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UNIVERSITY OF WISCONSIN-EAU CLAIRE
STUDENT SENATE

CLASSIFICATION BYLAW CHANGES TO ARTICLE 4 – DEMOCRATIC ELECTIONS

NUMBER 52-B-21 DATE March 9, 2009

INTRODUCED BY ABOU AMARA II, PARLIAMENTARIAN; ELECTIONS COMMITTEE

CHAIR; AND STUDENT SERVICES COMMISSION DIRECTOR

WHEREAS, there were many problems with the election Bylaws during the last general election; and

WHEREAS, Attachment “A” signifies the changes made to the Bylaws to correct the problems with last year’s election; and

WHEREAS, many sections need clarification and rewording in order to be more easily understood; and

WHEREAS, online voting procedures need to be clarified in order to allow for a more organized election procedure; and

WHEREAS, the Elections Committee Chairperson must follow the Bylaws when making decisions regarding the elections process;

BE IT THEREFORE RESOLVED that the Student Senate adopt the changes made to Article 4 regarding democratic elections; and

BE IT FINALLY RESOLVED that upon passage, President Lauer transmit a

copy of this bill to Dr. Brian Levin-Stankevich, Chancellor; Dr. Marty Wood, Interim Provost/Vice Chancellor; Dr. Beth Hellwig, Vice Chancellor, Student Affairs; and Jodi Thesing-Ritter, Associate Dean of Students, Dean of Students Office.

ATTACHMENT "A"

ARTICLE 4: DEMOCRATIC ELECTIONS

Section 1: Elections Committee

- A. A three person Elections Committee shall be established by the end of the first meeting of the Spring Semester **or 30 days prior to a referendum**.
 - a. *The Student Senate advisor shall be a non-voting member of the elections committee. He or she shall serve primarily in an advising role.*
- B. The Parliamentarian will chair the committee unless that individual is running for office, involved in a referendum on the ballot, or active in a campaign. The Chair of the Elections Committee is responsible for receiving training on how to administer the online election system by a member of Learning and Technology Services no later than sixty days prior to the start of the election.
 - a. If the Parliamentarian is running for office, involved in a referendum on the ballot, or active in a campaign, the President of the Student Body will chair the committee.
 - b. If the President should be running for office, involved in a referendum on the ballot, or active in a campaign, the Vice-President will chair the committee.
 - c. If the Vice-President should be running for office, involved in a referendum on the ballot, or active in a campaign, the Treasurer will chair the committee.
 - d. If the Treasurer is running for office, involved in a referendum on the ballot, or active in a campaign, the position for chair of the Elections Committee will be filled by an election in Executive Board of those who are not running for office, involved in a referendum on the ballot, or active in a campaign.
 - e. *If in the case that none of the before mentioned persons are eligible or available to serve, the Senate will appoint an appropriate member who is not running for office, involved in a referendum on the ballot, or active in a campaign.*
- C. The second member of the Executive Board will be voted on by the Executive Board to serve on the committee.
- D. The final member of the committee will be a Senator-at-Large elected by the full Student Senate
- E. The definition of "Involvement in a referendum" shall include, but not be limited to, being an author in the writing of the bill placing the referendum on the ballot, creating or assisting in the creation or the distribution of referendum literature either for or against, and actively campaigning for or against a referendum.

- a. In election years with a United Council referendum, delegation members cannot serve on the Elections Committee in any position.
 - b. Representatives from United Council must be aware and follow all applicable election laws.
 - c. All promotional materials created for a referendum must follow applicable election laws and university policies.
- F. The definition of “active in a campaign” shall include, but not be limited to, attending campaign meetings, creating or assisting in the creation or the distribution of campaign materials, or actively campaigning for or against a candidate or candidates.
- G. The Elections Committee shall be responsible for overseeing all aspects of the elections process: including, but not limited to, setting up the polls and finding poll workers, investigating any grievances and making Reports and Recommendations regarding those grievances and counting and verification of ballots. The committee will also be responsible with supervising the production of non-partisan advertisements including the location and dates of the elections.

Section 2: President and Vice President

Students shall elect a student body president and vice president by nonpartisan ticket. Candidates for an executive ticket shall be placed distinctly together on the ballot by ticket. The presidential and vice presidential candidates on the ticket receiving the greatest number of votes shall be elected. No individual candidate for president or vice president shall be placed on the ballot or elected. For persons elected to both an executive and senator position, the Senate position shall become vacant upon that person taking office as an executive.

Section 3: Student Senators

Student Senators shall be elected by the student body in a nonpartisan manner by a plurality vote.

Section 4: Absentee Voting

When online voting is not utilized, all students wishing to vote in campus elections while participating in an off-campus program such as, but not limited to, Study Abroad or National Student Exchange, or students who cannot be on campus during an entire election period for reasons covered by university policy, may vote while following these guidelines.

- A. The Public Relations Commission will advertise the availability of absentee voting to students through various methods including email the first day

- petitions for office are available.
- B. Students must email the Student Senate Parliamentarian before elections begin to request an absentee ballot, while providing their Blugold identification number and the reason they are requesting the ballot.
 - C. Electronic ballots will be emailed to students when the polls are opened on the first day of the election and must be returned by the time the polls close the last day of elections.
 - D. No person will be able to vote using an absentee ballot and at the booth on campus.

Section 5: Tie Votes

- A. If two or more executive tickets receive the greatest but equal number of votes in an election, the winning ticket shall be chosen, from among the tied tickets, by the Senate by majority vote at its first meeting following the election. An elimination voting process shall be used by the Senate when three or more tickets tie in an election.
- B. If two or more Senate candidates from the same community receive a sufficient but equal number of votes to win the election, the winner(s) shall be determined by lot administered by the organizations director, or his/her impartial designee, in the presence of two attesting witnesses.
- C. If a referendum question receives an equal number of votes for and against adoption, the question shall fail adoption.

Section 6: Elections and Campaign Procedures

All candidates wishing to hold an office in Student Senate are required to secure a petition for office, along with the Elections and Campaign Procedures Packet. These Elections and Campaign Procedures shall be the official rules and guidelines governing Student Senate Elections.

All candidates for Student Senate elected offices are responsible for the knowledge of and observance of all official Student Senate Election and Campaign Procedures as given to the prospective candidate at the time the petition is taken out, as well as all other university policies.

Ignorance of these procedures shall at no time be considered a valid defense for failure to at all times during a campaign and election process properly observe these procedures.

A. Objective

The objective of these policies is to ensure that all candidates for Student Senate elected offices have a fair and equal opportunity in attaining an elected position. These policies may also be used as a guideline in resolving any conflicts in the election process.

B. Candidate Living Status

Each candidate shall run for either an on- or off-campus position corresponding to the community in which he/she will reside during the following semester. Proof of on- or off-campus residence must be provided upon request.

C. Credit and Grade Point Criteria

Any candidates for office shall maintain a minimum cumulative grade point average of 2.0 and be officially enrolled in at least six credit hours at the university at the time of election and must thereafter maintain a minimum official enrollment, exclusive of summer and winter sessions, of six credit hours while in office.

D. Petition for Office

- a) Petitions are to be given out by the Student Senate Program Assistant, Student Body President and Vice-President if they are not running for office, Elections committee members and office assistants who are not running for office.
- b) The completed petition must be returned to the Student Senate Program Assistant. Once the petition is returned to the Student Senate office, the student will become an official candidate providing that the student meets the credit and grade point criteria stated above.
- c) Students participating in an off-campus program (including but not limited to Study Abroad and National Student Exchange) during elections may run for office if they will return in the following semester. They must provide evidence that they are participating in an off-campus program sponsored by UW-Eau Claire (a letter or email from the Center for International Education or the appropriate educational department will suffice). They must also contact the Student Senate Program Assistant to get information on the procedure for running for office from off-campus ("abroad"). In these cases, petitions may be filed electronically using a method determined by the Elections Committee, in consultation with Learning and Technology Services. If elected, absences at meetings while "abroad" are excused.
- d) A student may campaign and file a petition for both a Student Senator position and an executive ticket.
- e) An executive ticket will consist of a Presidential and Vice Presidential candidate and will require only one petition.
- f) A student winning both an executive and senatorial position must resign their senatorial position at the same meeting they are appointed to the executive position.

E. Campaigning

- a) Campaigning will be defined as any activity, either written or spoken, that is designed to influence students to vote for a prospective or official candidate or a referendum question on the ballot.

- b) Campaigning shall not begin until after the completed petition for office is returned.
- c) The Student Senate office shall not be used for any campaigning or storage of campaign material. This also includes materials related to a referendum question on the ballot. The signing of petitions may occur in the Student Senate office.
- d) Campaigning shall strictly adhere to the Student Senate Election and Campaign Procedures given to the prospective candidate at the time the petition is taken out, as well as university policies.
- e) If paper ballots are used, during the days of voting, no campaign materials or campaigning of any kind shall be allowed within a 50-foot radius of the polling places. This also includes those campaigning for a referendum or referendum materials. An official from the Elections Committee will draw a line with chalk to outline the 50-foot radius, for each day of voting. If online voting is utilized, there are no designated polling places, unless Student Senate or the Elections Committee designates an official polling place(s), so this rule will not be observed for online elections. **No person besides current members of the elections committee shall administer (a) polling/voting place(s). Only members of the election committee or people approved by the election committee may work at polling/voting place(s).**
- f) A candidate shall at no time interfere with another candidate's right to legally campaign; this includes the removal of another candidate's properly-displayed campaign material.
- g) **If online voting is used, during the day of voting, no personal campaigning shall be allowed inside any classroom space (unless permission is obtained from that instructor) or University computer lab (including walk-up computer labs).**

F. Promotional Materials

- a) All candidates shall be given copies of the poster and solicitation regulations of the University of Wisconsin-Eau Claire. Candidates shall be held responsible for that information.
- b) All candidates **must submit one copy of each poster, yard sign, table tent, and leaflet for approval by the Program Assistant.** Bridge signs, buttons, stickers, and t-shirts do not need to be approved. Anything submitted for approval that contains inappropriate material as determined by the Chair of the Elections Committee, will not be valid for display.
- c) Students may display material on their own property, such as residence hall doors or the side of one's house. These materials do not need to be *approved* by the Chair of the Elections Committee, unless produced or distributed by a campaign.
- d) In addition to the Chair of the Elections Committee's approval, the following stamps are also required: All Posters for distribution within Davies Center must be stamped and approved by Campus Information. Campus Information does not have to stamp yard signs, posters for residence hall doors and/or signs for personal residences.

- e) All campaign materials not meeting these requirements may be removed ~~may be fair game to be removed~~, documented, and destroyed by any member of the Elections Committee if they are discovered.
- ~~f) Any writing done on the chalkboards and dry erase boards must have the approval of the Building and Housekeeping Supervisor.~~
- g) No individual candidates or tickets shall be allowed to use the banner wire in Davies Center.
- h) Candidates cannot use the Student Senate bulletin boards located in the hallway of Davies Center at any time.
- i) No campaign materials may be placed in university computer labs, in accordance with LTS policies.
- j) The Student Senate area is off-limits for any campaigning or **visible** storage of campaigning materials.
- k) **Posters:**
 - 1) Candidates may begin to display posters immediately following the return of the completed petition.
 - 2) All posters put up in the residence halls must have the Hall Director's **approval**, excluding those posted on personal property (doors).
 - 3) It is illegal to put posters up in the stairwells of **campus** buildings. They will be fair game to be taken down by anyone if they are discovered.
 - 4) There shall be no posters/signs taped to the sidewalk.
 - 5) The candidate must remove the posters by the Monday following the completion of the election; otherwise, the candidate will be monetarily charged for their removal.
- l) **WebPages:**
 - 1) The creation of a personal website is permitted.
 - 2) In addition, if the Student Senate website is used to promote the general election and basic information on all the candidates, equal access and equal opportunity must be available to all of the candidates.
 - 3) Linking to other web sites from the Student Senate website is allowable as long as the candidate(s) do not use the University seal, Student Senate logo or any other copyrighted materials without explicit permission.
- m) **E-Mail:**
 - 1) A candidate or candidates may use e-mail, but they may not use any electronically created university administrative lists for campaign purposes or in any other way that violates the university's policy regarding the use of e-mail.
 - 1. **Anyone that sends a list on behalf of a candidate is responsible for following this policy including faculty, administration, and any students.**
 - 2. **In addition, the candidate is responsible for informing anyone who sends an email for them of the email policy.**
 - 2) The use of organizations lists is, however, acceptable.

- n) **Veranda Banner:**
No banners will be allowed by candidates for any Student Senate office.
- o) **Bridge Signs:**
Candidates may display a banner on the bridge beginning 7 a.m. on the Monday before the election begins.
- p) **Yard Signs:**
 - 1) Yard signs may be displayed beginning the Monday before the election.
 - 2) The yard signs can be put up after 7:00 a.m. and must come down by 7:00 p.m.
 - 3) Out of courtesy to other candidates it is suggested that signs be put at least 6 feet from other candidate signs.
- q) **Table Tents:**
 - 1) Candidates may begin displaying table tents beginning 7 a.m. on the Monday before the election begins.
- r) **Bulletin Board Space in Davies Center:**
 - 1) An equal portion of bulletin board space in Davies Center per executive ticket will be provided for the placement of whatever promotional materials the candidates choose to display that are deemed legal by the election rules.
 - 2) This will be overseen by the Elections Committee.

G. Room Usage

Rooms may not be reserved in Davies Center in Student Senate's name ~~nor~~ or by individual candidates for campaign use.

H. Write-in Candidates

Write-in candidates shall be responsible to know and adhere to all election and campaign rules.

I. Name Order on Ballots

- a) If paper ballots are used, selection for ballot positions will be at approximately 1:30 p.m. on the date petitions are due. Names will be ordered at random by the Student Senate Advisor. Candidates, or personal representatives, are welcome to be on hand at the time this process is performed. The online polling program will automatically randomize the name order.
- b) Candidates for an executive ticket shall be placed distinctly together on the ballot by ticket.
- c) Ample opportunity for casting write in ballots shall be provided on the ballot, whether paper or online.

J. Voting

- a) Currently enrolled students at the University of Wisconsin – Eau Claire are eligible to vote once for representatives running for seats on Student Senate.
- b) Students shall be able to cast a cumulative ballot, casting up to**

eighteen votes for off-campus senators and up to twelve votes for on-campus senator positions.

- c) Students will only be allowed to vote for one **Executive** ticket.
- d) Polling will take place via only computer or only paper ballots. Electronic voting may include voting from remote sites such as home computers. No persons besides current members of the elections committee shall administer (a) polling/voting place(s).
- e) The program employed for polling shall insure privacy for all voters. It will not allow students to vote more than once. Responsibility for set-up and configuration of the polling program shall be primarily that of the Chair of the Elections Committee. Only the Chair of the Elections Committee, the Student Senate Program Assistant, and the Student Senate Advisor will have access to the online ballot.
- f) Online voting must be approved by a 2/3 vote of the Student Senate 30 days prior to an election **in the form of a bill or resolution that follows proper procedure for legislation.**
- g) If online voting is used, **the election will be held on two of the dates that were chosen, as mandated by Article 3 Section 1 (D) of the Student Body Constitution.** For online voting, an email will be sent to all students at 8 a.m. the morning elections begin. The online ballot will be closed, **exactly forty-eight hours after it opened.**
- h) If paper ballots are used, voting booths are available for use in the elections. At least two people must work the polls (preferably four people). No candidate may be a poll worker. The voting student must show the poll worker his/her valid Blugold I.D. The poll worker will then scan his/her I.D. and give them a certified ballot. The student then takes the stamped ballot to the voting booth. If the student requires instructions, the poll worker will explain the procedure to the student. After voting, the student deposits the ballot in the ballot box.
- i) The candidate with the most votes for an open seat will be declared the winner.
- j) All votes shall be taken by secret ballot
 - 1) In the case of online voting, the student must agree to a disclaimer stating they are voting by secret ballot before proceeding to the voting ballot.

K. Ballots

- a) The Student Senate Program Assistant shall publish a list of all candidates, referenda, initiatives, and recall questions placed on the election ballot and will post the list in a public manner one week prior to the start of each election.
- b) If paper ballots are used, all ballots must be validated (stamped on the back) by an election poll worker. If any ballot is not validated, it shall not be counted but will be kept and stored with all the other ballots. The daily tabulated elections results shall only be known by the Program Assistant and the Student Senate Advisor until the polls are closed on the last day of elections at which point the members of the Elections Committee will be

notified of the results. (If online voting is used, the same is true, although the Chair of the Elections Committee, by virtue of being an administrator of the polling program, will also have access to the results.) As many ballots as possible will be tabulated by Test Scoring Services, otherwise, the Elections Committee will count those that Test Scoring cannot count, which would include ballots for write-in candidates. If paper ballots are used, all candidates will be allowed to observe the sorting and counting of the ballots as long as they do not interfere with this process.

- c) If paper ballots are used, all counted ballots and petitions must be kept in storage until the next Student Senate election; at that time the old ballots can be destroyed. If electronic voting is used, a copy of the results must be kept until the next Student Senate election.
- d) If online voting is utilized, only the Student Senate Program Assistant, the Student Senate Advisor, and the Chair of the Elections Committee will have administrative access to the online ballot.
- e) If there is an administrative issue with voting while the polls are open or supposed to be open, the administration of the ballot, in conjunction with the Elections Committee, shall be solely designated to resolve the situation.

L. Notification of Results

- a) Upon finalization, the results must be posted outside of the Student Senate office and must include the vote totals for all candidates appearing on the ballot and all write-in candidates. Recounts may only take place within one week of the exact time the polls closed for the election. After any recounts are completed, election winners may take office, excluding the President and Vice President who take office the third meeting after the general elections according to Article III, Section 2, Paragraph C of the Student Body Constitution.
- b) Since elected senators take office the Monday following elections, it shall be the responsibility of all candidates to become informed of the results of the election before that time.
The Elections Committee Chair will certify the results of the election and shall ensure that the results of the election are posted as soon as possible, but no sooner than the closing of the polls.

M. Campaign violations

- a) Campaign violations shall be defined as any activity committed by or given prior approval by a candidate contrary to the Election and Campaign Procedures, which are given to prospective candidates at the time a petition is taken out for an elected Student Senate position, as well as any and all university policies.
- b) Write-in candidates shall be responsible to know and adhere to all election and campaign rules.

N. Expenses

- a) Expense reports

- 1) Both members of an Executive ticket and senatorial candidates must submit expense reports.
 - 2) All receipts for campaign expenses must be attached to the submitted expense report. These expense reports shall be kept until the final date of the next Student Senate election and then they may be destroyed.
 - 3) Failure to submit the completed expense report within the one-week time limit will constitute a campaign violation and be treated as such by the Election and Campaign Procedure Grievance Committee.
- b) Spending
- 1) An Executive ticket may not exceed \$1,500 in spending for an election unless all presidential tickets agree to waive the cap. The Executive ticket(s) who wish to exceed the cap must make their request to the elections committee by the same day that the Executive candidate petitions are due. The place and manner in which the separate Executive tickets shall vote whether to exceed the cap is up to the discretion of the elections committee.
 - 2) A senator may not exceed \$500 in spending for an election.
 - 3) Failing to stay below these limits will constitute a campaign violation and be treated as such by the Election and Campaign Procedure Grievance Committee.

Section 7: Grievance Procedures and Penalties

- A. All complaints concerning elections and violations of the Election and Campaign Procedures shall be submitted in writing to the Student Senate Program Assistant no later than three school days after the alleged violation.
- B. The complaint must include a description of the evidence, or the names of witnesses of the alleged violation.
- C. All violations shall be submitted in writing on the official Election-Campaign-Violation form approved by the Student Senate.
- D. The Elections Committee will not act on a verbal complaint.
- E. The Elections Committee will investigate all written complaints and submit a written, signed recommendation and report to the **Senate** regarding the alleged violation or complaint.
- F. Any accused candidate will be given a copy of the written complaint prior to a hearing before the Elections Committee.
- G. The Report and Recommendations of the Elections Committee will be open to the public.
- H. Members of the Elections Committee may not publicly discuss any grievances before the Report and Recommendations regarding the grievance has been submitted to the Senate.
- I. The Report and Recommendations of the Elections Committee must state the belief of the Elections Committee regarding the validity of the complaint and its status as a campaign violation.
- J. The Elections Committee may recommend:

- a) Dropping the case.
- b) Holding a formal hearing by the Senate.
- K. Following the recommendation of the Elections Committee, the Senate shall consider the report and recommendations.
- L. Following a formal and public hearing, the Senate may, if it votes to, take the following actions:
 - a) Make the student ineligible for commission membership for certain time period.
 - b) Make the student ineligible to run for any elected Student Senate position for a certain time period.
 - c) Make the student ineligible to hold an executive position (including Executive Board) for a certain time period.
 - d) May request the University Investigating to require restitution for damages under Chapter 17 of the University of Wisconsin Administrative Code.
 - e) Recommend a formal meeting with the President and Vice President regarding the alleged violation.
 - f) Make a motion to for the removal of the person from Student Senate office.
 - g) Write a resolution regarding the alleged violation.
 - h) Any other disciplinary action approved by the Senate.
- M. The Elections Committee and the Student Senate may not penalize an executive or senatorial candidate with the subtraction of votes.
- N. If the Elections Committee or entire Student Senate finds the alleged violator innocent of a campaign violation, the matter should be immediately dropped.
- O. All grievances and the Reports and Recommendations of the Elections Committee should be kept for a five-year period to aid the Elections and Campaign Procedures Review Committee.

Section 8: Elections and Campaign Procedures Review Committee

Internal Affairs Committee shall review the Elections and Campaign Procedures after each general election. The Internal Affairs Committee shall do the following: review any and all grievances filed since the last review; review any other problems that may have arisen since that time; and recommend changes to the Elections and Campaign Procedures if necessary. This review shall be reported to the Student Senate in a presentation and any applicable legislation no later than the second to last meeting of the Fall Semester.