he/she completes a ballot unless  
25 that voter needs assistance. In extenuating circumstances, only a poll worker  
26 or a representative from the Disability Resource Center shall be able to assist  
27 a voter.  
28  
29 612.5 There must be at least two (2) Student Government members attending each  
30 polling station at all times. These members must not be running in the  
31 election.  
32

## 33 Chapter 613: Violations of the Election Code 34

### 35 613.1 Major and Minor Offenses 36

37 Violations of this Statute shall be designated as either a Major or Minor  
38 Offense as follows:  
39

- 40 A. Major Offenses- Any offense that aims to cause a major effect on the  
41 outcome of an election such as, but not limited to:  
42  
43 a. Tampering with election machinery  
44  
45 b. Casting multiple ballot  
46  
47 c. Falsification of facts or information  
3

- d. Intentionally causing another candidate to incur violations
- e. Involvement with an effort to falsify the election in any way
- f. Material violation of the Code of Ethics agreement
- g. Any other offense deemed inappropriate by the Elections Courts to the level that said individual acts in a way unbecoming of his/her desired office (i.e. conviction of a felony, discrimination etc.).

B. Minor Offenses- Five minor offenses shall constitute a major offense. Minor offenses shall include but not be limited to:

- a. Any violation of the campaign guidelines document
- b. Failure to submit a Candidate Expense Statement by the deadline. Each day late shall be considered a single offense.
- c. Spending an excess of the campaign finance limit. Each percentage over the limit shall be considered a single offense.

## Chapter 614: Judicial Review

### 614.1 Election Violations

- A. Complaints alleging violations of the Election Code must be submitted to the Attorney General in writing according to the Elections Timeline. ~~within two (2) business days following the election.~~
- B. The Judicial Council must consult with the University of North Florida's General Counsel on all election related matters before rendering a verdict. The General Council's opinion shall not be binding.
- C. Any elected candidate who have outstanding election disputes may not be sworn into office until such disputes are resolved as prescribed by law.

### 614.2 Adjudication of Campaign Violations

- A. The Judicial Council shall have jurisdiction over the adjudication of campaign violations as outlined in this chapter as well as in Title V.

2 B. Any student who has an elections complaint must file it in writing  
3 with supporting evidence to the Attorney General. The Attorney  
4 General shall make copies of the complaint for the Elections  
5 Supervisor, the SG Advisor, the Student Advocate, and the President.  
6 The Attorney General will then forward the complaint to the  
7 Elections Primary Court.  
8

9 C. The Elections Primary Court

- 10
- 11 1. The Elections Primary Court will handle election violation  
12 cases on the schedule prescribed by the Elections Timeline.  
13
  - 14 2. At the hearing, the Attorney General shall serve as the lead  
15 prosecutor. The candidate against whom the violation was  
16 filed shall be the defendant. He/she may receive council from  
17 the Student Advocate, if requested. All further procedural  
18 hearing requirements shall be outlined in the Judicial  
19 Council's Policies and Procedures Manual.  
20

21 D. The Elections Supreme Court

- 22
- 23 1. The Elections Supreme Court will handle election violation  
24 cases appealed from the Elections Primary Court on the  
25 schedule prescribed by the Elections Timeline.  
26
  - 27 2. As in the Elections Primary Court, the Attorney General shall  
28 serve as the lead prosecutor. The candidate against whom the  
29 violation was filed shall be the defendant. He/she may  
30 receive council from the Student Advocate, if requested. All  
31 decisions of the Elections Supreme Court are final. All  
32 further procedural hearing requirements shall be outlined in  
33 the Judicial Council's Policies and Procedures Manual.  
34

35 E. Candidates found to have committed any major violations must be  
36 disqualified from the election.  
37

38 **Chapter 615: Invalidation**  
39

40 615.1 Individual and small groups of ballots may not be invalidated for any reason  
41 except in the instance that an individual is caught in the action of voting  
42 multiple times and the votes of that person can be removed.  
43

44 615.2 The Elections Supervisor may invalidate the election at any time prior to the  
45 release of election results with a two-thirds vote of the Elections  
46 Commission.  
47

3 615.3 Other students may call for invalidation of the election within twenty-four

(24) hours of the end of the election. Students must file their written complaint to the Elections Supervisor. The Elections Supervisor shall make copies of the complaint for the Attorney General, the SG Advisor, the Student Advocate, and the President. The Elections Supervisor will then present the complaint to the Elections Commission as prescribed by the Election Timeline and this chapter.

~~615.4 Following posting of the results, official or unofficial, no more complaints calling for invalidation of the election will be accepted.~~

615.54 Upon invalidation of the election, the Elections Supervisor must call another election within three weeks or before the end of the semester, whichever comes first. This election does not require the approval of the Elections Commission. The same ballot must be used for this election; exceptions are limited to candidates who wish to or are required to be removed from the ballot and any referenda the Senate chooses to add to the ballot.

## Chapter 616: Assuming Office

### 616.1 Announcement of Election Results

- A. The Elections Supervisor must release “unofficial” results as prescribed in the election timeline.~~no earlier than the end of the elections complaints deadline but as soon after as possible.~~
- B. Election results must be sealed from view until unofficial publication. The Elections Supervisor and the Attorney General may view the results after the polls close on the final day of the election.
- C. ~~Official election results can be neither posted nor disclosed to any other parties until the election has been validated by the Senate and the validation bill has been signed by the President.~~
- D. At the next Senate meeting, the Senate must vote on validation of the election. A majority vote is necessary to validate the election
- E. ~~The Election Supervisor shall prepare and distribute a press release announcing the final results immediately following executive action signing the validation bill into law.~~

616.2 Certificates of Election shall be issued to candidates upon swearing in the newly elected officers.

### 616.3 Installation

~~The Installation process shall begin within five (5) business days of the last day of any election.~~ Candidates with the most votes shall assume all abilities

2 and responsibilities of office when legally sworn into office. A candidate is  
3 legally sworn into office when and only when, in accordance with  
4 specifications of this title and in this order:  
5

6 A. ~~A bill to validate the election is posted by the Election Supervisor,~~  
7

8 B. The bill to validate the election is passed in Senate,  
9

10 C. And each Elected Senatorial Candidate is sworn into office.  
11

12 1. Elected candidates shall be sworn into office by the Chief Justice  
13 or another member of the Judicial Council as designated by the  
14 Chief Justice, using the following oath:

15 "I (name of Individual), do hereby affirm to uphold the office of  
16 (Title), and to abide by the laws of the United States of America,  
17 the Constitution of the Student Government of The University  
18 of North Florida, and to represent the Student Body to the best  
19 of my ability, so help me God."  
20

21 2. Elected senatorial candidates shall be sworn into office at the first  
22 Senate meeting following the validation of the election. They will  
23 take the oath of office immediately after validation of the election  
24 and assume the duties and responsibilities prescribed for the  
25 office. Presidents- and Vice Presidents-elect will be sworn in as  
26 dictated by Title III.  
27

28 **Therefore:** Let it be enacted, by the University of North Florida Student Government  
29 that the proposed revisions to Title VI be placed in proper order and to be  
30 made effective immediately.  
31

### Senate Action

Respectfully Submitted: Elections and Appointments Committee

Introduced by: Senator Joel Versace

Senate Action: Unanimous Consent

Date: May 21<sup>st</sup>, 2012

Signed, **Zak Varshovi**

*Zak Varshovi, Student Senate President*

### Executive Action

Let it be known that SB-12SA-2598 is hereby

PASSED / ~~VETOED~~ / LINE-ITEM VETOED

on this May day of 24, 12

Signed, **Michael Naughton**

*Carlo Fassi, Student Body President*

