



THE UNIVERSITY OF CHICAGO
**UNDERGRADUATE STUDENT GOVERNMENT
ELECTIONS & RULES COMMITTEE**

University of Chicago Undergraduate Student Government Election Code Autumn 2023

As approved by the Elections and Rules Committee (E&R) 02/14/2024:

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Election Code

Article I. Candidacy Requirements

1. In order to appear on the ballot, candidates must submit petitions to the Election and Rules Committee (E&R) in advance of the election, and attend a candidates meeting as arranged by E&R.
2. The period of time allowed to obtain signatures for candidates' petitions and affidavits shall be not less than five days, or greater than fourteen days.
3. All candidates for office shall be given a copy of this *Election Code* and the *E&R House Rules* within a *Candidates Packet*, and shall be informed of all material rules and regulations, upon E&R's receipt of candidacy petitions or at a time designated by E&R not more than two weeks after the receipt of candidacy petitions that is communicated to candidates when their respective candidacy petitions are received. Such information shall also be available on request in the Undergraduate Student Government office and be posted to the Undergraduate Student Government website.
 - a. E&R will host a mandatory rules meeting for all candidates. Candidates who are aware that they will run and plan to run are required to attend this meeting, and must make alternative arrangements, at the discretion of the E&R Chair, for the fulfillment of this requirement.
4. Signatures on each petition and affidavit will be checked for their validity. Signatures will be declared invalid if the signer is not a member of the Student Association as defined in the Undergraduate Student Government Constitution and By-Laws and/or the signer is not a member of the candidate's constituency.
5. The number of valid signatures required for a candidate to appear on the ballot shall be as follows:
 - a. 200 for each Ticket from their respective constituencies
 - b. 100 for each Trustee and Faculty Governance Liaison candidate and Vice President candidate from their respective constituencies
 - c. 25 for each College Council candidate from their respective constituencies.
6. Candidates or candidate tickets wishing to run as write-in candidates must do one of the following:
 - a. submit a petition to E&R before the beginning of the elections which states an intention to run and which contains at least one valid student signature and attend a rules meeting for write-in candidates; OR
 - b. submit a timely petition to E&R after having been declared a winner of a position, which states an intention to accept the position and which contains at least one valid student signature. No candidate may use this candidacy petition submission procedure more than once during their enrollment, as determined by the Registrar, at the University of Chicago.

Article II. Campaign Expenditures

1. Executive candidates' tickets shall limit all campaign expenditures to \$200, which will be reimbursed as set forth in the Candidates Packet. Tickets may request to receive a copying account at the Reynolds Club, which will count towards their

- expenditure limit, by submitting a written request to the Chair of E&R. Write-in Executive candidates' tickets shall limit campaign related expenditures to \$200.
2. Official Cabinet candidates shall limit all campaign expenditures to \$100, which will be reimbursed as set forth in the Candidates Packet. Cabinet candidates may request to receive a copying account at the Reynolds Club, which will count towards their expenditure limit, by submitting a written request to the Chair of E&R. Write-in Cabinet Candidates shall limit campaign expenditures to \$100.
 3. Candidates for College Council shall limit campaign expenditures to \$75, which will be reimbursed as set forth in the Candidates Packet. College Council candidates may request to receive a copying account at the Reynolds Club, which will count towards their expenditure limit, by submitting a written request to the Chair of E&R. Write-in College Council representative candidates shall limit campaign expenditures to \$75.
 4. Expenses shall be measured by their fair market value, not their actual cost or the Student Government Finance Committee Cost Guide. Where an item or service is donated to a candidate or given at a markedly reduced price that is not available to the general public, fair market value shall be defined as the average or usual cost to obtain the item or service in the area in which it was obtained. Otherwise, the actual price of the item or service may be considered its fair market value, at the discretion of the chair of E&R.
 5. Candidates shall keep original receipts of all campaign-related expenditures, and shall submit them to the E&R Chair in a manner specified by E&R. Regardless of the quantity of money spent, if any, candidates must report their budgets to E&R. Failure to submit a full and complete budget, even in the event of a candidate not expending funds, will result in the levying of an infraction.
 6. Candidates may not spend beyond their respective limit. Refusal to cooperate with a request by E&R for production of any documents or records related to campaign expenditures, or actions to purposefully mislead E&R on this matter, may be punishable as specified in this Election Code.
 - a. The full amount of a Reynolds Club copying code will be assessed against the expenditure limit regardless of whether or not a candidate uses the full amount.
 7. Recognized Student Organizations (RSOs) may not use money allocated to them by Undergraduate Student Government to support the campaign of any candidate, candidate team, or referendum campaign. Campaigns and referenda campaigns are prohibited from accepting this support.

Article III. Candidate Conduct

1. Campaigning before the availability of petitions is prohibited. Such early campaigning is defined as attempts to gain votes prior to the availability of the petitions. This includes flyering, mass emailing and public declarations of candidacy on social media, in a publication, or at an assembly of students. Reaching out to individuals to learn about issues, attempting to find running mates, and having exploratory conversations and email exchanges are not considered to be early campaigning. When identified, early campaigning should result in a warning for the offending candidate or, in particularly egregious circumstances of early campaigning, an infraction or disqualification may be

- levied. If multiple warnings are issued, E&R may choose to bar the candidate from the election.
2. Promises of personal favors by candidates or tickets attempting to gain votes may be punishable by vote penalties. 'Personal favors' should not be confused with exploratory conversations regarding leadership positions, platform plans, or proposed initiatives.
 3. Unwarranted personal attacks are prohibited. Unwarranted personal attacks are defined as attacks on a personal characteristic of a candidate that are calculated to create a negative impression of that candidate beyond the scope of the candidate's platform or suitability for office and either
 - a. are not used to support a conclusion that a candidate is unsuitable for office or has a deficient platform; or
 - b. weakly support such a conclusion and there exists an obvious alternative way to support that conclusion at least as well without resorting to the personal attack.
 4. Defamation, defined as the alleging of provably false facts about candidates in a manner calculated to undermine their campaigns, is prohibited.
 5. Defamation or unwarranted personal attacks on campaigns or candidates may not be disseminated in any manner, particularly via anonymous social media platforms. In the event of such dissemination, E&R shall take the medium by which such defamation or unwarranted personal attacks were conveyed into account when assessing election infractions, with particular focus on anonymous social media platforms. If a campaign or candidate reports activity, on the candidate's behalf but not on the candidate's instruction of another person affiliated with or otherwise known to or associated with the campaign or candidate, of the spreading of defamation or unwarranted personal attacks, this report will be taken favorably into account when assessing infractions, disqualifications, and warnings.
 6. Behavior at E&R sponsored events, such as a formal debate, incongruent with the letter or spirit of the honor code in the Candidates Packet to engage in a civil and respectful manner may result in removal from that event and further penalties. The chair of E&R reserves the right to determine incongruous behavior.
 7. Candidates are prohibited from making false statements of fact to E&R. Candidates found to have lied in this manner may be punished by vote penalties or further sanctions.
 8. Collusion between separate tickets or cabinet candidates for a single position, for the purpose of campaigning or undermining other tickets or candidates for that position may be punishable by vote penalties or further sanctions.
 9. E&R hereby adopts the Student Organization Posting Policy, and any relevant interpretations as set out in the Candidates Packet, into the Election Code, and violations of this policy are infractions under the Code. For the purposes of this rule, candidates are subject to the same restrictions as RSOs except as specified in the Candidates Packet, and the relevant event is the election. The posting policy may be found here: <https://leadership.uchicago.edu/posting-policy>.
 10. Campaigns are expected to be conducted in accordance with University regulations and local, state, and federal law. However, with the exception of the

Student Organization Posting Policy, these laws and regulations are not incorporated into the Election Code and an action that violates them is not also an Election Code violation that can be adjudicated by E&R, unless:

- a. Performing the action may benefit one's campaign or harm another campaign but candidates generally refrain from doing so because it is prohibited by law or university regulation;
 - b. The action is conducted with intent or effect to benefit the violator's campaign at the expense of another's or to harm another's campaign; and
 - c. E&R can conclude that the action violates the law or regulation on its face with minimal legal analysis.
11. Campaigning cannot take place within 50 feet of a polling station
- a. Since computers are used to vote, no campaigning can take place within 50 feet of any public computer
 - b. Candidates are prohibited from approaching potential voters with a web-enabled electronic device to solicit votes

Article IV. Infractions

1. E&R shall level an infraction against any candidate or ticket found to have taken actions that violated a rule that would have led to winning votes at the expense of other candidates. Such actions include, but are not limited to, early campaigning, illicit collaboration between tickets, spending beyond a candidate's imposed limit, or removing the posters of another candidate or ticket.
2. Infractions shall be classified as minor, major, or disqualifying, each corresponding to a particular penalty.
 - a. Minor infractions may result in a 5% deduction in overall vote total for candidates.
 - b. Major infractions may result in a 10% deduction in overall vote total for candidates.
 - c. Other infractions may result in different percentages of deduction in overall vote total, as deemed necessary by E&R.
 - d. Disqualifying infractions will result in immediate disqualification from the election. If the disqualification occurs prior to the actual administration of the election, the disqualified candidate or ticket's name shall not appear on the ballot. Disqualifications shall require either a motion by the chair that is supported by a majority of E&R or a motion supported by all voting members of the committee.
3. Infraction level for a given offense is determined by the discretion of the committee.
4. For improper actions by candidates or tickets that do not officially break rules, E&R shall issue warnings towards the goal of good sportsmanship and a clean election, and may later penalize candidates if the action continues or is repeated.
 - a. The chair may, at discretion, issue warnings in the same above spirit
5. Candidates may be held responsible for campaign-related *Constitution, By-Laws, Elections Code, or Candidates Packet* violations committed by members of their campaign teams. A campaign team is defined as a candidate or candidates for office and those people and groups actively and/or publicly working towards the

election of the candidates. Campaign team membership may be determined to exist by E&R.

6. Write-in candidates are subject to the *Constitution*, *By-Laws*, *Elections Code*, and *Candidates Packet*. Violations of these documents by write-in candidates are subject to the same penalties as rule violations by official candidates.

Article V. E&R Committee Procedure

1. Allegations must be brought to E&R within two weeks of the end of the relevant elections. Depending on the nature of the offense, allegations made after this period may be considered, though this is unlikely and is an extremely narrow exception. These allegations may be brought by any student, by any student group, or by any member of E&R or Undergraduate Student Government. Anonymous complaints will not be considered. Complaints will be received by the Chair of the E&R committee (who will post an email address to the USG website at which they may be reached) who will present the complaint, in its entirety, to the rest of the committee; otherwise, complainants should not contact individual members of E&R regarding their complaint. Information submitted to individual E&R members will not be considered.
2. Once an official complaint has been made, E&R will issue a formal decision pursuant to the House Rules in the Candidates Packet.
3. An appeal will only be considered if significant additional information is provided with the appeal. New information shall be submitted with an appeal along with a copy of the original decision to E&R. E&R shall be the sole body to which a campaign may appeal.
4. While the complainant(s) and the defendant(s) will lodge the complaint and defend their conduct in an open meeting, E&R will deliberate and make a decision in private.
 - a. If under extraordinary circumstances, and in consultation though not consent from E&R's CLI staff member, the Committee members find unanimously that the nature of a particular case is such that a public complaint process would be injurious to the safety or wellbeing of either the complainant(s) or the defendant(s) or both, then E&R may hear such complaints in a special private session called after the conclusion of its public meetings and prior to E&R's deliberation.
5. If after one hour of deliberation there has not been a vote, the Chair will call for a vote unless a motion is presented to extend deliberation, and that motion passes by a majority. If there is a tie, the Chair will vote and break the tie. Deliberation need not take one hour and the E&R Committee may vote at any point before the time limit is reached.
6. E&R in conjunction with the Center for Leadership and Involvement, will issue a Candidates Packet. The Candidates Packet may not contradict the Elections Code, the By-Laws, or the Constitution. The Candidates Packet will include the following:
 - a. House Rules detailing E&R Committee Procedure.
 - b. An Honor Code governing conduct and decorum at E&R-sponsored events.

- c. Additional interpretations specific to the election regarding the University Posting Policy and Reimbursement guidelines.
 - d. An agreement to abide by the Election Code, Honor Code, University Policies, and House Rules.
 - e. Other useful information.
7. The Chair and other members of E&R are prohibited from sharing ballot returns to which they may be privy before the close of voting. This shall not be construed as a prohibition on sharing early estimates of voter turnout.

Article VI. Ballot Presentation & Voting

1. The names of all candidates, their affiliation with any electoral group, and their School or Division shall be listed on the ballot. The order of the names shall be randomized.
2. Instructions regarding how to mark the ballot shall appear on each ballot.
3. When proposed amendments to the *USG Governing Documents* are to be voted on by the Student Association, the full text of such amendments shall appear on the ballot and links to the current documents shall be provided on the USG website.
4. For students voting for multimember positions, such as College Council Representative, one may submit votes for a number of candidates up to the number of actual representatives. For example, there are five College Council Representatives for each class year; when voting, students may select up to five candidates for whom to vote.
5. For students voting for multimember positions, one may submit write-in votes for up to the number of actual representatives, as described above. Each submission for a write-in vote must be unique and may not duplicate names. The total number of write-in votes plus votes for candidates on the ballot must not exceed the number of actual representatives.
6. While candidates for office may run for multiple positions, they may only be elected to one. Candidates elected to more than one position must choose which position to vacate within 48 hours of the election. The candidate in the race for the vacated office with the next highest vote total will be deemed elected.
7. In the event of a tie between two or more candidates, College Council will vote to break the tie before the conclusion of the complaint period.

Article VII. Referenda

1. Referenda shall be conducted in compliance with the process enumerated in USG Constitution Article VIII. The process requires a proper petition, a proper submission, and a proper act of referendum, as defined under this code. Referenda that do not comprise all three elements properly carried out take no effect.
2. In order for a petition to be proper:
 - a. All signatories must be current members of the Student Association, and each signature must include a Student ID number for verification.
 - b. Signatures must be collected in hard copy.
 - c. The complete text of the act of referendum, as specified in this code, must be made available for perusal to all signatories at the time of signing. The signatures are only valid to support an act of referendum identical to that which was made available to the signatories.

- d. If the referendum is a constitutional amendment approved by College Council by $\frac{3}{4}$ vote, the referendum shall be considered submitted and subject to the referendum procedure of E&R.
3. In order for a submission to be proper:
 - a. E&R must provide no fewer than three weeks' notice of the forthcoming referendum to the Student Association.
 - b. At minimum, notice must take the form of:
 - i. Email to all members of the Student Association;
 - ii. Posting on the Undergraduate Student Government website
 - c. Notice must include the complete text of the act of referendum. This notice is only valid to support an act of referendum identical to that contained in the notice. Notice must also include the date and time of the referendum vote.
 - i. The complete text of the referendum must be in the body of the email specified in Article VII § 3(b)(i), and not merely in link form.
 - ii. Pursuant to the rules prohibiting undue advantage in any campaign elsewhere in this Election Code, the official E&R notice may not include additional information or links supporting or opposing the proposed act of referendum.
 - d. The ballot must include the complete text of the proposed act of referendum, as specified in this code.
 - e. The ballot question must be phrased as follows: "Should the act of referendum specified above pass?"
 - f. E&R must ensure that the act of referendum is unambiguous to the voter.
 4. In order for an Act of Referendum to be proper:
 - a. It must explicitly propose one, and only one, of the following:
 - i. Constitutional amendment.
 - ii. College Council By-law amendment.
 - iii. Resolution as defined in Undergraduate Student Bylaws.
 - b. It must include the complete text of the amendment or resolution being proposed and cite to where it would appear in governing documents, if applicable. Otherwise it must specify in full, with citation and a full text quote, the Article, By-law, or resolution which the act is proposing to repeal. If the act proposes an amendment to an existing Article, By-law, or resolution, then it must include both the text and citation of the existing rule, and the proposed new language, and specifically propose that the latter replace the former.
 - c. The proposed amendment, or resolution is subject to the same limitations as its College Council counterpart. Therefore, proposed By-laws may not contradict the Constitution, and proposed resolutions may not contradict the By-laws or Constitution.
 - d. Proposed amendments and resolutions may not contradict existing amendments and resolutions of the same authority, unless the act of referendum explicitly proposes amending, replacing, or repealing the rule in question under Article VII § 4(c) of this code.

- e. It may not include a preamble unless that is to become part of the enacted amendment or resolution. It may not include a title, which will be assigned by the College Council if the act of referendum passes; this restriction applies solely to ballot presentation and to the notice specified in Article VII § 3 of this Code.
5. If E&R finds that any of the above steps are deficient, it may suspend the referendum process until it is either rectified or E&R deems it irreparable, at which point the referendum will be canceled. The Chair of E&R may provisionally suspend the referendum process on their finding that the process is deficient, which may last only until the next meeting of E&R, to approve the suspension of the process.
6. It is acceptable to, prior to the collection of signatures, request an advisory opinion regarding the completion of any of the above steps which can be assessed prior to the collection of signatures.
7. The Chair of E&R shall be consulted if there are any interpretive questions regarding Article VII § 4(c)-(d) of this code.
8. Failure to meet the criteria for a properly petitioned and submitted act of referendum as specified in Article VII § 2-4 of this Election Code will render the act of referendum null and void.
9. E&R shall set the date of the referendum, as per the constitution. E&R should schedule referenda to coincide with regularly scheduled elections provided sufficient notice is provided as defined by Article VII § 3 of the Election Code.
10. Campaign efforts for referenda shall abide by all applicable normal election rules and procedures.
11. Organizers of referenda campaigns shall not spend more than \$500 on advocacy for their cause (either for or against a ballot item). E&R shall not reimburse referenda campaigns.
12. RSOs may not use money they receive from Undergraduate Student Government to aid or undermine active referenda campaigns. Referenda campaigns are prohibited from receiving this support.