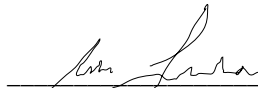


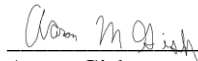
**2013 STUDENT GOVERNMENT BOARD
ELECTIONS CODE**

The Student Government Board (SGB) Elections Committee shall be charged with conducting a fair, honest, and efficient campus-wide election in accordance with the provisions of the non-CGS undergraduate Student Government Board Constitution and this Elections Code. The candidates for the offices of President and Board Member are equally charged with upholding the Elections Code and conducting themselves in a manner that facilitates an honest, fair, and efficient campus-wide election. The Elections Committee and Judicial Committee shall be responsible for opening and closing the polling places, enforcing the Elections Code, maintaining accurate records of voting, staffing polling sites, and preparing and publishing all notices in connection with the execution of the non-CGS undergraduate Student Government Board election.

Adopted: 17 September 2013



Gordon Louderback
Student Government Board President



Aaron Gish
Elections Committee Chair

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ARTICLE I: THE STUDENT GOVERNMENT ELECTIONS COMMITTEE

Section 101: The Elections Committee Chair

§ 101.01 Authority.

The Chair shall preside over all meetings of the Elections Committee and shall act as its spokesperson in all matters of elections business.

§ 101.02 Enforcement.

The Chair shall oversee the Committee members, and is in charge of their recusal or removal, should any ethical conflicts arise.

§ 101.03 Election Code Revision.

The Chair cannot propose any revisions to the Elections Code eight weeks before the election's conclusion.

§ 101.04 Discretion.

For all matters related to the election for which there is no established provision within the Student Government Board Constitution, Bylaws or Elections Code, the Chair shall have the authority to establish and maintain those provisions necessary to ensure a fair, honest and efficient election.

Section 102: The Elections Committee.

§ 102.01 Neutrality.

The Elections Committee shall at all times seek to make decisions based on the authority of the Elections Code. Committee members shall sign documentation stating that they will not endorse or take bias towards any candidates or issues.

§ 102.02 Appearance of Impropriety.

The Elections Committee shall at all times avoid the appearance of any bias, even if no real bias exists.

§ 102.03 Recusal.

Any Elections Committee member with a conflict of interests, real or perceived, will be expected to recuse him or herself from any decisions where such conflict might arise.

§ 102.04 Recusal of the Elections Committee Liaison.

The Student Government Board liaison to the Elections Committee shall be completely impartial to any candidate, lacking any appearance of bias. Should a conflict of interest arise, the liaison will be removed and a new liaison shall be assigned.

§ 102.05 Roberts Rules.

In all official business, the Elections Committee shall follow the most recently revised edition of Roberts Rules of Order, unless otherwise stated.

ARTICLE II: CERTIFICATION AND QUALIFICATIONS OF CANDIDATES AND THE CAMPAIGN

Section 201: Definitions.

§ 201.01 Campaign.

Campaign is a time, as defined in the elections timetable, when a person can solicit and receive endorsements, raise funds, hang banners, advertise electronically, distribute campaign items excluding those distributed in the paper campaign and place ads in *The Pitt News*. Additionally, the actions of each individual candidate shall be considered a part of his or her campaign.

§ 201.02 Paper Campaign.

The *paper campaign* includes and is limited to the distribution of posters, flyers, as well as chalking by candidates or any authorized endorsing organization. The *paper campaign* shall be a separate time as defined in the elections timetable and will begin no earlier than five days before the day of the election.

§ 201.03 Elections Timetable.

The *elections timetable* is a time period, to be approved by the Elections Chair, comprised of times, dates, and places of the petition period, orientation session, campaigning, meetings, debates, the election and the inauguration.

§ 201.04 Elections Code.

The *Elections Code* is a body of rules set up by the Elections Committee, which governs the election process and all persons involved with the election or an individual candidate or slate's campaign.

§ 201.05 Candidate.

A *candidate* is any individual on the ballot for election to the office of either President or Board Member, who has met all filing criteria as outlined in *Section 202*.

§ 201.06 Endorsement.

Endorsement is the active promotion of a candidate by any University of Pittsburgh student organization or individual with the exception of academic departments. “Active promotion” means the organization or individual must offer some benefit to one candidate or slate not available to all other candidates or slates. Endorsing organizations or individuals may only promote candidates through the methods outlined in *Section 210*.

§ 201.07 Campaign Manager.

A *campaign manager* is a non-candidate who serves as a representative of a candidate or slate. A candidate who runs alone or a slate may only have one campaign manager, who must be declared in the SGB Petition and Application Packet at the beginning of the election and is subject to the approval of the Elections Committee.

§ 201.08 Social Media.

Social media is any online resource that is used by a candidate or slate during the campaign period for the purpose of raising awareness of the campaign.

Section 202: Candidate Qualifications.

§ 202.01 Student Status.

To be qualified, a candidate must be a registered full-time undergraduate non-CGS student in good standing at the Oakland Campus of the University of Pittsburgh and must be able to fulfill all duties as defined in the SGB Constitution and By-Laws.

§ 202.02 Requirements.

Each candidate shall have a cumulative grade point average greater than or equal to 2.50. Candidates must be in good standing with the University of Pittsburgh and must disclose any University judicial infractions, as well as any outstanding legal proceedings to the Elections Chair and SGB Advisor.

§ 202.03 Restrictions.

No candidate shall be a member of the Student Government Elections Committee or the Student Government Judicial Committee.

§ 202.04 Judicial Infractions.

Candidates must disclose any University judicial infractions as well as any outstanding legal proceedings to the Elections Chair and SGB Advisor. If a candidate fails to disclose an infraction, he or she will be excluded from the ballot. A candidate with a conduct violation deemed unacceptable by a simple majority of a quorum of six members of the Elections Committee must meet with the Elections Chair and SGB Advisor before he or she can be placed on the ballot. The Elections Committee and Advisor will then determine if the candidate is eligible for candidacy. The infractions that could question eligibility include, but are not limited to:

- (a) Theft
- (b) Assault
- (c) Manslaughter or Homicide
- (d) Perjury
- (e) Any Violations of the Academic Integrity Code
- (f) Repeated violations of the Judicial Code

§ 202.05 Filing Deadline.

Each candidate must submit a completed and time-stamped SGB Petition and Application Packet by the filing deadline established by the elections timetable. If a candidate files for candidacy past the established deadline they must comply with the late candidacy requirements as outlined in *Section 203.04*.

§ 202.06 Petition.

Each Presidential candidate must submit an SGB Candidate Petition Form containing 250 valid signatures of non-CGS undergraduate students registered at the Oakland campus of the University of Pittsburgh. Each Board candidate must submit an SGB Candidate Petition Form containing 200 valid signatures of non-CGS undergraduate students enrolled at the Oakland campus of the University of Pittsburgh.

§ 202.07 Elections Committee Duties.

The Elections Committee will provide, receive, and determine the sufficiency of all SGB Petition and Application Packets received from candidates for the offices of President and/or Board Member. Sufficiency will be determined by simple majority of a quorum of six members of the Elections Committee. All packets are subject to approval by the SGB Advisor.

Section 203: Registered Candidates.

§ 203.01 Definition.

Registered candidates are candidates who file completed packets and are certified by the Elections Committee as meeting the necessary requirements.

§ 203.02 Determination.

No candidate shall be certified or have his or her name placed on the ballot until the Elections Committee reviews the completed packet and qualifications of each candidate for compliance with the requirements of the Elections Code. After such determination of compliance, the candidate shall be considered certified and shall have his or her name placed on the ballot.

§ 203.03 Public Disclosure.

The Elections Committee will post a list of certified candidates outside of Nordy's Place at the beginning of the campaigning period as defined in the elections timetable.

§ 203.04 Late Candidacy.

An individual may apply for late candidacy up until one week before the election. To do so, a prospective candidate may contact the Elections Committee Chair for an application packet, and then return the packet to the Elections Committee with twice the number of signatures required in *Section 202.05*. The candidate must also submit a statement of no more than 500 words as to why he or she wishes to declare candidacy late. The Elections Committee shall approve late candidates by a simple majority vote of a quorum of six members.

§ 203.05 Campaign Workshop.

All candidates must attend a campaign workshop designed to familiarize candidates and campaign managers with the Elections Code and campaign regulations. The workshop will be held on a predetermined date designated by the Elections Chair. Candidates are exempt only if the Elections Chair has cleared his or her absence prior to the start of the workshop. If a candidate is absent without excuse the candidate will serve a two-day suspension from the first Sunday and Monday of the active campaign. No campaigning may be done on behalf of this candidate during this period, including promotion of his or her slate.

§ 203.06 Exception to Campaign Workshop.

If candidates have filed for late candidacy after the official campaign workshop date, they are responsible for making alternative arrangements with the Elections Chair up to one week before the election. Failure to do so will void the individual's candidacy.

Section 204: Candidate Responsibility & Accountability.

§ 204.01 Governing Policy.

All candidates shall be responsible for knowing and understanding:

- (a) the rules set forth in the Election Code,
- (b) the policies set forth by the Elections Committee,
- (c) the rules set forth in the University of Pittsburgh Student Code of Conduct,
- (d) the policies of Computer Services and Systems Development, and
- (e) the rules and regulations of the University of Pittsburgh.

§ 204.02 Ignorance of Regulation.

Ignorance of a regulation is not an acceptable defense for violation of the Elections Code or policies set forth by the Elections Committee.

§ 204.03 Accountability I.

Each candidate shall be responsible for all of his or her campaign materials and shall be held liable for any violation of University or Student Government Board policies by their campaign. Candidates shall be held liable for any violation of University or Student Government Board policies by their campaign manager.

§ 204.04 Accountability II.

If the Elections Committee finds sufficient evidence of an Elections Code violation, it shall be considered a violation by the candidate. It shall be the duty of each candidate to police his or her own campaign and staff.

Section 205: Campaign Finance.

§ 205.01 Contributions.

Any organization or individual may make any contribution of funds no greater than \$100.00 in support of any candidate or slate.

§ 205.02 Disclosure

All University of Pittsburgh-related campaign contributions, contribution amounts, and expenditures must be disclosed to the Elections Chair by the candidate or a slate member in the form of a receipt at the time of their donation and may be released to public upon request.

§ 205.03 Restriction.

Contributions shall not come from any funds allocated by the Allocations Committee or the Student Government Board. Evidence to the contrary will constitute a serious violation of the Elections Code, and subject to action as described in this Election Code.

§ 205.04 Limit to Campaign Spending.

Each slate or independent candidate may spend a maximum of \$1,200 dollars on his/her campaign.

Section 206: Misuse of University Resources.

§ 206.01 Purposeful Misuse.

No candidate or slate may use University funds, resources or facilities in support of a candidate in a manner that is in violation of any of the policies listed in *Section 204.01*.

§ 206.02 Student Organization Resource Center

No candidate or slate may use the services provided by the Student Organization Resource Center (SORC) in support of a candidate.

§ 206.03 Computer Services and Systems Development

No candidate or slate may violate Computer Services and Systems Development (CSSD) policies concerning use of computing resources. Individuals are free to use those resources which are provided by CSSD for personal use, such as personal data storage and print quotas, in support of a candidate, provided it does not infringe on this policy.

Section 207: Student Government Separation.

§ 207.01 Board Separation.

The Student Government Board as a single entity shall not officially endorse a candidate. Neither shall the current President nor Board Members endorse or actively campaign on behalf of any candidate or slate, particularly during official Student Government Board business, e.g. public meetings.

§ 207.02 Exception to Board Separation.

Any current President or Board Member who is running for election with a slate may support his or her slate mates during the campaign period but may not promote his or her self or slate during official Student Government business, e.g. public meetings.

§ 207.03 Separation of Members of Student Government.

Any member of the Student Government who receives a stipend as a result of their affiliation to the Student Government (e.g. Chairpersons and Allocations Committee Members) shall not endorse or actively campaign for a candidate or slate, particularly during official Student Government Board business e.g. public meetings.

§ 207.04 Exception to Separation of Members of Student Government.

Any current member of the Student Government who receives a stipend as a result of their affiliation to the Student Government who is running for election with a slate may support his or her running mates during the campaign period but may not promote his or her self or slate during official Student Government business, e.g. public meetings.

§ 207.05 Campaign Material.

Campaign materials shall not be allowed in the Student Government Board office unless in delivery to, or in the possession of the Elections Committee or the candidate, including t-shirts, pins, and other campaign materials worn by Chairpersons or Committee members who are not candidates.

§ 207.06 Restriction on SGB Resources.

The resources or personnel of the Student Government Board or any Student Government Board Committee may not be used for any candidate's campaign.

§ 207.07 Elections Committee Discretion.

At the discretion of the Elections Chair, any facilities or resources in the Elections Committee office (WPU 839) may be used for any candidate's campaign.

Section 208: Endorsements.

§ 208.01 Eligibility.

Any University of Pittsburgh student organization with the exception of academic departments, may endorse a candidate or slate.

§ 208.02 Candidate Solicitation.

Candidates and campaign managers may seek endorsements anytime from the start of the campaign period until one day before the election. Candidates may not seek out endorsements from academic departments. Solicitation of endorsements for the benefit of a candidate or slate may only be sought by the candidate(s) or campaign manager. A candidate or campaign manager may not knowingly seek out an endorsement that has already been allotted to an organization's maximum number of candidates as outlined in *Section 208.06*.

§ 208.03 Compliance.

All endorsing organizations certified by the University of Pittsburgh's Office of Student Affairs must submit an *Elections Committee Candidate Endorsement Form* to the Elections Chair prior to the placing of any ads, or the distribution any of campaign materials bearing the organization's name in support of a candidate. The form may either be submitted by hand

to room 839 of the William Pitt Union or may be submitted electronically to the Elections Chair via the signer's University of Pittsburgh email account.

§ 208.04 Public Disclosure.

The methods in which an endorsing organization promotes an individual candidate or slate may be released to the public upon request.

§ 208.05 Candidate Disclosure.

The Elections Chair must notify a slate or candidate of their/his/her endorsement within 48 hours of receiving that endorsement.

§ 208.06 Limit to Number of Endorsements per Organization.

The number of candidates that an organization is permitted to endorse is limited to a maximum of the number of candidates an individual may vote for (i.e. five board member candidates and one presidential candidate).

Section 209: Endorsing Organizations.

§ 209.01 Rights.

Endorsing organizations may:

- (a) Promote candidates through print, television, email, radio, and social media.
- (b) Promote candidates through the distribution of fliers and handbills.
- (c) Promote candidates through word of mouth.
- (d) Participate in any campaigning that conforms to this Election Code, University regulations, and the Student Code of Conduct, and respects the fairness and integrity of the Student Government Board Election.

§ 209.02 Restrictions.

Endorsing organizations may not:

- (a) Promote candidates without having submitted an *Elections Committee Candidate Endorsement Form*.
- (b) Post campaign posters not approved by a candidate and his/her campaign.
- (c) Participate in any campaigning that violates this Election Code, University regulations, or the Student Code of Conduct, or disregards the fairness and integrity of the Student Government Board Election.

§ 209.03 Voter Coercion.

No organization that endorses any candidate may offer any monetary or material prize for voting for a specific candidate or slate.

§ 209.04 Disclosure.

The name of an endorsing organization or individual must appear on all material and advertisements used by that endorsing organization to promote a candidate.

Section 210: Slates.

§ 210.01 Definition.

Slates are permitted and consist of at least two candidates. Slates will not exceed three Board candidates or two Board candidates and one Presidential candidate.

§ 210.02 Membership Restriction.

A candidate may not be a member of more than one slate.

§ 210.03 Filing.

All candidates wishing to run as a slate must complete the *SGB Candidate Slate Form* by the deadline established by the Elections Committee.

§ 210.04 Slate Endorsement.

Candidates running as a slate cannot endorse and support another slate or run similar campaigns. Similar campaign can include, but are not limited to similarities in:

- (a) Posters
- (b) T-shirts
- (c) Flyers
- (d) Social media usage
- (e) Slate name
- (f) Endorsement solicitation

§ 210.05 Exception.

Endorsing organizations may advertise those candidates they have endorsed, regardless of their affiliation by slate, provided they have submitted an *Elections Committee Candidate Endorsement Form* prior to the advertisement or promotional activity.

§ 210.06 Nomenclature.

Slate names for purposes of the campaign and ballot are subject to the approval of the Elections Chair.

Section 211: Campaign Managers.

§ 211.01 Definition.

A *campaign manager* is a non-candidate who serves as a representative of an independent candidate or a slate. A campaign manager must be a full-time non-CGS undergraduate of the University of Pittsburgh.

§ 211.02 Restriction to Number of Campaign Managers

An independent candidate or a slate may only have one campaign manager, who must be declared in the SGB Petition and Application Packet at the beginning of the election.

§ 211.03 Duties and Responsibilities.

The campaign manager may hang posters on behalf of a member of the slate she/he represents. A campaign manager may not speak to the general body of organizations in the place of the candidate(s) she/he represents. A candidate takes on the full responsibility for any actions done by the campaign manager during the election.

Section 212: Campaign Materials.

§ 212.01 Value.

Any item less than \$1.00 in value that have been approved by the Elections Committee may be distributed to voters in the campaign. T-shirts are the only item that may have a value exceeding \$1.00.

§ 212.02 Elections Committee Authority.

The Elections Committee reserves the right to determine the value of the item distributed as a part of a candidate's campaign. Proof of an item's value shall be disclosed to the Elections Committee in the form of a receipt.

Section 213: Posted Campaign Material.

§ 213.01 Legal Compliance.

Campaigning and posting of all printed material must be in accordance with all University rules and regulations, as well as local, state, and federal statutes.

§ 213.02 Elections Committee Compliance.

The Elections Committee reserves the right to regulate the size, quantity, and content of all posters used in the paper campaign by candidates and slates.

§ 213.03 Material Restrictions.

Materials that may be distributed during the paper campaign are limited to posters, flyers, and chalking. Any other item must first be approved by the Elections Chair prior to distribution. The Elections Chair may determine the amount of campaign material that is allowed to be posted by each candidate or slate in designated locations on University of Pittsburgh property.

§ 213.04 Defacing University Property.

Stickers, self-adhesive materials, painting of windows, doors or other fixtures or the placing of campaign materials which in some way damages or defaces walls, doors, windows or other University fixtures are prohibited.

§ 213.05 Posting Restrictions I.

Posters placed in the classrooms must be tacked with thumb tacks or staples on the cork strip at the top of blackboards or on the bulletin boards. They shall not be placed on ceilings, walls, doors, or podiums, and only one poster may be placed in any permitted classroom.

§ 213.06 Posting Restrictions II.

Specifically, posters may not be:

- (a) Hung in the Cathedral of Learning Nationality Rooms.
- (b) Hung in such a manner that they obstruct any other posted campaign material.
- (c) Posted on the outside of any University building or in any unauthorized location including, but not limited, to blackboards, revolving doors, glass doors and windows.
- (d) Posted inside the residency halls without the consent of the Elections Chair.

§ 213.07 Posting Restrictions III.

The use of sidewalk chalk to campaign, outdoor chalking, may only be done on areas that are susceptible to being washed away by the environment. Candidates cannot chalk on walls, under covered areas (i.e. walkways), or any of the paved areas surrounding the Cathedral of Learning.

§ 213.08 Posting Restrictions IV.

Only candidates and campaign managers are permitted to hang their own flyers and other promotional materials on the University of Pittsburgh's property.

§ 213.09 Banners.

Banners may be hung only after written permission has been granted by the appropriate University department or building. Banners hung in the Schenley Quadrangle may only be hung facing the inside of the Quadrangle and may only

be hung after obtaining permission from the residents of the window being used. Banners may not be hung from the Towers or the William Pitt Union and no banner may obstruct any other posted material. Any banners or signs may be placed on private property with the written consent of the property's owner.

§ 213.10 Polling Date.

All posters and banners must display the date and web address (www.my.pitt.edu) of the election.

§ 213.11 Limitation of Authority.

The Elections Committee has no authority over the removal of campaign materials by University of Pittsburgh.

Section 214: Social Media.

§ 214.01 Legal Compliance.

All use of social media during the election must be in accordance with all University rules and regulations, website policies, and local, state, and federal statutes.

§ 214.02 Social Media Restrictions I.

Use of social media by candidates and campaign managers is limited to promotion of their personal campaigns or slates. It may not be used as a means of defaming or promoting any candidate who is not a member of their slate or campaign.

§ 214.03 Social Media Restrictions II.

A candidate may not request for any other individual to defame or promote any other candidate or slate on behalf of his or her campaign.

§ 214.04 Limitation of Authority.

The Elections Committee has no authority over removal of information on any website, but may request any candidate remove information.

Section 215: Bribery & Coercion.

§ 215.01 Elections Committee & Judicial Committee.

At no time shall any individual attempt to bribe, coerce, intimidate, or otherwise attempt to exert undue influence on any member of the Elections Committee, or the Judicial Committee.

§ 215.02 Candidates and their Campaigns.

At no time shall any individual attempt to bribe, coerce, intimidate, or otherwise exert undue influence on any candidate or a member of their campaign staff.

§ 215.03 Voters.

At no time shall any individual attempt to bribe, coerce, intimidate, or otherwise exert undue influence on any voter in the election.

§ 215.04 Definition.

Bribery and coercion shall include, but are not limited to:

- (a) Promises of appointment or reappointment to positions of authority.
- (b) Threats to politically or socially ostracize an individual.
- (c) Transfers of funds, goods or services not relevant to the Student Government Board Election.
- (d) Intimidations of physical violence.

§ 215.05 Online Voting Coercion.

At no point shall any individual attempt to vote through the Pitt portal using the username of any other member of the Pitt community. In accordance with Computer Services and Systems Development (CSSD) policies, any attempts at prohibited access to the voting results will result in a report filed to the University of Pittsburgh and/or local and federal authorities.

Section 216: Adjudication & Penalties.

§ 216.01 Violations under Elections Committee Jurisdiction.

Violations of the Election Code or policies of the Elections Committee shall be addressed by the Elections Committee in accordance with judicial procedures as outlined in Article IV.

§ 216.02 Other Violations.

Violations of policies not maintained by the Student Government Board, the Elections Committee, or the Judicial Committee shall be referred to the appropriate judicial authority. This includes, but is not limited to, violations of:

- (a) The University of Pittsburgh Student Code of Conduct.
- (b) Computer Services and Systems Development Policies.
- (c) Any applicable rules and regulations of the University of Pittsburgh.
- (d) Any applicable local, state, and federal laws.

§ 216.03 Reciprocity.

Violations of policies and regulations not maintained by the Elections Committee may result in administrative sanction by the Elections Committee. Sanctions shall be at the discretion of the Elections Committee, and subject to a final appeal to the Judicial Committee.

Section 217: Elections Committee Programming.

§ 217.01 Elections Programming.

The Elections Committee may, at its discretion, initiate or sponsor any program it believes will increase voters' knowledge of the candidates and increase voter turnout.

ARTICLE III: VOTING AND ELECTION DAY PROCEDURES

Section 301: Eligible Voters.

§ 301.01 Criteria for Voting.

All undergraduate non-CGS students registered at the Oakland campus are qualified to vote in the Student Government Board election. Voters may cast no more than one vote for President and no more than five votes for Board.

Section 302: Ballot Positions.

§ 302.01 Authority.

The Elections Committee will determine ballot design, including all information or items that might be included.

§ 302.02 Elections Committee Discretion.

The Elections Committee shall regulate the content and length of slate names and candidate slogans that will appear on the ballot.

§ 302.03 Ballot Design.

The ballot will be divided into Presidential and Board sections. Ballot positions shall be randomized for each individual ballot.

Section 303: Election Day.

§ 303.01 Public Disclosure.

Voting times shall be established by the Elections Committee and shall be made known to the student body.

§ 303.02 Campaigning.

There will be no active campaigning within University buildings on Election Day.

§ 303.03 Tabulation of Votes.

Only the SGB advisor, the Elections Committee Chair and the SGB President may have access to the final vote tabulation process.

§ 303.04 Elected Candidates.

The elected President of Student Government shall be the candidate receiving the highest number of votes for the office of President of Student Government. The elected Student Government Board Members shall be those eight candidates receiving the highest number of votes for the office of Student Government Board Member.

§ 303.05 Polling Stations

Official polling stations will be established by the Elections Committee and shall be made known to the student body. No polling station that is not authorized by the Elections Committee shall exist. Endorsing organizations may not create their own polling station(s).

Section 304: Announcement of Results & Tie Vote Procedures.

§ 304.01 Notification & Tie Votes.

The Elections Committee shall be responsible for issuing letters of election within one week of the day of balloting to all candidates receiving a plurality of votes. If a tie occurs for the office of President or for members of the Board, there shall be a run-off election between those candidates tied for the office within three weeks of the initial date of election.

§ 304.02 Announcement of Results.

Only after all ballots have been counted and all offices decided will the Elections Committee officially and publicly announce the results of the election. No candidate may take office until certified by the Elections Committee. Candidates will be notified by their University of Pittsburgh email account of the election results by the Elections Chairperson.

§ 304.03 Public Record.

All official ballots and other documents submitted to the Elections Committee and provided for the Student Government Board election are declared to be public record and will be kept safely by the Office of Student Government Board for a period of 90 days following the last day of balloting.

ARTICLE IV: JUDICIAL PROCEDURES

Section 401: Filing of an Election Contest.

§ 401.01 Eligibility.

Any eligible voter for the Student Government election may file a contest for violation of the Elections Code.

§ 401.02 Complaint Requirements.

Each complainant must submit written charges to the Elections Chair citing the alleged violation and referencing the pertinent article(s), section(s), and subsection(s) of the Elections Code within twenty four hours after the incident occurs. The written charge must also cite a brief explanation of the alleged incident including the time, place, and location of the incident as well as at least one witness to the incident. The written charge must be signed by the complainant and at least one witness.

§ 401.03 Hearing.

The Elections Committee shall immediately determine whether all criteria for filing have been met. If the Elections Committee decides by a one-third vote of total membership that the complainant merits a hearing, then a hearing shall be scheduled within two business days and the defendant, complainant, witness, members of the Elections Committee, and the Judicial Committee shall be provided with a copy of the complaint along with notice of the date, time, and place of the hearing.

Section 402: Hearing Procedures.

§ 402.01 Closed Hearing.

The hearing shall be closed.

§ 402.02 Record.

The hearing shall be recorded.

§ 402.03 Quorum.

A quorum of six members of the Elections Committee and the Chair is required for the hearing. In the event of the absence of a quorum, the hearing shall be rescheduled and shall be held no more than seventy two hours after the original hearing date.

§ 402.04 Judicial Chair Inclusion.

Should he or she so desire, the Judicial Chair must be permitted to sit in on the hearing as a non-voting and non-participating member of the Elections Committee.

§ 402.05 SGB Non-Participation.

Members of the Student Government Board are specifically prohibited from sitting in with the Elections Committee as a non-voting member during the hearing and deliberations of the Elections Committee, unless they are party to a complaint.

§ 402.06 Order of Presentation.

Each party in the dispute will have 30 minutes to present his or her case. The Elections Committee may extend this time if it is necessary to obtain all pertinent information. The complainant shall make the first statement. The defendant shall make a statement in support of his or her position following the complainant and each side shall be permitted to have a rebuttal. Elections Committee members may ask questions at any point in the proceedings.

§ 402.07 Simple Majority.

The defendant is guilty only if a simple majority vote of the total membership of the Elections Committee finds him/her guilty upon a preponderance of the evidence.

§ 402.08 Discretion of Elections Committee Chair.

Questions of hearing procedure shall be decided by the Chair of the Elections Committee without debate. For this reason, the Chair shall vote only in the event of a tie.

§ 402.09 Disclosure.

Should the defendant be found guilty, the Elections Chair must make a public statement releasing information about the filed infraction, the verdict, and sentence within 48 hours of the final decision of the Elections Committee. Should an appeal be made to the Judicial Committee within the time allotted, no statement shall be made until the final deliberation of the Judicial Committee. All other disclosure of matters of hearing is at the discretion of the Elections Committee.

Section 403: Adjudication.

§ 403.01 Ruling Criteria.

When the hearing has ended, the Elections Committee shall recess and deliberate. All votes shall be decided by a majority vote. The ruling for each charge shall be given in the following form:

- (a) Alleged Violation
- (b) Verdict
- (c) Imposed Sanction

§ 403.02 Notification.

The Elections Committee ruling and disciplinary action will be made known within twenty four hours after the hearing is adjourned. The following individuals will be notified of the decision in writing.

- (a) The Defendant.
- (b) The Complainant.
- (c) The Student Government Judicial Committee.

§ 403.03 Possible Sanctions.

The Elections Committee is empowered to invoke the following administrative sanctions:

- (a) Complete disqualification of a candidate; making him or her ineligible for Student Government Board elected office for the upcoming term.
- (b) Public disclosure of the violation(s) of the Student Government Board Elections Code.
- (c) Invalidation of ballots at a number to be determined by the Elections Committee.
- (d) Prohibition of a candidate from participating in Elections Committee sponsored events.
- (e) Recommendation that the Campus Judicial Board consider possible violations of the Student Code of Conduct.
- (f) Withholding some or all of the candidate's deposit. Any withheld funds will be put into the general Student Activities Fee account.
- (g) Prohibit the candidate from campaigning for a defined amount of time as determined by the Elections Committee.

Section 404: Appeal.

§ 404.01 Limitation.

A decision of the Elections Committee may be appealed to the Judicial Committee within 48 hours of the Elections Committee hearing or the decision of the Elections Committee shall prevail.

§ 404.02 Eligibility.

The appealing parties shall be limited to the complainant and the defendant involved in the original complaint.

§ 404.03 Filing an Appeal.

The party appealing shall file a complaint with the Judicial Committee stating the grounds of appeal.

§ 404.04 Hearing.

The Judicial Committee shall immediately determine whether all criteria for filing have been met. If the Judicial Committee determines that all criteria has been met, then a hearing shall be scheduled within 72 hours and the defendant, complainant, members of the Elections Committee, and members of the Judicial Committee shall be provided with a copy of the appeal complaint along with notice of the date, time, and place of the hearing.

§ 404.05 Closed Hearing.

The hearing shall be closed.

§ 404.06 Record.

The hearing must be recorded.

§ 404.07 Quorum.

A quorum of six officers of the Judicial Committee and the Chair is required for the hearing. In the event of the absence of a quorum, the hearing shall be rescheduled and shall be held no more than seventy two hours after the originally scheduled time.

§ 404.08 Inclusion of the Elections Chair.

Should he or she so desire, the Elections Chair must be permitted to sit in on the entire hearing as a non-voting member of the Judicial Committee.

§ 404.09 Order of Presentation.

Each party will have twenty minutes to present his or her case. The Chair of the Elections Committee shall also have twenty minutes to explain the decision of the Elections Committee. The Judicial Committee may extend this time if it is necessary to obtain all pertinent information. The person appealing shall speak first followed by any other party. The Chair of the Elections Committee shall speak last. Judicial Committee members may ask questions at any point in the proceedings.

§ 404.10 Limits on Admissible Material.

Only material presented at the initial hearing may be presented. No new charges may be raised or considered.

§ 404.11 Decision of Judicial Committee.

After the hearing, the Judicial Committee shall recess and deliberate. The appeal shall be decided by a majority vote. The Judicial Committee may only decide the case in one of the following ways:

- (a) Decide against the appeal and let the decision of the Elections Committee stand.
- (b) Decide that a serious procedural error compromised the first hearing and order the Elections Committee to conduct another hearing within 72 hours.
- (c) Dismiss the case and find the defendant not guilty, if the Elections Committee erred significantly in its interpretation of the Elections Code.
- (d) Impose a sanction alternative to that imposed by the Elections Committee.

§ 404.12 Restrictions on Judicial Committee.

The Judicial Committee specifically may not:

- (a) Find a defendant guilty of a different charge, on which he was originally found innocent by the Elections Committee.
- (b) Impose a more severe sanction on a defendant than was imposed by the Elections Committee. (Should the Judicial Committee agree on a sanction that differs from the Election Committee's, the defendant may choose which sanction they wish to have imposed.)

§ 404.13 Discretion of Judicial Committee Chairperson.

Questions of hearing procedure shall be decided by the Chairperson of the Judicial Committee without debate. For this reason, the Judicial Chair shall vote only in the event of a tie.

§ 404.14 Notification.

The Judicial Committee shall render its decision within 24 hours of the appeal hearing and shall notify the complainant, the defendant, the Elections Committee, the SGB advisor, and the Dean of Students. The Judicial Committee must also provide a specific list of procedural problems and/or their reasons for overturning any Elections Committee sanctions, should such an overturning occur.

§ 404.15 Exhaustion of Judicial Action.

The decision of the Judicial Committee is final.

ARTICLE V: REFERENDUM ELECTIONS

Section 501: Definitions.

§ 501.01 Referendum.

A proposed public measure submitted by the Student Government Board to the Student Government Elections Committee for a direct popular vote by the non-CGS Undergraduate Student Body. The referendum may be set separate from candidate elections.

§ 501.02 Elections Code.

Elections Code is a body of rules set up by the Elections Committee, which governs the election process. These rules are to be followed during the referendum process.

Section 502: Referendum Qualifications.

§ 502.01 Referendum Qualification.

To be qualified, a referendum must be approved in accordance with all appropriate procedure as defined in the SGB Constitution and Bylaws.

Section 503: Referendum Election Finance.

§ 503.01 Contributions.

Any recognized student organization, fraternity, or sorority may spend funds not exceeding \$100 in support of a referendum.

§ 503.02 Restriction.

Organizations spending funds in support of a referendum are prohibited from using University-allocated funds and/or materials for campaigning.

§ 503.03 No SGB Contributions.

The Student Government Board and all Student Government Board Committees shall be prohibited from spending any money for any referendum.

Section 504: Misuse of University Resources.

§ 504.01 Purposeful Misuse.

No one may use University funds, resources or facilities in support of the referendum in a manner that is in violation of any of the policies listed in *Section 204.01*.

§ 504.02 Student Organization Resource Center.

No one may use the services provided by The Student Organization Resource Center (SORC) in support of a referendum.

§ 504.03 Computer Services and Systems Development.

No one may violate Computer Services and Systems Development (CSSD) policies concerning use of computing resources. Individuals are free to use those resources which are provided by CSSD for personal use, such as personal data storage and print quotas, in support of a referendum, provided it does not infringe on this policy.

§ 504.04 Restriction on SGB Resources.

The facilities or personnel of the Student Government Board or any Student Government Board Committee may not be used to campaign for a referendum.

Section 505: Posted Campaign Material.

§ 505.01 Legal Compliance.

Referendum campaigning and posting of all printed material must be in accordance with all University rules and regulations, local, state, and federal statutes.

§ 505.02 Defacing University Property.

Stickers, self-adhesive materials, painting of windows, doors or other fixtures or the placing of campaign materials which in some way damages or defaces walls, doors, windows or other University fixtures are specifically prohibited. Violations may result in the removal of said materials and or immediate disqualification of any candidate by the Elections Committee.

§ 505.03 Posting Restrictions I.

Posters placed in the classrooms can be tacked with thumb tacks or staples on the cork strip at the top of black boards or on the bulletin boards. They shall not be placed on ceilings, walls, doors, or podiums, and only one poster may be placed in any permitted classroom.

§ 505.04 Posting Restrictions II.

Specifically, posters may not be:

- (a) Hung in the Cathedral of Learning Nationality Rooms.
- (b) Hung in such a manner that they obstruct any other posted material.
- (c) Posted on the outside of any University building or in any unauthorized location including but not limited to blackboards, revolving doors, glass doors, and windows.

§ 505.05 Posting Restrictions III.

Posters may only be affixed to bulletin boards. Some bulletin boards are the property of other University departments or organizations and they reserve the right to remove anything on these boards at their discretion.

§ 505.06 Banners.

Banners may be hung only after permission has been granted by the appropriate University department or building. Banners hung in the Schenley Quadrangle may only be hung facing the inside of the Quadrangle and may only be hung after obtaining permission from the residents of the window being used. Banners may not be hung from the Towers or the William Pitt Union and no banner may obstruct any other posted material.

§ 505.07 Polling Date.

All posters and banners must contain the polling dates of the referendum.

§ 505.08 Limitation of Authority.

The Elections Committee has no authority over the removal of posters and banners by the University of Pittsburgh staff.

Section 506: Bribery & Coercion.

§ 506.01 Elections Committee and Student Government Judicial Committee.

At no time shall any individual attempt to bribe, coerce, intimidate, or otherwise attempt to exert undue influence on any member of the Student Government Elections Committee or the Student Government Judicial Committee.

§ 506.02 Voters.

At no time shall any individual attempt to bribe, coerce, intimidate, or otherwise attempt to exert undue influence on any voter in the Student Government Board Election.

§ 506.03 Definition.

Bribery and coercion shall include, but are not limited to:

- (a) Promises of appointment or reappointment to positions of authority.
- (b) Threats to politically or socially ostracize an individual.

- (c) Transfers of funds, goods or services not relevant to the Student Government Board Election.
- (d) Intimidations of physical violence.

Section 507: Adjudication & Penalties.

§ 507.01 Violations under Elections Committee Jurisdiction.

Violations of the Election Code or policies of the Student Government Elections Committee shall be addressed by the Elections Committee in accordance with Judicial Procedure as outlined in **Article IV**.

§ 507.02 Violations under SGJC Jurisdiction.

Violations of policies not maintained by the Elections Committee but still maintained by the Student Government Board shall be addressed by the Student Government Judicial Committee (SGJC).

§ 507.03 Other Violations.

Violations of policies not maintained by the Student Government Board, the Elections Committee, or the SGJC shall be referred to the appropriate Judicial Authority. This includes, but is not limited to, violations of:

- (a) The University of Pittsburgh Student Code of Conduct.
- (b) Computer Services and Systems Development Policies.
- (c) Any applicable rules and regulations of the University of Pittsburgh.
- (d) Any applicable Local, State, and Federal laws.

Section 508: Elections Committee Programming.

§ 508.01 Referendum Programming.

The Elections Committee, at its discretion, may sponsor programs it believes will increase voters' knowledge of the referendum and increase voter turnout.

Section 509: Eligible Voters.

§ 509.01 Criteria for Voting.

All undergraduate non-CGS students registered at the Oakland campus are qualified to vote in the Student Government Board referendums.

Section 510: Referendum Campaigning.

§ 510.01 Public Disclosure.

Voting times shall be established by the Elections Committee and shall be publicized prior to the referendum.

§ 510.02 Campaigning.

There will be no active campaigning within University computer labs on the day of the referendum. If the day of the referendum is the day of an SGB election, no candidates or their campaign staff shall be permitted to campaign in University buildings on behalf of a referendum on the day of the election.

§ 510.03 Campaign Material.

Campaigning organizations and individuals are responsible for permanently removing all campaign materials within University buildings, no later than midnight preceding the opening of the polls.

Section 511: Counting Procedure.

§ 511.01 Tabulation of Votes.

Only the SGB advisor, President, and the Elections Chair may have access to the final vote tabulation process.

Section 512: Announcement of Results.

§ 512.01 Announcement of Results.

Only after all ballots have been counted will the Elections Committee officially and publicly announce the results of the referendum.

§ 512.02 Public Record.

All official ballots, files, application information and lists submitted to the Elections Committee and provided for the referendum are declared to be public record and will be kept safely by the office of Student Government Board for a period of 90 days following the last day of balloting.

ARTICLE VI : ELECTION CODE AMENDMENTS

Section 601: Amendments.

§ 601.01 Approval of Elections Committee.

Amendments to the Student Government Elections Code shall be adopted by a simple majority of votes of the Elections Committee.

§ 601.02 Approval of SGB.

Amendments approved by the Elections Committee shall be submitted for approval by a simple majority vote of the Student Government Board.

§ 601.03 Procedure.

Student Government Board may approve or reject Elections Committee recommendations, but may not make their own changes to the elections code.

§ 601.04 Notification.

Members of the Student Government Elections Committee and the Student Government Board (SGB) shall receive written notice of the proposed amendments 48 hours prior to the meeting when the amendments shall be voted on.