

Elections Code

Last Edited 2024

I. Authority and Duties of the Student Elections Commissioner

- A. The Student Elections Commissioner (hereafter “the SEC”) and the Assistant Student Elections Commissioners (hereafter “the Assistant SECs”) derives its authority from the University of Iowa Student Government (hereafter “USG”) Constitution, the USG Bylaws, and the Student Judicial Court Bylaws.
- B. The SEC and Assistant SECs have the authority to amend the Election Code
- C. The SEC and Assistant SECs are responsible for overseeing the election process in accordance with the rules established in the Election Code.
 - i. The SEC and Assistant SECs have original jurisdiction over enforcing all rules, hearing all infractions, and answering all questions arising out of election procedure.
 - ii. The SEC and Assistant SECs will hear all cases of election irregularities, discrepancies, and violations of election rules.
 - 1. The SEC and Assistant SECs shall review complaint filings, notify parties of filings and decisions, schedule hearings, and post filings on the elections’ website.
 - 2. The SEC and Assistant SECs will issue penalties and serve as the Election Complaint Board.
 - 3. The SEC and Assistant SECs will enforce all rules regarding campaign materials.
 - iii. The SEC and Assistant SECs will create and implement the election calendar, host Candidate Interest Meetings, plan candidate debates, maintain the elections website, post ballot information, and certify election results.
 - iv. Should a candidate ask the SEC or Assistant SECs for clarification on the Election Code that is relevant to all candidates, the SEC or Assistant SECs will share the answer to all candidates.
- D. Only provisions outlined in this code shall be enforced by the SECs.
 - i. Should a candidate feel as though the SECs are attempting to enforce provisions that are not outlined in this code, or that the SECs are attempting to misuse their position of authority and unjustly enforce provisions that are not found in the elections code, candidates may present an argument for impeachment to the Student Judicial Court in accordance with the Student Judicial Court Bylaws.

II. Definitions

- A. **Candidate** shall be defined as any currently registered University of Iowa undergraduate student whose completed petition has been certified by the SEC and Assistant SECs in consultation with the Office of the Registrar.
- B. **Executive ticket** shall be defined as any two candidates running as one for the positions of President and Vice President.

- C. **Senatorial affiliation** shall be defined as a collective of at least two and up to 20 senatorial candidates working together as one entity.
- D. **Independent** shall be defined as a Senator elected at-large with no ticket affiliation.
- E. **Campaigning** shall be defined as any of the following:
 - i. An act done by a candidate and/or their adherents to obtain a majority or plurality of the votes cast.
 - ii. The promotion of candidacy for office done in such a way that is meant to secure definite support from the voting population.
- F. **Ticket formation** occurs prior to the candidacy announcement and shall be defined as informal, exploratory meetings of potential running mates to discuss platform creation and campaign operations.
 - i. This also includes speaking to potential constituents about the constituent's priorities and concerns.
- G. **Candidacy announcement** shall be defined as the formal declaration of running for an elected USG position.
 - i. This includes the disclosure of the campaign's identifying information and/or platform.
- H. **Adherent** shall be defined as a person who—with the consent of the ticket—works for, provides services for, volunteers for, or donates in-kind donations to a candidate or party. An adherent is more than a mere voter or supporter.
- I. **Instant run-off voting** is a voting method used when more than two candidates or tickets run in an election. Voters rank the candidates or tickets in order of preference. In the first round of voting, each voter's top choice is counted, with the candidate or ticket receiving the fewest votes being eliminated. The votes for the eliminated candidate or ticket are redistributed in subsequent rounds of voting until one candidate or ticket has achieved a 50% plus one majority of votes. (Used for Executive Elections).
- J. **In-Kind donation** shall be defined as donations of materials, services, etc. that otherwise would have been purchased. In-kind donations must be accounted for at their fair market value.
- K. **Personal correspondence** shall be defined as any form of person-to-person communication, not copied in mass or with excessive communication, and not in violation of rules set forth in the University of Iowa Student Election code.
- L. **Frivolous complaint** shall be defined as one that fails to meet the following requirements:
 - i. **Standing:** Complainant must be a student, faculty member, or staff member.
 - ii. **Timing:** Complaints must be filed by the Wednesday before the elections results announcement as dictated by the elections calendar.
 - iii. **Identification of party:** the specific respondent (candidate or ticket) must be identified.
 - iv. **Alleged violation:** Complaint must identify what violation of the election rules allegedly occurred.
- M. **Ticket liaison** shall be defined as a single candidate on a ticket designated to be the point of contact between the ticket and SEC and Assistant SEC.
 - i. The selection of a ticket liaison is the responsibility of the ticket members.

- N. **Affiliates:** shall be defined as anyone who is assisting a ticket or affiliation campaign in a capacity that could influence how a campaign is run.
- O. **Malfeasance:** the act of violating the Elections Code in an intentional manner that is wrong or unlawful.
- P. **Misfeasance:** the act of violating the Elections Code in an unintentional manner.
- Q. **Harassment:** intentional conduct, including speech, directed toward an identifiable person or persons that threatens serious harm and is directed or likely directed to provoke imminent unlawful actions; or is sufficiently severe, pervasive, and subjectively and objectively offensive that it unreasonably interferes with work or educational opportunities or benefits, including, without limitation, on-campus living or participation in a university activity on or off campus
 - i. Evidence of harassment. Behavior that may constitute, or be evidence of, prohibited harassment includes, but is not limited to, the following:
 - 1. repeated contact with another in person, by telephone, in writing, or through electronic means (see also II-19 Acceptable Use of Information Technology Resources), after the recipient has made clear that such contact is unwelcome.
 - 2. Harassment proscribed by the Iowa Criminal Code, Chapter 708, including, for example, stalking, the placement of simulated explosives, ordering merchandise or services with intent to annoy, or false reports to police.
- R. **Professional Communication:** the use of official University of Iowa email addresses or face-to-face communication outside of the USG Office or USG sponsored events when discussing matters related to the understanding, clarification, and enforcement of the Elections Code and rules between all executive, affiliated, and independent candidates and the SECs.

III. Ballot, Ticket, and Petition Procedures

- A. The SEC and Assistant SECs must provide public notification of all deadlines and procedures regarding the ballot, ticket, and petition procedures.
- B. All interested candidates *must* attend all mandatory meetings as determined by the SEC and Assistant SECs before the start of the campaign. These meetings will cover the Elections Code, procedures for election, and all other information deemed necessary for candidates during the electoral process.
- C. Ballot Procedure
 - i. Candidate placement on the ballot is randomized by the online voting system.
 - ii. Names will appear on the ballot as listed on the petition, along with the name of the ticket associated with the candidate.
 - 1. These names will be verified at the approved candidate meeting.
 - iii. All candidates must be in and maintain good academic and non-academic standing with the university. The university will verify all candidates' standing before the candidates are officially placed on the ballot.
- D. Tickets
 - i. Candidates for the executive ticket must run as an entity consisting of the positions of President and Vice President.

- ii. Candidates for non-constituency senatorial positions may run on an affiliation consisting of no less than two and no more than twenty non-constituency senators.
 - iii. Candidates may only run on one ticket and may not simultaneously run for more than one position in USG
 - iv. Ticket names:
 - 1. Will not reference any current national political party.
 - 2. May include the word "party".
 - 3. Must be approved by the SEC and Assistant SECs prior to the approved candidate meeting.
 - 4. Shall be introduced to the SEC and Assistant SECs at the approved candidate meeting.
 - v. An individual senatorial candidate may change ticket affiliation up until the day that petitions must be turned in with the written consent from the liaison of the ticket the candidate is joining.
 - vi. An individual senatorial candidate running with a ticket may become an independent up until the day that petitions must be turned in with written confirmation of notice from the liaison of the ticket the candidate is leaving.
 - vii. A senatorial candidate running as an independent may join a ticket up until the day that the petitions must be turned in with written consent from the ticket liaison.
 - viii. If a vacancy occurs in one of the two positions in an executive ticket, an approved senatorial candidate may fill the vacant position through the end of the approved candidate meeting with written notice delivered to the SEC and the Assistant SECs.
 - ix. Extenuating circumstances in affiliation changes will be determined at the discretion of the SEC, Assistant SECs, and/or USG Advisor.
 - 1. i.e., If a portion of a senate ticket wishes to secede as two separate tickets, they may be allowed to on an as-reviewed basis.
- E. Petition Procedure
- i. Only the official petitions distributed by the SEC and Assistant SECs will be accepted for verification.
 - 1. The SEC and Assistant SECs will make the petition available no later than the date of the first formal candidate interest meeting.
 - 2. The SEC and Assistant SECs will provide an electronic version of the petition
 - a. An electronic version of the petition will be supplied, such petitions will be filled out in accordance with safety regulations set forth by the University and local authority.
 - b. The exact procedure for turning in an electronic petition will be demonstrated at the candidate interest meetings.
 - c. The requirements for an electronic petition will be
 - (1) A student's electronic signature will equate to a physical signature.

- (1) All required student information will appear on an electronic petition.
 - d. Physical petitions will be accepted for accommodations at the discretion of the SEC and Assistant SECs.
 - (1) If accommodations are necessary, the SEC and the Assistant SECs must be notified by the end of the last candidate interest meeting.
- ii. The executive ticket's petition shall be accompanied by no fewer than 200 undergraduate student names, signatures, and the complete student ID numbers.
 - 1. There must be 200 student signatures. Any less and the ticket will not be placed on the ballot.
 - a. In the event no ticket reaches the 200 signatories, all tickets will be docked 1 demerit for every person below the 200-person threshold.
 - b. No more than 30 of the petitioners may be active USG members.
 - 2. Only currently registered undergraduate University of Iowa students may sign the petition.
- iii. The senatorial petition for each individual senatorial candidate shall be accompanied by no fewer than 50 undergraduate student names, signatures, and the complete student ID numbers from the undergraduate body.
 - 1. There must be 50 valid student signatures. Any less and the candidate will not be placed on the ballot.
 - a. No more than 8 of the petitioners may be active USG members.
 - 2. Only currently registered undergraduate University of Iowa students may sign the petition.
- iv. The petitioning candidate's name must be declared on the electronic petition or each page of a physical petition if an accommodation is made.
- v. All electronic petitions must be emailed to the SEC and the Assistant SECs by midnight of the day petitions are due as dictated by the election's timeline.
 - 1. A ticket/affiliation liaison must be chosen for each ticket running for a USG position before the petition deadline
 - 2. The ticket liaison will be the only person that the SEC and Assistant SECs will receive petitions from
- vi. All physical candidate petitions shall be turned in as one complete packet to the Office of the Dean of Students (IMU 135) when petitions are due, as dictated by the election's timeline.
 - 1. Physical petitions must be turned in by 8am the day after electronic petitions are due.
- vii. The ticket/affiliation liaison shall turn in a list of all the affiliates who are assisting the campaign, when turning in their petitions to the SEC and Assistant SECs
 - 1. It is the duty of the ticket/affiliation liaison to educate their affiliates on the elections code for which they will be expected to adhere to
 - 2. Examples of affiliates include but are not limited to
 - a. Creators of campaign materials
 - b. Campaign treasurers

- c. Social Media Chairs, etc.
 - 3. Affiliates may be added to the affiliates list for ticket/affiliation up until the last Approved Candidate Meeting
- viii. The SEC and Assistant SECs, in conjunction with the Office of the Dean of Students, will validate all petitions before the candidates are officially placed on the ballot.
 - 1. Candidates with invalid petitions will be notified by the SEC and Assistant SEC
 - 2. Appeals must be filed in writing within 24 hours of notification from SEC and Assistant SEC and submitted by email to the SEC and Assistant SECs by the ticket liaison.
 - 3. The SEC and Assistant SECs must respond to all appeals of an invalid petition within 24 hours.
 - 4. The SEC and Assistant SECs will officially announce all approved candidates and tickets.
- ix. *Undergraduate Student Government Cabinet members, including Speaker and Speaker Pro Tempore, cannot serve concurrently as Resident Assistants for the academic year.*

IV. Debates

- A. The SEC and Assistant SECs shall organize all official debates for the USG elections.
 - i. At least one official USG Executive ticket debate must be conducted. If only one Executive Ticket is running, the SEC shall conduct a Presidential and Vice-Presidential forum in place of a debate.
 - ii. The Assistant SECs and/or a designee will moderate the debate or lead the town hall.
 - iii. The debates will be conducted with fairness, candor, and decorum and supported by facts and arguments founded in reason.
 - iv. Organizations not affiliated with USG or SEC may hold unofficial debates in conjunction with the SECs.
 - 1. Unofficial debates must be approved and moderated by the SECs.
- B. The SEC and Assistant SECs shall prepare questions for the official USG forums or debates.
 - i. All current undergraduate students may submit debate questions to the SEC and the Assistant SECs via email for consideration until 24 hours prior to the debate.
- C. The location, format, date and time of the debates, as determined by the SEC and the Assistant SECs, will be made public at least one week prior to the debate.

V. Campaign Spending

- A. All senatorial tickets will have a budget of \$100 per member to the limit of \$2,000, including In-Kind donations.
 - i. Senatorial ticket budgets will be based on the number of candidates on a ticket at the end of the approved candidate meeting.

- B. Any senator running as an independent may spend up to \$150 on their campaign, including In-Kind donations.
- C. The maximum campaign spending limit for an executive ticket is \$600, including In-Kind donations.
- D. Candidates are required to keep track of all expenditures.
 - i. A campaign finance record will be available to candidates online on the elections website at a location designated by the SEC and Assistant SECs and all expenditures must be recorded on the financial record.
 - ii. The financial record and all campaign receipts are due to the SEC at the conclusion of the voting period or within 24 hours of a request from the SEC.
 - iii. **Donations of materials or donations of professional services by a source not running on the ticket must have their value reported to the SEC and Assistant SECs on the campaign financial record as an In-Kind donation.**
 - iv. All materials and/or professional services, whether donated or purchased, must be declared at their present fair market value.
 - 1. A candidate is allowed to accept discount services rendered, but if the discount is not available to all candidates running, it must be recorded at its fair market value.
 - 2. A candidate is allowed to accept a discount for materials but if the discount is not available to all candidates running, it must be recorded at its fair market value.
 - v. Promotions obtained through partnerships with businesses during the campaign period are allowed only if the general public can benefit from or take part in any resulting discounts or other promotions.
 - vi. Previously owned material used for campaigning with a present fair market value of over \$10 must be declared whether sought or offered.
 - 1. Some materials do not require reporting in the campaign financial record, including widely owned consumer-grade items such as tables, speakers, and personally owned electronic devices.
 - 2. Exceptions and clarifications shall be made at the discretion of the SEC and Assistant SECs.
- E. Candidates and tickets may not contact representatives from businesses or organizations until their petitions have been verified by the SEC and Assistant SECs.

VI. Election Timeline

- A. The SEC and Assistant SECs shall release the official election calendar for the current election year by the first day of the spring semester.
- B. The candidate interest meetings shall be held by the SEC during the spring semester.
 - i. The SEC and Assistant SECs shall provide the first public notification of the first candidate interest meeting at least two weeks before the first candidate interest meeting.

- C. Petitions will be available beginning on the date of the first candidate interest meeting. At this time candidates who have attended the first candidate interest meeting may begin to complete petitions.
- D. The SEC and Assistant SECs shall hold a second candidate interest meeting no more than two weeks after the first candidate interest meeting.
 - i. Candidates who attended the first candidate interest meeting are not required to attend the later candidate interest meetings.
 - ii. All candidates are required to attend one of the candidate interest meetings.
 - 1. If candidates are unavailable to attend any candidate interest meetings due to scheduling conflicts, they must contact both the SEC and the Assistant SEC.
 - a. This must be done prior to the beginning of the meetings.
- E. Electronic petitions must be submitted by midnight of the day petitions are due as dictated by the election's timeline.
 - i. Physical petitions must be submitted to the Dean of Students office no later than 8 am the day after electronic petitions are due as dictated by the election's timeline
- F. The SEC and Assistant SECs shall notify candidates of petition validation prior to the beginning of the campaign period via email.
- G. All approved candidates are required to attend an approved candidate meeting as dictated on the election's timeline
 - i. Candidates who attended the first approved candidate meeting are not required to attend the later approved candidate meeting.
 - 1. If candidates are unavailable to attend any approved candidate meetings due to scheduling conflicts, they must contact both the SEC and the Assistant SEC.
 - a. This must be done prior to the beginning of the meetings.
- H. The start and finish of the designated campaign period will be determined by the elections calendar which will be published on the USG website by the first day of the spring semester.
- I. The election voting period shall begin on Monday at 8 am and conclude on Wednesday at 11:59 pm on the dates specified by the elections calendar.
 - i. The election period shall last from the Monday to the Wednesday of the same week, and it shall last only during the designated voting period as described above.
- J. Election results shall be announced upon the eompletion of complaint processes, financial report verifications, and vote certification.

VII. Voting

- A. Online polling will be the only available forum for voting in student body elections.
- B. Voters shall not be required to submit a vote for every open position, branch, or referendum on the ballot in order to cast a vote.
- C. The tabulation of votes will be carried out by the SEC and Assistant SECs.

- i. The presidential election will be conducted using instant run-off voting.
 - ii. Senatorial elections will be conducted using single count vote.
 - iii. The final results will be certified and announced by the SEC and Assistant SECs.
 - D. The 8 independent candidates with the highest number of votes will win the reserved independent seats. The highest vote-receiving independent candidates must receive a threshold of 5% of the total votes cast in the election to secure their seats in the Student Senate.
 - i. If less than 8 independent senators are elected, the resulting vacant seats will be filled by the Internal Affairs Committee via the USG Senate Applications Process.
 - E. After the process described in VII.D, the 42 senators with the highest number of votes who both reached a threshold of 5% of the votes cast in the election and did not already receive an independent seat will win seats in the Student Senate, regardless of affiliation.
 - i. If fewer than 42 total senators are elected, the resulting vacant seats will be filled by the Internal Affairs Committee via the USG Senate Applications Process.

VIII. Accessibility

- A. IT Accessibility Policy
 - i. Provide additional descriptive text (alternate, or “ALT” text) for all images, and especially those that convey information.
 - ii. Captions must be provided for all videos that include speaking.
 - iii. Candidates may use the University of Iowa IT Accessibility Policy, found at (<https://itaccessibility.uiowa.edu/home>), as a resource to achieve accessibility goals.
- B. Physically accessible locations for events
 - i. There must be a good faith effort to hold campaign events in locations that are physically accessible to persons using wheelchairs and similar accessibility equipment.
- C. Accessibility statement
 - i. All events shared online and posted in flyers must be posted and shared with the University of Iowa accessibility statement, which can be found below. The contact listed in the statement must assume responsibility for requested accommodations and deliver on those requested accommodations.
 - ii.
 - a. "Individuals with disabilities are encouraged to attend all University of Iowa-sponsored events. If you are a person with a disability who requires a reasonable accommodation in order to participate in this program, please contact (insert: the sponsoring department or contact person) in advance at (insert: telephone number and email address)."

IX. Social Media Usage

- A. Social media use is not required by any candidate or ticket
- B. Social Media Accounts

- i. All executive, independent, and senate tickets may only have one campaign social media account on Instagram, and it must be approved by the SECs via email confirmation.
 - 1. Executive Campaign A must send a link to the account to the SECs via Email for SECs documentation and approval.
 - (1) i.e. Executive Campaign A can only have one Instagram account.
 - 2. Each Executive Ticket, Senatorial Affiliation, or independent senate candidate must follow the official SEC Instagram which will be provided to all candidates at candidate interest meetings.
 - 3. Each Executive Ticket, Senatorial Affiliation or independent senate candidate must keep their social media accounts public.
 - ii. Social Media Accounts are not required to be removed at the conclusion of the election season
 - 1. Should a ticket continue to utilize their social media accounts to personally harass or personally demean elected USG members following the election, it shall be considered a violation of the Code of Student Life and will result in a meeting with the Office of Student Accountability.
- C. Social Media Posts and Reposts
- i. Social Media Posts do not require pre-approval from the SECs after the account is approved.
 - ii. Any posts deemed by the SECs to be inappropriate or disrespectful to another ticket, current USG members, or current USG candidates shall receive demerits and must be taken down within 1 hour of notification by the SECs.
 - 1. SECs also have the discretion to award demerits to posts that are deemed vulgar, obscene, or directly contradict the Student Code of Conduct provided by the Division of Student Life.
 - iii. All executive, independent, and ticketed senatorial digital campaigning materials should be posted solely on a designated campaign social media page.
 - 1. i.e. Executive Campaign A can only post digital campaign material on the official Executive Campaign A social media pages; Senate Ticket B can only post digital campaign material on the official Senate Ticket B social media pages;
 - iv. All executive, independent, and ticket senate candidates are only allowed to **repost** their specific campaign's official social media posts on their personal social media accounts.
 - 1. i.e. Independent Senate candidate A can only repost official Independent Senate candidate A campaign materials on their personal social media and is prohibited from reposting any other executive, independent, or ticket senate campaign's official social media posts on their personal social media accounts.

2. There is an exception for Independent Senate candidates who may repost the official campaign social media content of other Independent Senate candidates.
- D. Social Media Endorsements
- i. Ticket social media campaigns shall not post or repost another ticket or independent candidates' social media materials on the official campaign social media page
 - ii. Independent candidates shall be able to post or repost another independent candidate
 - iii. Student Organizations classified as Campus Life Organizations or Supported Student Organizations and that get their funding directly from the Student Activity Fee are not allowed to endorse any campaign
 1. These organizations include USG, Student Legal Services, Student Org, Business Office, SCOPE, University Lecture Committee, Late Night Programs, Food Pantry/Clothing Closet, Bijou, RVAP, Engage/Anthology Inc., MISSE, KRUI, Civic Engagement, Homecoming, Late Night Transit Program, and Hawk the Vote.
 2. Candidates may ask these organizations to post official nonpartisan Hawk the Vote informational graphics to garner further student engagement in elections
 3. Due to USG's nature as a CLO, current employees of USG may not endorse a ticket other than their own.
 - iv. Student Organizations classified as Affiliated Student Organizations or General Student Organizations **are** allowed to endorse a campaign
 - v. Candidates may ask these organizations to post official nonpartisan Hawk the Vote informational graphics to garner further student engagement in elections

X. Prohibited Campaign Practices

- A. Any violation of the USG Election Code will result in a sanction of demerits depending on the violation and severity. One demerit will result in the reduction of total votes for responsible candidate(s) by 1%. The Elections Complaints Board (hereafter "ECB") will determine who is responsible.
 - i. The ECB reserves the right to administer a sanction of zero demerits to serve as a warning to the responsible candidate(s).
- B. The following practices by tickets, affiliations, candidates, and adherents are prohibited. The sanctions for each infraction are outlined along with each offense.
 - i. **Failure to Adhere to Professional Communication Standards: 5 Demerits per Violation**
 1. Failure by an executive, independent, or ticketed candidate to adhere to the standards of professional communication as defined by the elections code when communicating with the SECs in any elections-related conversation.
 - a. Failure to adhere to the standards of professional communication as defined by the elections code on the part of the SECs shall not be grounds for the awarding of demerits to election candidates. This does

not exempt the SECs from adhering to the standards of professional communication as defined by the Elections Code.

- ii. **Prohibited Social Media Endorsements: 15 Demerits**
 - 1. Failure of a social media campaign to refrain from posting or reposting another ticket or independent candidates' social media materials on the official campaign social media page
- iii. **Prohibited Social Media Posts: 10 Demerits**
 - 1. Failure of a social media campaign to refrain from posting inappropriate or disrespectful content about another ticket, current USG members, or current USG candidates
 - 2. Posting content that is deemed vulgar, obscene, or in direct contradiction to the Student Code of Conduct provided by the Division of Student Life.
 - 3. Posting executive, independent, or ticketed senatorial digital campaigning materials on any account other than the designated campaign social media page
 - 4. Reposting content from another executive, independent, or senate affiliation candidate's official social media page on a personal social media account.
 - a. Candidates are only allowed to repost content on their personal social media account from their own executive, independent, or senate affiliation's official social media page.
- iv. **Failure to Remove Prohibited Social Media Posts: 15 Demerits**
 - 1. Failure to remove a prohibited social media post, as deemed so by the SECs, within 1 hour of notification by the SECs.
- v. **Early Campaigning: 5 - 15 Demerits**
 - 1. Disclosure of campaign information such as ticket names, slogans, formalized platforms, and campaign events prior to the kick-off event in order to garner votes or support will be considered early campaigning.
 - a. Personal correspondence between Senatorial affiliation members and potential affiliation members does constitute early campaigning. This includes discussion of potential platforms, ticket and candidate names, slogans, logos, etc.
 - (1) This rule only applies up until the first candidate interest meeting.
 - (1) Tickets may not place any orders or collect any supplies prior to the start of the petition period.
 - (1) This rule does not apply for potential executive tickets, who may ask or confer with potential running mates only. This excludes potential cabinet positions.
 - 2. Public distribution of campaign materials through any physical or digital form before SEC approval.
 - a. Clothing, hats, or other apparel must be acquired from the approved list of sustainable vendors and submitted to the SEC for verification.
- vi. **Violations on Campaign Materials: 5 - 15 Demerits**
 - 1. Unauthorized posting of physical and online campaign materials.

2. Destruction of campaign materials.
 3. Creation of unauthorized websites.
 4. Campaigning in the USG Office (145 IMU) or at USG Events.
 5. Failure to remove campaign materials, including electronic campaign material but excluding past social media posts, one day after the campaign period unless under the regulation of Cambus, University Housing, or any other academic/non-academic buildings and spaces.
- vii. **Failure to Comply with Accessibility Requirements: 5 - 15 Demerits**
1. **Outlined in Section VIII.**
- viii. **Unauthorized Endorsements: 5 - 15 Demerits**
1. Individual candidates may not endorse tickets and affiliations.
 2. Tickets and affiliations may not endorse individual candidates on behalf of the ticket.
 3. Individual candidates *may* endorse other individual candidates.
 4. Campaigns may not receive private business endorsements from an establishment designated a bar by the Iowa City zoning code.
 5. Individual candidates, tickets, and affiliations may not seek endorsements from any university departments, offices, or any other entities affiliated with the university.
- ix. **Use of USG and affiliate LISTSERVs: 5 Demerits**
1. Campaign material cannot use the Tiger Hawk, Hawkeye logo, USG logo, or any trademarked/licensed image without all necessary licensing and copyright approval.
 2. Campaign material cannot include endorsements unless an endorsement form has been submitted.
 3. The necessary authority must approve of the use of any University property.
- x. **Failure to Adhere to University Policies in Campaigning Practices: 5 - 15 Demerits**
1. Candidates are required to adhere to policies and guidelines set forth by the following parties when applicable:
 - a. University Housing & Dining
 - b. Cambus
 - c. Iowa Memorial Union
 - d. Other academic/non-academic buildings and spaces
- xi. **Failure to Adhere to Guidelines Regarding Student Organizations: 5 - 10 Demerits**
1. To claim support from a student organization, candidates must submit to the SEC via email a completed Student Organization Support Form signed by a principal representative of that Student Organization.
 2. If a student organization wishes to express support of a candidate to their membership, they are expressly permitted to do so without SEC approval.
- xii. **Overspending of Campaign Funds: 10 - 20 Demerits**
- xiii. **Bribery: 15 - 30 Demerits**
1. Giving or receiving money in exchange for votes for or against any candidate is prohibited.

2. Promising a position in exchange for votes for or against any candidate is prohibited.
- xiv. **Falsification of Campaign Documents: 20 – 30 Demerits**
- xv. **Harmful or Malicious Behavior: 20 - 30 Demerits**
 1. It is not allowed to ruin another candidate's campaign with ill-intentioned and hurtful actions reasonably considered outside the scope of necessary campaign procedure.
- xvi. **Harassment: 20 - 30 Demerits**
 1. Harassment, as defined in the Student Code of Conduct, against candidates, parties, adherents, or eligible voters is strictly prohibited.
- xvii. **Election Day Procedure Violations: 10 - 20 Demerits**
 1. It is not allowed to engage in voter coercion, which includes but is not limited to:
 - a. Interfering or attempting to interfere with a voter when marking the ballot.
 - b. Inducing voters to disclose who they voted for.
 2. It is not allowed to forcibly solicit votes, which includes handing an individual an electronic device with the explicit intent of getting them to vote.
 3. It is not allowed to participate in voter intimidation.
 4. It is not allowed to vote on behalf of another individual.
- xviii. **Excessive Frivolous Complaints: 1 - 5 Demerits**
 1. It is prohibited for a ticket, candidate, or individual to repeatedly make frivolous complaints with intent to waste the time and resources of the complaints process.
- C. Accumulation of 30 demerits shall result in disqualification.
- D. It is the duty of the candidates to ensure that their campaign complies with the rules herein.
 - i. Major violations of the Elections Code such as falsification of documents, harassment, fraud, bribery, harmful or malicious behavior, etc. shall be reported to the Office of Student Accountability
- E. If a violation is found to be committed in an act of misfeasance as opposed to malfeasance, the ECB reserves the right to simply issue a warning, as opposed to demerits, upon deliberation.

XI. Violations Procedures

- A. Complaints
 - i. Any student, faculty, or staff member may file a complaint.
 - ii. SECs will provide a Microsoft Form to all approved candidates.
 1. This form will be used to track complaints and be only accessible by the SECs and Advisors.
 2. Complaint forms will be available on the election website.

- iii. Complaints must be typed and submitted to the SEC and Assistant SECs via the complaint form. Verbal and handwritten complaints will not be accepted.
 - iv. Complaints must contain the following, lest they be deemed frivolous:
 - 1. Name of candidate, ticket, and/or individual alleged to have committed the violation.
 - 2. Brief description of the alleged violation, including date and time of the incident, reference to the relevant provision(s) of the election code, USG constitution or bylaws, or other provisions prescribing guidelines for elections.
 - 3. Complainant's name and university email if so desired.
 - a. If the complainant wishes to be named, the complaint's name will be seen only by the SEC and Assistant SECs. If appealed, the complaint's name will also be seen by the rest of the Student Judicial Court.
 - 4. Any evidence of the alleged violation.
 - v. Complaints may be submitted before and throughout the campaign period, but no complaints will be accepted after 6:00 PM Central Time the day following the final day of voting.
 - vi. The SEC and Assistant SEC will review the complaint and determine if the complaint is frivolous or if it will move forward.
 - 1. The complainant may appeal a frivolous complaint decision to the Elections Appeals Board.
 - 2. If the SEC and Assistant SECs determine that the complaint is frivolous, they must submit a written explanation of their decision to the complainant.
 - vii. If the SEC and Assistant SECs determine that the complaint is not frivolous, the SEC will immediately provide a copy of the complaint and any attached evidence to the respondent. The respondent will have 24 hours to submit a written response and any supporting evidence to the SEC and Assistant SECs.
 - viii. If the respondent denies the allegations in the complaint, the SEC and Assistant SECs shall set a hearing in front of the Election Complaint Board. The hearing shall take place within 48 hours of the Respondent's response. When notifying the parties to the complaint of the hearing, the SEC and Assistant SECs will provide materials to educate them on the process and how to prepare for the hearing.
- B. Election Complaint Board (ECB) Hearing
- i. The Election Complaint Board will consist of the SEC, and the Assistant SECs
 - ii. A party will be deemed absent if they are not present for the hearing within ten minutes of the designated start time.
 - iii. The SEC and Assistant SECs will provide the complaint and attached supporting evidence to the ECB.
 - iv. If a named complainant is not present for the hearing, the complaint will be dismissed. If the respondent is not present for the hearing, the respondent will be held responsible, and the ECB will consider penalties.

The hearings are not public. The following people can be present: SEC, ECB, USG Advisors, and each party to the complaint and their witnesses. Each party shall be represented by no more than four people, excluding witnesses.

The SEC and Assistant SECs shall record the hearings. An audio recording is sufficient.

5. Each side of the complaint will have 15 minutes to present their case. The complainant will present their case first. The SEC will keep track of each side's time.
6. The burden of proof is on the complainant. The complainant must prove their case by clear and convincing evidence.
7. The ECB must submit its written decision within 24 hours of the hearing. The ECB shall consider but is not bound by precedent. The decision must include the reasons for its decision and the total vote count. The written decision will designate any sanctions—these sanctions must be approved by the SEC.
8. The SEC shall post the ECB decision on the Election website upon receipt.

D. Appeals

- i. Any party of a complaint hearing may file an appeal.
- ii. Appeals must be filed within 24 hours of the ECB decision.
- iii. Appeal forms will be made available on the election website.
- iv. Appeals must be in writing and no longer than 500 words. Verbal appeals will not be accepted.
- v. Grounds for appeal are limited to:
 1. Clear error,
 2. Blatant abuse of discretion, and/or
 3. Personal bias.
- vi. Upon receipt of an appeal, the SEC shall notify the appellee immediately. Appellee shall have 24 hours to submit its response via e-mail to the SEC. The response is limited to 500 words.
- vii. The SEC will provide the ECB hearing recording, all evidence from the ECB hearing, the ECB decision, appeal form, and appellee response to the Election Appeals Board (EAB) for its consideration. No new evidence will be considered.
 1. The Election Appeals Board consists of the entirety of the Student Judicial Court except for the SEC and Assistant SECs
 2. In the case that the omission of the SEC and Assistant SEC's votes leaves an even number of voters, the Chief Justice of the Student Judicial Court shall serve as the tie breaker
- viii. The EAB shall issue its ruling within 24 hours of receipt of the information provided by the SEC and Assistant SECs.
 1. The ruling must include the reasons for the decision and how each member voted.
 2. If an appeal does not meet any of the aforementioned grounds it may be dismissed.

3. If the EAB determines that the appeal does not meet the established grounds, they must submit a written explanation of their decision to the SEC to send to the appealing party.
- ix. A reversal on the merits or lessening of the penalty of the case need not be unanimous.
 - x. If the SEC and Assistant SECs find a complaint frivolous, the complainant may appeal to the EAB. Appeals must be filed within 24 hours of the SEC decision. Appeals must be submitted in the same manner as a complaint. Appeals are limited to 500 words. The EAB will review the complaint, the reason why the SECs declared the complaint frivolous, the appeal, and issue its decision within 24 hours of receipt. This decision will be returned to the appellant and will include the total vote count. The EAB can either affirm the finding, to be frivolous or return the complaint to the SEC and Assistant SECs for furtherance to the ECB so that they may inform the respondent and proceed on the merits.
- E. Recusals
- i. An SEC or Assistant SEC shall recuse themselves from the Elections Complaint Board Hearing if there are in any way familiar with the complainant or the respondent
 1. In the event that an SEC or Assistant SEC shall need to recuse themselves the Chief Justice of SJC shall take their place on the Elections Complaint Board for that hearing
 - a. If the Chief Justice is familiar with the complainant or the respondent in any way, a member of the Student Judicial Court shall take their place on the Elections Complaint Board for that hearing
 - ii. Any member of the Elections Appeals Board shall recuse themselves from the Elections Appeals Board Hearing if they are in any way familiar with the complainant or the respondent
- F. The penalties considered by the ECB and EAB are those outlined in IX.B.

XII. Election Certification

- A. Election results will be certified by the SEC and Assistant SECs following the review of each ticket's campaign finance reports, completion of any violation hearings including appeals, and satisfaction of any penalties.
- B. Candidates will be notified of results in a timely fashion by the SEC and Assistant SEC.
- C. All results shall be published on the Elections website within 24 hours of being announced.

XIII. Amendments to the Election Code

- A. The SEC and the Assistant SECs will inform the Senate of all amendments to the Elections Code within the month of October prior to the election.

- i. The Elections Code for the upcoming election year will come into effect the Friday after it is presented to the Senate and will be posted on the USG website
 - 1. Up until that Friday, the code of the previous election cycle will still be in effect until Thursday 11:59 pm
- B. Article IV section 4 of the USG Constitution gives the SEC jurisdiction over all USG elections and referenda, including development of rules and procedures to ensure fair, equitable, and accessible elections.