

**THE JOINT ELECTIONS
COMMITTEE CHARTER ACT**

2007

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THE JOINT ELECTIONS COMMITTEE CHARTER

Title I – The Charter Generally

Chapter A – Definitions

§1. Equivalence and specificity of terms

As used in this Charter, unless context indicates otherwise—

- a) the present tense includes the past and future tenses, and the future the present;
- b) the masculine gender includes the feminine;
- c) the singular includes the plural, and the plural, the singular;
- d) references to ‘this Charter’ mean the totality of provisions within all titles of the Joint Elections Committee Charter; and
- e) references to ‘this title’ or ‘this chapter’ mean a cross-reference to the same title or chapter in which the provision is located.

§2. Time

- a) All references to time-periods made in this Code, unless otherwise designated as a time period of class days, shall be calculated to include weekends and holidays, but shall exclude those days that may fall within any of the following scheduled vacations of the University: Thanksgiving, Winter Break, Spring Break, and Summer Vacation.
- b) Unless otherwise specifically indicated, all references made in this Code with respect to a moment of time occurring in a standard 24-hour day, the representation thereof being manifested by a specific amount of hours and minutes that have elapsed in the *ante meridiem* (which may be referred to by the abbreviation “a.m.”) or in the *post meridiem* (which may be referred to by the abbreviation “p.m.”) on a particular day, shall be construed to be measured in accordance with the standard of official time designated by federal law as ‘United States Eastern Standard Time’ during the period beginning at 2:00 a.m. on the last Sunday of October of any calendar year and ending at 2:00 a.m. on the first Sunday of April of the next succeeding calendar year, and in accordance with the standard of official time designated by federal law as ‘United States Eastern Daylight Time’ during the period beginning at 2:00 a.m. on the first Sunday of April and ending at 2:00 a.m. on the last Sunday of October of any calendar year.

§3. Construction of fractional requirements; quorum

In any section of this Charter—

- a) if a Committee, committee, or other entity composed of three or more persons is conferred the authority to decide, rule, or otherwise act, such authority may not be exercised unless a majority of persons who are present, each of whom contributes to the composition of the entity, so approves, provided that a quorum is present;
- b) if a specific fraction of the component members of a board, Committee, committee or other entity composed of three or more persons is conferred the authority to

decide, rule, or otherwise act, such fractional requirement is relative to the number of persons present; and

- c) a majority of the persons constituting any board, Committee, committee, or other entity shall constitute a quorum.

§4. Definitions

The following definitions are provided for use with this charter. For more definitions see the Student Association Bylaws. For purposes of this Charter, unless context requires otherwise, the term—

- a) “election” means any general, runoff, recall or referenda election.
- b) “candidate” means an individual who has taken an affirmative step to seek office.
- c) “the Committee” shall mean the Joint Elections Committee.
- d) “authorized agent” means a person designated by a candidate to act or engage in campaigning on behalf of the candidate.
- e) “expenditure” or “expense” means any appropriation of funds, or other exchange of monetary value, for the purpose of influencing an election.
- f) “University” means The George Washington University, and when meaning the location, shall include any sidewalks or streets contained therein.
- g) “aggregate expenditures” means the total fair market value of all goods distributed by or for a campaign, and any expenditures made for services rendered for a campaign, excluding any items never distributed or used for a campaign purpose.
- h) “fair market value” means—
 - i) if no discount was given, the price listed, displayed, or advertised for a good or service shall be the fair market value, or;
 - ii) if a discount available to all candidates was given, the discounted price paid for a good or service shall be the fair market value, or;
 - iii) if a discount not available to all candidates was given, the full price officially listed or displayed for a good or service shall be the fair market value.
- i) “campaign” or “campaigning” means any unsolicited distribution of campaign materials.
- j) “governing documents” means the Charter and Constitution of the Student Association, the Marvin Center Governing Board, and the Program Board.
- k) “election supplies” shall mean the equipment, ballots, forms, poll lists, voting time rosters, tabulation mechanisms, and other materials necessary to conduct an election;
- l) “elector” shall mean a person who casts a vote in an election, and may be used interchangeably with “voter”;
- m) “contest” and “race” are used in noun form to connote a particular election for an office or measure, and may be used interchangeably with the term “election” where context renders such usage appropriate;
- n) “uniform constituency group” shall mean a group of electors having uniform demographic characteristics for the purposes of ballot categorization, the members of the group being qualified to vote for identical offices or measures, such that an identical ballot may be used for any such member to cast his individual vote;

- o) “election officer” shall mean a Committee member, staff officer or employee of the Committee performing official duties pertaining to the conduct of elections and election-related activities;
- p) “staff officer” means an officer appointed by the Committee who has authority over employees of the Committee;
- q) “election day” shall mean a day scheduled for an election ordered and conducted pursuant to this Charter on which votes are cast at a polling place or counted at a counting station;
- r) “multi-seat election” or “multi-seat race” means an election in which the candidates for an office compete for selection to more than one available seat for the office, such that a voter is entitled for as many candidates as there are seats to be filled;
- s) “single-seat election” or “single-seat race” means an election in which the candidates for an office compete for selection to one available seat for the office;
- t) “governing law” shall mean the law of the Student Association, Marvin Center Governing Board, or Program Board that applies to a particular occurrence, event or transaction;
- u) “measure” or “ballot measure” means a question or proposal submitted in an election for an expression of the voters’ will and includes the circulation and submission of a petition to determine whether a question or proposal is required to be submitted in an election for an expression of the voters’ will; and
- v) “post” shall mean display on the bulletin board or other means of providing notice to the public that the committee shall adopt by rule, and report at a meeting and include in the record thereof;
- w) “report” shall mean report at a meeting and include in the record thereof.

§5. Exceptions to campaigning and expenditure

For purposes of this Charter, the terms “campaigning,” and “expenditure,” shall not include—

- a) any news story, commentary or editorial distributed through the facilities of a newspaper or other periodical publication, unless such facilities are owned or controlled by a candidate or his authorized agents, and “owned or controlled” means that the candidate or his authorized agent is an officer, editor, director or paid employee of the newspaper or its parent company, but the Committee may exempt a publication who does have the candidate or his authorized agent as an officer, editor, director or paid employee if the publication can show that the individual in question has no significant control or influence over the publication’s editorial content;
- b) any communication by any membership organization, registered with the Student Activities Center, to its members, provided such membership organization is not organized primarily for the purpose of influencing any election;
- c) complying with or exercising any process or procedure contained in this Charter;

Chapter B – Authority and Construction of the Charter

§6. Enactment and authority

This Charter shall be enacted by a vote of a simple majority of the membership of the Student Association Senate and conformance with the legislative process accorded in Article I, Section 10 of the Student Association Constitution. The Marvin Center Governing Board and the Program Board shall each adopt this Charter, as enacted by the Student Association, in accordance with their respective laws. The same shall be required of any amendment to this Charter.

§7. Supremacy

Where the constitutions or charters of the Student Association, Marvin Center Governing Board, or Program Board, or the Bylaws of the Student Association, conflict with this Charter, the former shall govern, except, if any of the former, in their particular application, do conflict with another of the former, this Charter shall govern. Where the other laws of the Student Association, Marvin Center Governing Board, or Program Board conflict with this Charter, this Charter shall govern. The meaning of this Charter shall whenever possible be the meaning that does not conflict with any other constitution, charter, bylaw, or other law of the Student Association, Marvin Center Governing Board, or Program Board.

§8. Severability

The provisions of this Charter are severable, and if any title, chapter, or section, or part thereof, is held to be unconstitutional by a court of competent jurisdiction, the decision shall not be construed to affect or invalidate any other provisions of this Charter, or the Charter as a whole.

Chapter C – Joint Elections Agreement

§9. Joint Elections Agreement

The President of the Student Association, Marvin Center Governing Board Chair, and Program Board Executive Chairperson shall execute a Joint Elections Agreement that shall affirm the adoption by each organization of this Charter, affirm the consent of each participating organization to the sharing of cost of the election, and state the amount allocated by each organization to the Student Association for the purpose of conducting elections. The Joint Elections Agreement shall contain nothing further. The Joint Elections Agreement shall be subject to ratification by the respective participating organizations in accordance with their respective laws, if such is required, and it shall not be executed until it has been ratified by each participating organization if so required by their respective laws.

Title II – Joint Elections Committee

§10. Establishment of Joint Elections Committee; Membership

- a) Established is a Joint Elections Committee, an entity of the Student Association, and the members thereof officers of the Student Association.
- b) The Committee shall consist of five student members, appointed according to the procedures of each respective organization therefore, composing: one member appointed by the Program Board, one member appointed by the Marvin Center Governing Board, two members appointed by the Student Association President with the advice and consent of the Student Association Senate, and one member appointed by the respective processes of all three of the former.
- c) Appointments to vacancies in the Committee shall respect the composition contained herein.

§11. Term of office

Members of the Committee shall serve a single term commencing with their appointment and expiring on the day on which the term of Student Association senators expires.

§12. Qualifications

All enrolled students of The George Washington University shall be eligible to serve as members of the Joint Elections Committee, except that no person shall be eligible who shall—

- a) hold any other office of the Student Association, Marvin Center Governing Board, or Program Board during service;
- b) have not been a registered student of the University continuously since the January of the year prior to appointment to the Committee; and
- c) be engaged in a program of study abroad.

§13. Prohibition of certain participation

No member of the Committee shall also be a candidate in an election or engage in campaigning.

§14. Removal

Removal of a member of the Committee shall be conducted: according to the laws of the Student Association, and the Student Association may remove any member of the Committee for violation of its governing documents; according to the laws of the Marvin Center Governing Board or Program Board, by the respective organization, and the respective organization may remove any member of the Committee for violation of its governing documents.

§15. Selection of chair and vice-chair

- a) The Committee shall select a chair and a vice-chair from among its members, to each serve until his or her respective—
 - i) resignation from the position of chairman but not from the Committee;
 - ii) resignation from the Committee;

- iii) removal as chairman by the Committee;
 - iv) removal from the Committee;
 - v) failure to be qualified; or
 - vi) expiration of term.
- b) The chair shall preside at meetings. In his or her absence or disability, the vice-chair shall preside.

§16. Disqualification from proceeding

A member of the Committee shall disqualify themselves in any proceeding in which the impartiality of the member might reasonably be questioned, including but not limited to circumstances where:

- a) the member has a personal bias or prejudice concerning a party or counsel;
- b) the member knows that the member, the member's spouse or domestic partner, a person within the third degree of relationship to either of them, or the spouse or domestic partner of such a person is a party to the proceeding or is acting as a counsel in the proceeding, a person who has more than a de minimis interest that could be substantially affected by the proceeding, or likely to be a material witness in the proceeding;
- c) the member knows that he or she, individually or as a fiduciary, or the members's spouse, domestic partner, parent or child, or any other in the member's family residing in the member's household, has an economic interest in the subject matter of the proceeding;
- d) the member, while a member or a nominee for membership on the Committee, has made a public statement, other than in a prior judicial decision or opinion, that commits, or appears to commit, the member to reach a particular result with respect to an issue in the proceeding.

A member of the committee subject to disqualification under this Rule, other than for bias or prejudice under subsection (a), may disclose on the record the basis of the member's disqualification and may ask the parties and their counsel to consider, outside the presence of the member and other election officers, whether to waive disqualification. If, following the disclosure, the parties and counsel, without participation by the member and other election officers, all agree that the member should not be disqualified, and the member is then willing to participate, the member may participate in the proceeding. The agreement shall be incorporated into the record of the proceeding.

Chapter B – Functions, powers, duties, and authority

§17. Functions of the Committee

The Committee shall administer, seek to obtain compliance with, and formulate policy with respect to this Charter, and except as otherwise provided herein shall have exclusive jurisdiction with respect to the civil enforcement of the provisions contained in this Charter.

§18. Powers

The Committee is empowered—

- a) to require by order any candidate or group of candidates, or any agent thereof, to submit, under oath, such written reports and answers to questions as the Committee may prescribe;
- b) to administer oaths and affirmations, as is any member of the Committee in performance of an official duty;
- c) to require by subpoena, signed by the chair or vice-chair of the Committee, the attendance and testimony of student witnesses and the production of all documentary evidence relating to the execution of its duties;
- d) in any proceeding or investigation, to order testimony to be taken by deposition before any person designated by the Committee and empowered to administer oaths and, in such instances, to compel testimony and the production of evidence in the same manner as authorized by this section;
- e) to initiate (through actions for injunctive, declaratory, or other appropriate relief), defend, or appeal any action in the name of the Committee to enforce the provisions of this Charter, and—
 - i) such power shall encompass the authority to petition the Student Court of the Student Association or any other court within the jurisdiction of which any inquiry is being carried on, in case of refusal or threatened failure to obey a subpoena or an order of the Committee issued under subsection (c), to issue an order requiring compliance with the Committee subpoena or order, and any failure to obey the order shall be punishable by the Court as a contempt thereof; but
 - ii) this provision shall not be construed to affect the litigation authority of the Vice President for Judicial and Legislative Affairs in any other circumstance;
- f) to make, amend, and repeal such rules as are necessary to carry out the provisions of this Charter, but no such rule shall be effective until it shall be posted; and
- g) to conduct investigations and hearings expeditiously; and
- h) to encourage voluntary compliance; and
- i) to report and refer apparent violations of University rules and regulations to the appropriate disciplinary authorities; and
- j) to conduct audits and investigations of any candidate.

§19. Specified duties

In addition to fulfilling such duties as otherwise may be prescribed in this Charter, the Committee shall—

- a) develop a filing, coding and cross-indexing system consistent with the purposes of this Charter, and keep and maintain on public record any document or report generated or received by the Committee under this Charter for a period of not less than five years;
- b) prepare, publish, and furnish to all persons required to file documents and reports under this Charter a manual recommending uniform methods of bookkeeping and reporting;

- c) no later than 72 hours after receiving any documents or reports filed with it under this Charter, make such documents or reports available for public inspection and for photocopying at the expense of the person requesting such photocopies;
- d) from time to time, report to the President and the Executive Vice President of the Student Association, the Student Association Senate, the Chairperson of the Program Board, and the Chair of the Marvin Center Governing Board, the activities of the Committee in carrying out its duties, and any recommendations for legislative or other action that the Committee considers appropriate;
- e) designate a member or officer to attend meetings of the Student Association Senate and, at the request of the Senate, report on the progress of the Committee's work and reply to any inquiries made by the Senators thereupon; and
- f) in cooperation with the Student Association Vice President for Public Affairs, take such action that is necessary and appropriate to publicize all elections.

§20. Meetings, quorum, agenda, record

- a) Meetings of the Committee shall be called by the Chair or a majority of the members of the Committee upon transmitting adequate notice of the time and place of the meeting to the members of the Committee and posting notice of the meeting, except that no such meeting called shall be held earlier than 48 hours after posting notice and transmission to the members by the Chair or the group of members, as the case may be, of notice that the meeting has been called.
- b) A majority of the members of the Committee shall constitute a quorum when the members have assembled for such purpose, except that no quorum shall be established without the presence of at least two of the members.
- c) The Committee shall conduct its meetings in public, such that the public may come and go at any time during a meeting, except that the committee may, by a majority vote, enter into closed session for discussion.
- d) The Committee shall keep a record of its proceedings at meetings, and report it within 24 hours of every meeting.
- e) No later than four hours before the meeting, the Committee shall post an agenda of the meeting.

§21. Decision-making authority

- a) Except as otherwise provided by governing law, all decisions of the Committee with respect to its duties and powers under the provisions of this Charter shall be made by a majority vote of the members of the Committee, but no such decision shall be valid without the concurrence of no less than two of the members thereof, and all decisions shall be voted on and entered into during a meeting of the Committee, and not in closed session.
- b) A member of the Committee may not delegate to any person his or her vote or any decision-making authority or duty vested in the Committee by the provisions of this Charter or by any other source of law.

§22. Delegation of functions

- a) In addition to its existing authority, the Committee shall have authority to delegate, by published order or rule, any of its functions to a division of the Committee, an individual member of the Committee, or a staff officer or other employee, including functions with respect to hearing, determining, ordering, certifying, reporting or otherwise acting as to any work, business or matter.
- b) Right of review, procedure—
 - i) With respect to the delegation of any of its functions, as provided in paragraph (1), the Committee shall retain discretionary right to review the action of any such division of the Committee, individual member of the Committee, or staff officer or other employee, upon its own initiative or upon petition of a party to or intervener in such action, within such time and in such manner as the Committee shall by rule prescribe.
 - ii) The vote of one member of the Committee shall be sufficient to bring any action mentioned in subparagraph (A) before the Committee for review.
 - iii) If the Committee declines to review a delegated action, or if no such review is sought within the time stated in the rules promulgated by the Committee, then the action of any such division of the Committee, individual member of the Committee, or staff officer or other employee shall, for all purposes, including judicial appeal or review thereof, be deemed the action of the Committee.

§23. Principal office

The Committee shall have its principal office in or near the Marvin Center of The George Washington University, but the Committee may meet or exercise any of its powers anywhere on the campus of the University.

§24. Budget and financial record, financial process

- a) The Committee shall create and report a budget, and shall report a descriptive account of its income and expenses within 24 hours of any change.
- b) The Committee shall operate its finances as an entity of the Student Association, in accordance with the governing law of the Student Association.

§25. Solicitation of recommendations

The Committee shall solicit recommendations for additional rules from student governance organizations serving communities within the University, including the Residence Hall Association and the Marvin Center Governing Board, among others.

Chapter C – Staff Officers and Employees

§26. Qualifications

All enrolled students of The George Washington University shall be eligible to serve as staff officers of the Joint Elections Committee, except that no person shall be eligible who shall—

- a) hold any other office of the Student Association, Marvin Center Governing Board, or Program Board during service; or
- b) be engaged in a program of study abroad.

§27. Prohibition of certain participation

No staff officer or employee of the Committee shall also be a candidate in an election or engage in campaigning.

§28. Compensation

The Committee may provide for the compensation of its employees, and it shall establish such by rule.

§29. Credentialing

The Committee shall produce credentials for its members, staff officers, and employees, which shall display the name and office or position of the bearer. Elections officers shall carry their credential at all times in the exercise of their official duties, shall show their credential when exercising an official duty upon the demand of any person, and shall display their credential at all times in the exercise of their official duties on election days.

§30. Use of assistance, personnel, and facilities of the Student Association

In carrying out its responsibilities under this Charter, the Committee shall, to the fullest extent practicable under the circumstances, avail itself of the assistance of personnel and facilities of other agencies and departments of the Student Association. The heads of such agencies and departments may make available to the Committee such personnel, facilities, and other assistance as the Committee may request.

§31. Actions brought against staff officers or employees for official acts

In any action brought in a court of the Student Association against any persons for or on account of anything done by them while staff officers or employees of the Committee in the discharge of their official duty in executing any order of the Committee, the Vice President for Judicial and Legislative Affairs, on being thereto requested by the staff officer or employee sued, shall enter an appearance on behalf of such staff officers or employees, and the defense of such action shall thenceforth be conducted under the supervision and direction of the Vice President for Judicial and Legislative Affairs.

§32. Secretary

- a) The Committee shall appoint a Secretary, who shall be a staff officer and shall serve at the pleasure of the Committee.
- b) In addition to performing such other duties as the Committee requests, the Secretary shall, pursuant to policies and procedures approved by the Committee—
 - i) organize and maintain records of all official actions taken by the Committee, including the taking of minutes and attendance rolls at Committee meetings, of transcriptions of Committee hearings, and recordation of Committee votes;
 - ii) receive, process and maintain records of all documents and reports filed with the Committee; and

- iii) administer and maintain records of all official correspondences of the Committee.
- c) Assistant secretaries, delegation of functions:
 - i) With the approval of the Committee, or in accordance with policies and procedures approved by the Committee, the Secretary may appoint such assistants as shall be necessary for the prompt and efficient performance of his functions. Any person appointed as an Assistant Secretary may be removed by the Secretary with the approval of the Committee, or in accordance with policies and procedures approved by the Committee.
 - ii) The Secretary may delegate to an Assistant Secretary such functions of the Secretary as the Secretary considers necessary or appropriate.

§33. Investigator

- a) The Committee shall appoint an Investigator, who shall be a staff officer and shall serve at the pleasure of the Committee.
- b) In addition to performing such other duties as the Committee requests, the Investigator shall, pursuant to policies and procedures approved by the Committee—
 - i) promote the compliance of candidates, their authorized agents, and others, with this Charter;
 - ii) investigate alleged violations of this Charter and report findings to the Committee; and
 - iii) recommend a course of action for the investigation of alleged violations and their prosecution;
- c) Assistant investigators, delegation of functions:
 - i) With the approval of the Committee, or in accordance with policies and procedures approved by the Committee, the Investigator may appoint such assistants as shall be necessary for the prompt and efficient performance of his functions. Any person appointed as an Assistant Investigator may be removed by the Investigator with the approval of the Committee, or in accordance with policies and procedures approved by the Committee.
 - ii) The Investigator may delegate to an Assistant Investigator such functions of the Investigator as the Investigator considers necessary or appropriate.

§34. Poll Coordinator

- a) The Committee shall appoint a Poll Coordinator, who shall be a staff officer and shall serve at the pleasure of the Committee.
- b) In addition to performing such other duties as the Committee requests, the Poll Coordinator shall, pursuant to policies and procedures approved by the Committee—
 - i) recruit and employ election attendants;
 - ii) train election attendants;
 - iii) assign and deploy election attendants to duties;
 - iv) make arrangements necessary to secure sites for use as poll stations;

- v) supervise the distribution of election supplies to poll stations, and ensure that poll stations are supplied and operable;
- c) Assistant Poll Coordinators, delegation of functions:
 - i) With the approval of the Committee, or in accordance with policies and procedures approved by the Committee, the Poll Coordinator may appoint such assistants as shall be necessary for the prompt and efficient performance of his functions. Any person appointed as an Assistant Poll Coordinator may be removed by the Poll Coordinator with the approval of the Committee, or in accordance with policies and procedures approved by the Committee.
 - ii) The Poll Coordinator may delegate to an Assistant Poll Coordinator such functions of the Poll Coordinator as the Poll Coordinator considers necessary or appropriate.

§35. Other staff officers and employees

The Committee is authorized to create and specify the powers and duties of, by rule, other staff officers and employees, and to appoint and employ persons to these positions.

§36. Prohibition against stipulation of office

The Committee is prohibited from establishing any stipulation for the appointment of any person to any office under the authority of the Committee, including but not limited to acting, temporary, or interim appointments, except if governing law forbids this prohibition.

§37. Staff officer authority over employees

Each staff officer of the Committee having responsibility for the supervision of employees, including employees appointed upon recommendation of the Committee, shall have the authority—

- a) to determine, before the appointment of any person as an employee under the supervision of that officer of the Committee, whether that person possesses the qualifications necessary for the satisfactory performance of the duties and responsibilities assigned to him; and
- b) to remove or discipline any employee under his supervision, subject to such limitations as the Committee may otherwise approve in its policies and procedures.

§38. Disqualification from proceeding

Section 16 shall apply to staff officer and employees, except that the Investigator or an Assistant Investigator shall not be disqualified for being a material witness in a proceeding, but may not take his or her own deposition.

§39. Contracting of services

The Committee shall obtain such temporary and intermittent services as is considered necessary for the Committee to perform its duties.

Chapter D – Judicial Actions

§40. Intervention or appearance as amicus curae

- a) The Committee, through the Vice President for Judicial and Legislative Affairs of the Student Association, is authorized to intervene as a party or appear as amicus curiae in the name of the Committee—
 - i) in any legal action or proceeding instituted in any court of the Student Association, and
 - ii) in any adjudicative or disciplinary proceeding convened pursuant to the rules and policies of the University in which the powers or responsibilities of the Committee are placed at issue, but the intervention or appearance shall be limited to issues relating to the powers and responsibilities of the Committee.
- b) The Committee shall have authority to intervene under this subsection—
 - i) in a legal action or proceeding only if standing to intervene exists under Article III of the Student Association Constitution; and
 - ii) in an adjudicative or disciplinary proceeding only if standing to intervene exists under the rules and policies of the University.
- c) Permission for the Committee to intervene as a party or to appear as amicus curiae shall be of right and may be denied by a court of the Student Association only upon an express finding that such intervention or appearance is untimely and would significantly delay the pending action or proceeding, or that standing to intervene has not been established under Article III of the Student Association Constitution.

Title III – Conducting elections

Chapter A – Pre-election procedures

§41. Determination of population of uniform constituency groups

- a) The Committee shall obtain in writing the populations of all uniform consistency groups from the University Office of Institutional Research, using the most recent census available. The Committee shall, no later than two weeks before the commencement of the registration period, report the population of each uniform constituency group as obtained. The Committee shall include a copy of any documentation relied upon. No report shall be lawful that is—
 - i) Reliant on erroneous documentation or erroneous interpretation of documentation; and itself erroneous.
- b) The populations of uniform constituency groups obtained and reported lawfully by the Committee shall be acceptable by law for reliance on by the Committee for any decision of the Committee.
- c) Any decision upon which the Committee relies on the populations of uniform consistency groups obtained and reported unlawfully by the Committee, that shall affect the standards under a law or rule in accordance with which the Committee decided, shall be invalid.

§42. Registration

- a) The Committee shall establish by rule a registration period, during which, and only during which, the Committee shall accept documents required by this Charter for registration of candidates.
- b) Notice of the registration period must be given by one or more of the following methods:
 - i) By publishing the notice at least once, not earlier than seven days or later than two days before the start of the registration period, in a newspaper generally distributed on the main University campus.
 - ii) By electronically or physically mailing, not later than the second day before the start of the registration period, a copy of the notice to each person qualified to vote in the election.
- c) In addition to any other notice given for an election under subsection (b), the Committee shall post the notice. A notice posted under this subsection must remain posted continuously until the completion of the registration period.
- d) Candidates for elected positions may register only by submitting each of—
 - i) A statement of candidacy;
 - ii) for a candidates for office in the Student Association, a petition containing the signatures of at least two percent of the students in the constituency from which the candidate is seeking election;
 - iii) for a candidate for office in the Marvin Center Governing Board and Program Board, documents as shall be required by governing law.
- e) The Committee shall, upon examining and validating the documents submitted, decide a candidate to be registered. The Committee shall notify each candidate of his or her registration. After a candidate has submitted any documents for registration, should the Committee decide that a candidate has not met the requirements for registration, it shall notify the candidate, without delay, of such, and the requirements that are deficient, and allow the candidate to retrieve the documents submitted. The candidate may resubmit documents for registration until the end of the registration period.
- f) The Committee shall report a list of all registered candidates no later than three class days following the end of the registration period.

§43. Withdrawal

Candidates may withdraw their registration by notifying the Committee no later than two days before the general election or runoff and second election. Registered candidates who withdraw shall cease to be considered registered candidates.

Chapter B – Purpose of election

§44. Candidates for office

At the general election for any office of the Student Association, Marvin Center Governing Board, and Program Board held next preceding the expiration of the term for which the officer now serving was selected to represent his constituency and at which

election such office is regularly by law to be filled, the constituency shall elect a qualified student to the said office.

§45. Measures

At the general election, the constituency shall vote on all initiatives and referendums of any kind that shall have been ordered to be placed on the ballot in accordance with the governing law of the Student Association, Marvin Center Governing Board, and Program Board.

Chapter C – Election dates

§46. General election dates

- a) The general election for all positions shall be conducted on a Wednesday and the succeeding Thursday, both class days.
- b) The Committee shall establish by rule the dates of the general election in accordance with this section.

§47. Runoff election and second election

- a) The runoff and second election, should both be required, shall be constructed as one singular process consisting of runoff and second contests.
- b) The runoff and second election, should either be required, shall be conducted on a Wednesday and the succeeding Thursday, in the week next following the general election in which both Wednesday and Thursday shall be class days.
- c) The Committee shall establish by rule the dates of the runoff and second election, should either be required, in accordance with this section.

Chapter D – Notice of elections

§48. Notice required

Notice of the general election and runoff and second election shall be provided by the Committee as prescribed in this title.

§49. Method of providing notice

- a) Except as provided or prescribed by governing law, notice of a general election or runoff and secondary election must be given by one or more of the following methods:
 - i) By publishing the notice at least once, not earlier than twenty-eight days or later than the ten days before the first scheduled day of voting, in a newspaper generally distributed on the main University campus.
 - ii) By posting, in accordance with the policies and regulations of the University regarding such matters, a copy of the notice at a conspicuous public place in reasonable proximity to each location that will serve as a polling place on the days of election.
 - iii) By electronically or physically mailing, not later than the 10th day before the first scheduled day of voting.

- b) In addition to any other notice given for an election under subsection (a), the Committee shall post the notice. A notice posted under this subsection must remain posted continuously until the completion of the election for which it is posted.

§50. Contents of notice

- a) The notice of an election must state—
 - i) The purpose of the election;
 - ii) the dates of the general election and the runoff and secondary election, should it be required;
 - iii) the location of each polling station established for each election;
 - iv) identification a voter must furnish to be permitted to vote;
 - v) the hours on each date of the election, for each election, that the polls will be open;
 - vi) the names of the Student Association, Program Board, and Marvin Center Governing Board, their emblems, and the fact of their participation; and
 - vii) any other information required by law or by Committee rule promulgated in pursuance of this Charter.

§51. Record of notice

- a) If notice of an election is given by publication in accordance with section 49(a)(i), the Committee shall retain a copy of the published notice that contains the name of the newspaper and the date of publication, and report such record at the next meeting after publication of such notice.
- b) If notice of an election is given in accordance with section 49(a)(ii) or 49(b), the agent or employee of the Committee shall retain a copy of the notice and enter on the copy the time and place of each such posting, and shall deposit such record with the Committee after the last posting is made and report such record at the next meeting after posting of such notices.
- c) If notice of an election is given under section 49(a)(iii), the Committee shall retain a copy of the notice and enter on the copy the date or dates the electronic or physical mailing occurred, and report such record at the next meeting after mailing of such notice.

Chapter E – Election Observers

§52. Appointment of observers

- a) Each registered candidate may appoint observers.
- b) The appointment of an observer shall be effective only upon issuance by the registered candidate of a letter of appointment to the appointee, and such letter of appointment must—
 - i) be in writing and signed by the registered candidate;
 - ii) indicate the capacity in which the registered candidate is acting;
 - iii) state the name, address, telephone number, electronic mail address of the appointee and be signed by the appointee,

- iv) contain an affidavit executed by the appointee stating that the appointee will not activate or employ any means of recording images or sound while serving as an observer.

§53. Limit on number of observers at a polling station

- a) No more than two observers appointed by each registered candidate shall be present at each polling station or involved in the election for which the observers are appointed.
- b) The Committee may establish by rule a maximum number of observers for each polling station only in accordance with the constraints of the particular polling station.
- c) At any polling place or counting station, if the number of observers exceeds the authorized number, the election officer receiving the observers shall receive the observers in the order in which they present to him their letters of their appointment; but the number of observers accepted for service on behalf of each appointing authority shall not exceed the number authorized.

§54. Eligibility to observe

A person is ineligible to serve as an observer in an election if the person—

- a) is a candidate for office in that election;
- b) is a member, staff officer or other employee of the Committee;
- c) holds an office in the Student Association, Marvin Center Governing Board, or Program Board;

§55. Presentation of certificate on demand, expulsion and disciplinary action

- a) An observer shall retain custody of his letter of appointment, and shall present the letter to an election officer upon demand at any time during his service.
- b) Prohibition of recording of images or sound by observers:
 - i) No observer shall be accepted for service unless he deactivates any means of recording images or sound in his possession for the duration of his service as an observer.
 - ii) Any observer found to have activated any such mechanical or electronic means of recordation is guilty of perjury, and such observer shall be summarily expelled from the polling station or counting station, have his letter of appointment invalidated in addition to any other penalty prescribed by this Charter.

§56. Activities

- a) Except as provided by subsection (2), paragraph (ii), an observer is entitled—
 - i) to witness any activity conducted at the location at which he is observing;
 - ii) to sit or stand conveniently near the election officers conducting the observed activity;
 - iii) to inspect the records prepared by the election officers at the location at which he is serving; and

- iv) to make written notes while on duty.
- b) An observer may not be present where he or she may compromise the secrecy of a ballot.

§57. Prohibited conduct, calling attention to irregularities or violations

- a) In addition to such other restrictions set forth by law or that the Committee may promulgate by rule, and except as provided by subsection (b) of this section, an observer may not while on duty—
 - i) converse with an election officer regarding the election, except to call attention to an irregularity or violation of the law; or
 - ii) converse with a voter, or communicate in any manner with a voter regarding the election.
- b) An observer may call the attention of an election officer to any occurrence that the observer believes to be an irregularity or violation of law and may discuss the matter with the election officer.

Chapter F – Ballots

§58. Official ballot

- a) Except as provided in subsection (b), all votes cast in an election conducted under this Charter shall be by official ballot.
- b) If an official ballot is unavailable at a polling place, the election officer shall provide a ballot designed to be in substantial compliance with the provisions of this Chapter, and shall make a notation next to the name of each voter who shall have voted in accordance with this subsection.

§59. Ballot content determined according to uniform constituency group

The ballot for a uniform constituency group may contain only those offices and propositions for measures on which the voters of the group are entitled to vote.

§60. Correcting ballots

- a) For all election ballots—
 - i) if the Committee determines that new ballots must be prepared in order to effect a correction on ballots already prepared, it shall publish general notice of such action not later than 24 hours after the determination is made; and
 - ii) such notice shall include a statement of the nature of the correction to be made.
- b) Correcting paper ballots:
 - i) In addition to the provisions set out in subsection (a), to effect necessary corrections on a paper ballot, the Committee may prepare new ballots, cross-out or otherwise obscure the language being corrected, and enter in printed form the correct language next to the language being corrected if necessary, or prepare printed or blank correction stickers to be affixed to the ballots.
 - ii) If new ballots are prepared in accordance with subsection (b), the Committee shall destroy the incorrect ballots. Any interested person is entitled to be present at the destruction of incorrect ballots.

§61. Specimen ballots

- a) An official paper ballot for each format used in an election, corresponding each uniform constituency group, shall be designated a specimen ballot.
- b) All specimen ballots for an election shall be—
 - i) marked with the word “SPECIMEN” in a manner that will not prevent the reading of its contents;
 - ii) marked with an indication of the uniform constituency groups for which its format will be utilized;
 - iii) made available for public inspection in the office of the Committee as soon as practicable after the official ballots have been prepared for the election,
 - iv) marked with a certified by the Chair of the Committee that the specimen ballot is a true and correct copy of the offices, offices and propositions to be voted on upon in the election for which the ballot is created; and
 - v) preserved by the Committee as a record in accordance with this Charter.
- c) A specimen ballot may not be reproduced for distribution or use by a voter as an actual ballot in an election.
- d) This section applies to all ballots used in an election, regardless of whether the members of a particular uniform constituency group are to cast their votes in the election by paper ballot, by mechanical voting machine, or by electronic balloting.

§62. Placement of candidate names on ballots

- a) Except as otherwise provided by governing law, the Committee shall place on the election ballot of a uniform constituency group the name of each candidate for office in the Student Association or a Signatory Organization who, having properly registered and retained registration for his candidacy, is entitled to have his name placed on the ballot of a uniform constituency group.
- b) Subject to the provisions of this subsection, a candidate’s name shall be placed on an election ballot in the form indicated on the candidate’s registration application form, filed in accordance with title VI, part A, subpart I.
- c) A candidate’s name shall be printed on the ballot either with the given first name, middle name, or initials of the candidate, a nickname, if any, and his surname.
- d) At the request of a candidate, the Committee shall include with the name of the candidate a slate name.
- e) Except as otherwise provided by governing law, in a runoff election the Committee shall have placed on the ballot the name of each candidate who, by virtue of his performance in the main election, is entitled to have his name placed on the runoff ballot.
- f) Except as otherwise provided by governing law, a candidate’s name may not appear more than once on a ballot.

§63. Form of ballots

- a) The Committee shall create and distribute ballots that are particularized to each uniform constituency group, such that no voter shall cast his vote on a ballot listing an elective office or measure for which the elector is not eligible to cast a vote; and

all ballots shall properly instruct a voter on those offices and measures for which he is eligible to cast a vote.

- b) A designation of the nature of the election and the date of the election shall be printed (if the ballot is paper ballot) or electronically demarcated (if the ballot is an electronic ballot) at the top of a ballot, and the term “OFFICIAL BALLOT” shall be printed (if the ballot is a paper ballot) or electronically demarcated (if the ballot is an electronic ballot) in large letters on the ballot immediately above the designation and date of election.
- c) For election of officers:
 - i) Each title of an office to be voted on shall be listed in a vertical column and preceded immediately on the same line by the word “FOR.”
 - ii) The number of candidates who may be elected to the office shall be indicated in parentheses directly below the item required by paragraph (1), in the following form: “(Vote for ___),” the number of candidates who may be elected to the office being inserted in bold text in the blank indicated.
 - iii) The name of each candidate for the office, with a space or box provided beside the name for the voter to mark with an “X” or other mark that clearly shows the voter’s intent (if the ballot is a paper ballot), or a radio button provided beside the name for the voter to mark (if the ballot is an electronic ballot), to the immediate left of the candidate’s name, shall be listed below the items required in paragraphs (i) and (ii).
 - iv) If write-in votes are permitted in an election by the governing law of the office in question, a space underscored by a solid or broken line (if the ballot is a paper ballot), or a text box in which the voter may type the name of the person he wishes to elect to the office (if the ballot is an electronic ballot), shall be provided for a write-in vote directly below the names of the candidates for each office, and the phrase “WRITE-IN”, followed by a colon, shall be placed to the immediate left of the space or text box, as the case may be. A space or box provided beside the name for the voter to mark with an “X” or other mark that clearly shows the voter’s intent (if the ballot is a paper ballot), or a radio button provided beside the name for the voter to mark (if the ballot is an electronic ballot), shall be placed to the immediate left of the phrase “WRITE-IN” required by subparagraph (A); but in the case of a paper ballot, failure of the voter to place a mark in the space or box provided shall not affect the counting of the write-in vote. If more than one candidate is to be elected to an office, the ballot shall provide accommodation of write-in votes in appropriate form and in a number equal to the number of candidates to be elected.
 - v) If no candidate is entitled to have his name appear on the ballot for a particular office to be voted on at an election in which write-in voters for the office are permitted by governing law, the Committee shall have the office title printed on the ballot and shall provide a spaces or text boxes, as the case may be, for a write-in vote or write-in votes (the number of spaces for text boxes provided being equal to the number of persons to be elected to the office).
- d) For propositions:

- i) Unless otherwise provided by governing law or the petition, resolution or other authorizing document that has the legal effect of submitting the measure for electoral consideration, the Committee shall, the Committee shall prescribe the wording of a proposition that is to appear on the election ballot.
- ii) A proposition shall be printed (if the ballot is a paper ballot) or electronically demarcated (if the ballot is an electronic ballot) on the ballot in the form of a single statement, and may appear on the ballot only once.
- iii) Except as otherwise provided by paragraph (iv), in an election in which both an office or group of offices and a measure are to be voted on, each proposition stating a measure shall appear on the ballot after the listing of offices.
- iv) If an election of offices in the Student Association, Marvin Center Governing Board, or Program Board is contingent upon the adoption of the proposition appearing on the same ballot, in which case the proposition shall appear on the ballot before the listing of offices.
- v) On a ballot on which a proposition appears, the word “FOR,” and immediately below, the word “AGAINST,” shall be printed (if the ballot is a paper ballot) or electronically demarcated (if the ballot is an electronic ballot) below the text of the proposition. A border, brace, or other suitable device shall be printed (if the ballot is a paper ballot) or electronically demarcated (if the ballot is an electronic ballot) such as to indicate to which proposition the items required by subparagraph (A) to accompany a proposition apply.
- vi) The Committee may substitute the words “YES” and “NO” on the ballot for the words “FOR” and “AGAINST,” respectively, if it considers those words more appropriate to the indication of a voter’s choice on the proposition.
- vii) On a ballot on which a proposition appears, a space or box provided beside the position for the voter to mark with an “X” or other mark that clearly shows the voter’s intent (if the ballot is a paper ballot), or a radio button provided beside the name for the voter to mark (if the ballot is an electronic ballot), to the immediate left of each item required by paragraph (v).

§64. Order of ballot

- a) All races for offices and propositions for the Student Association shall appear on the election ballot first for the Student Association, then the Marvin Center Governing Board, then the Program Board.
- b) Student Association offices shall be listed on the ballot of each uniform constituency group in the order of, President, Executive Vice-President, At-Large Senator, and School Senator. Marvin Center Governing Board offices shall be listed on the ballot of each uniform constituency group in an order the Committee shall establish by rule. Program Board offices shall be listed on the ballot of each uniform constituency group in the order of Chairperson and Vice-Chairperson. The Committee shall designate the position of new offices on the ballot.
- c) Except as otherwise provided by governing law, for an electoral race in which the names of more than one candidate for the same office are to appear on the ballot,

the order of the candidates' names in each such race shall be determined by a drawing to be conducted by the Committee.

- i) The Committee conducting the drawing for a race shall post notice of the date, hour, and place of the drawing, and such notice must remain continuously posted for 24 hours immediately preceding the scheduled time of the drawing, except that for a runoff and second election, the notice must remain posted for 24 hours immediately preceding the scheduled time of the drawing, and provide, by electronic mail message sent to every candidate in the race whose name is to appear on the ballot, notice of the date, hour, and place of the drawing no later than 24 hours prior to the scheduled time of the drawing.
- ii) Each candidate affected by a drawing conducted under this subsection is entitled to be present or have a representative present at the drawing. Candidates who wish to send a representative on their behalf shall each notify the committee at least four hours before the drawing. Representatives of candidates may not be candidates in the race themselves.
- iii) Every candidate in whose name is to appear on the ballot for a race and who is present for the drawing conducted for the race shall select (or have selected by his representative), by lot, his ballot order. Following this selection process, the Committee shall place on the ballot, the names of all other candidates whose names are to appear on the ballot for the race, but who are not present for the drawing, the order of such names being determined by lot drawn by the Committee, and no name of a candidate in attendance (or represented, in accordance with this section) at the drawing conducted for a race shall be preceded on the ballot for the race by the name of a candidate who shall have failed to attend (or be represented at, in accordance with this section) the drawing.
- d) Except as otherwise provided by governing law, for each the Student Association, Marvin Center Governing Board, and Program Board, in an election in which more than one measure is to be voted on, the Committee shall determine the order in which the propositions are to appear on the ballot.

Chapter G – Election Supplies and Paper Ballots

§65. Procuring and allocating election supplies

The Committee shall procure the election supplies necessary to conduct an election and shall determine the quantity of the various types of supplies to be provided to each polling station.

§66. Distributing election supplies

- a) Except as otherwise provided by this Charter or another provision of Student Association law, the Committee shall distribute the election supplies to all precinct polling places and counting stations designated for an election, excepting such furnishings and hardware (electronic or otherwise) necessary to the conduct of the election which may be physically situated at a polling place or counting station,

such as tables, chairs, cubicles, computers and computer accessories, and other appropriate items.

- b) The appropriate supplies for a particular election-related activity shall be distributed to each polling place and counting station, and such election supplies, as well as all furnishings and hardware mentioned in subsection (a) shall be placed in the custody of an election officer therein located not later than twenty minutes before the opening of the polling station to voting on any day on which an election is held.

§67. Printing and distributing paper ballots

- a) The Committee shall package or band together each set of paper ballots prepared for usage at a particular polling place, and shall before the distribution of each set mark the package or band with the number of ballots enclosed and the range of ballot serial numbers.
- b) As soon as practicable after paper ballots are packaged for distribution in accordance with subsection (a), the Committee shall prepare a comprehensive record of ballot distribution (which may be hereinafter referred to in this part as “the record”) that specifies the number of ballots and the range of serial numbers on the ballots to be distributed to each polling place. The Committee shall preserve the record in accordance with this Charter.
- c) The Committee shall retain a reserve a certain number of paper ballots for each uniform constituency group and on an election day may both distribute reserve paper ballots and reallocate previously distributed paper ballots among the several polling stations so as to maintain a steady supply of ballots appropriate to a particular uniform constituency group at every polling station.
- d) The Committee shall ensure entry on the record of ballot distribution the number of ballots reserved for each uniform constituency group and the number of ballots distributed to each polling place from the reserve. The range of serial numbers on the ballots distributed shall be included in the record.
- e) If ballots that have been distributed to a polling place are reallocated to another polling place, the Committee shall ensure that the reallocation is indicated on the record.
- f) The Committee shall retain all undistributed reserve ballots.
- g) The Committee shall provide for each polling place, regardless of whether such polling place utilizes a system of electronic or mechanical balloting, a number of paper ballots for each uniform constituency group scheduled to vote at the polling place sufficient to ensure that each voter in the group is enabled to cast a vote in all races for which he is qualified to be an elector.
- h) All paper ballots shall be printed under the direction and pursuant to the specifications set forth, and each ballot distributed to a polling place shall contain in a location conspicuously placed for filing purposes a serial number unique to that particular ballot, falling within a range that begins with the number “1” and increasing consecutively by one number for each ballot.

§68. Ballot boxes

- a) Number and identification:
 - i) Except as otherwise provided in this Charter, at least one ballot box shall be used at each polling place in an election, and each such ballot box shall be marked clearly with the words “Ballot Box” and an indication of the polling place at which it is used for the election, in accordance with such procedures used to identify polling places as the Committee shall adopt.
 - ii) If more than one ballot box is used at a polling place, each such ballot box shall, in addition to being marked with the identification required by paragraph (i), be marked with a number, letter other notation that distinguishes it adequately from every other ballot box used at the polling place.
- b) Each ballot box used in an election shall—
 - i) be made of a sturdy material and suitably designed for its intended use;
 - ii) contain at its top a slot of a size large enough to receive a ballot cast by a voter; and
 - iii) be designed such that access to its contents is restricted until the box is, after the close of the polls in an election, opened for the counting of votes.

§69. Voting time roster

- a) At each polling place established for an election, election officers shall maintain a voting time roster specifying the order in which voters cast their ballots at the polling place and the time at which each voter casts his ballot.
- b) A voting time roster shall—
 - i) have numbered lines, with an equal number of lines on each page of the roster, the number of each line being placed in a column on the far left-hand side of the roster and progressing in numerical order toward the bottom of a page by one digit per line;
 - ii) contain, in a column situated to the immediate right of the column of line numbers, spaces reserved for the handwritten inscription in chronological succession of the names of all voters casting a vote at the polling place,
 - iii) have spaces on each row corresponding to the inscribed name of a voter, reserved for inscription by an election officer of the date and time at which the voter presented himself for acceptance, the uniform constituency group of the voter, the number of the ballot issued to the voter, and the initials of at least the first and last name of the election officer, certifying that the voter has presented his GWorld card for inspection and identification, and that the officer has entered on the roster the name of the voter, the uniform constituency group of the voter, the number of the ballot issued the voter, and the date and time at which the voter presented himself for acceptance.

Chapter H – Voters

§70. Eligibility to vote

Except as otherwise provided by the governing law of the Student Association or of a Signatory Organization, to be eligible to vote in an election held for or by the Student Association or a Signatory Organization, the person must—

- a) be a qualified voter on the day the person offers to vote;
- b) be a member of a uniform constituency group whose members are eligible to cast votes in the election for the offices or measures on which the person desires to vote;
and
- c) satisfy all other requirements for voting prescribed by this Charter or by governing law for the particular election.

§71. Absentee voting

- a) A qualified voter is eligible for absentee voting in an election if at the time of the election the voter—
 - i) is registered in a study abroad program or otherwise enrolled in an academic program requiring him to be absent from the campus of The George Washington University;
 - ii) may be reasonably expected to be absent from University campuses at which polling stations shall be during all times at which the polls are scheduled to be open in an election; or
- b) The Committee shall approve or reject each request to vote by an absentee ballot and shall provide notice of such decision to the requestor.
- c) In any election, the Committee is authorized at its discretion to substitute the use of electronic system ballots for paper ballots in absentee balloting, regardless of the type of ballot generally used at the polling place to which an absent voter may be otherwise assigned.
- d) Except as otherwise provided by this section, absentee ballots received by the Committee shall be delivered to the counting station for processing and counting during the time the polls are open on the first day of voting for the election for which the absentee ballots are cast, or as soon after the polls close as practicable, at the time or times specified by Committee rule.

Chapter I – Arrangements before voting commences

§72. Election officers to assemble, unattended polling stations, time for completing arrangements

- a) On an election day, the election officers assigned by the Committee to supervise the conduct of elections at a particular polling place shall meet at the polling place in time to prepare it to receive voters.
- b) If the polling place is left unattended at any time after the preparations for voting begin, the supervising election officer shall take appropriate steps to provide for the

security of the polling place. This subsection does not affect the security requirements applicable to a polling place after the polls open.

- c) Except as otherwise provided by this part, the arrangements prescribed by this part shall be completed at a polling place before it is opened for voting.

§73. Arranging polling stations

- a) The voting stations at a polling place shall be arranged such that—
 - i) the voting area is in view of the election officers, observers and persons waiting to vote, but is separated from the persons waiting to vote;
 - ii) access to the voting area through any entrance other than one designated by the supervising election officer is prevented.

§74. Examining ballot boxes, paper ballots, and computer equipment

- a) Ballot boxes:
 - i) An election officer shall examine the ballot boxes to be used at the polling station.
 - ii) The ballot boxes to be used by the voters to deposit marked ballots shall be ensured to be empty before they shall be locked or otherwise sealed such as to prevent unauthorized access to the ballots placed therein, and shall thereafter be placed in plain view of the election officers, observers and persons waiting to vote.
- b) Paper ballots:
 - i) An election officer shall examine the supply of paper ballots provided for each uniform constituency group assigned to vote at the polling place and examine them to determine whether they are properly numbered and printed.
 - ii) An unnumbered or otherwise defectively printed ballot shall be removed and placed in an envelope that shall be retained by an election officer.
- c) Computer equipment:
 - i) An election officer shall examine all computer equipment to be used at the polling place to determine whether such equipment is in satisfactory operating order.
 - ii) Any computer found not to be satisfactory operating order shall be, prior to the opening of polls, either repaired to a condition of satisfactory operating order or rendered inoperative for the duration of the period during which polls are open.

§75. Instructions and specimen ballots

- a) An election officer shall post instructions in one or more other locations at the polling place where it may be read by persons voting and waiting to vote.
 - i) The Committee shall prescribe the form and content of the instruction poster. If it is impractical to fit all of the information required by this subsection on a single poster, the Committee may provide for the use of two or more posters to convey the information.
 - ii) The instructions must include instructions applicable to the election on marking and depositing the ballot (if a paper ballot) or electronically demarcating and

submitting the ballot (if an electronic ballot), the date or dates of the election and the hours during which the polling place is open, general information on voting rights under governing law, including the right of an individual to contact specified authorities if he believes these rights have been violated, and general information on provisions herein and University policies and regulations that prohibit acts of fraud or misrepresentation.

- b) An election officer shall post a specimen ballot in one or more locations at the polling station where it may be read by persons waiting to vote.

Chapter J – Voting

§76. Opening polling stations for voting

At the official time for opening the polls for voting, the election officer at a polling station shall open the polling station entrance and admit the voters.

§77. Regular voting hours

Polling stations shall be opened to voting at all polling stations established for an election on each day of election and shall be closed on each such day at times the Committee shall establish by rule. Voting may not be conducted before opening or after closing, except as provided by section 78, and this section shall not apply to absentee voters.

§78. Exception to regular voting hours

- a) A voter who has not voted before the time for closing the polls is entitled to vote after that time if the voter—
 - i) is at, inside, or waiting to enter a polling station at the closing time;
 - ii) makes or has made his presence and intent to vote known to an election officer at the polling station.
- b) If voters entitled to vote at a polling station under subsection (a) are waiting to enter a polling station at the closing time, the supervising election officer at the polling station shall at closing time—
 - i) direct the voters to enter the polling station and close the polling station to others; and
 - ii) if more than 10 voters are waiting to vote, distribute numbered identification cards to the waiting voters and permit entry into the polling station for voting after closing time only by those possessing such an identification card.
- c) The election officer at a polling station shall take the precautions necessary to prevent voting after closing time by persons who are not entitled to do so.

§79. Procedure for issuing a ballot

- a) Paper ballot or other voting method except under subsection (b):
 - i) The voter shall provide the information needed to complete an entry in the voting time roster, which an election officer shall receive and record in the voting time roster.
 - ii) The voter shall provide his or her GWorld for inspection.

- iii) The election officer shall verify that the name on the GWorld is the name provided by the voter and that the image of the face on the card is a likeness of the voter.
- iv) The election officer shall verify the eligibility and uniform constituent group of the voter, in accordance with procedures prescribed by the Committee
- v) The election officer shall designate the voter as having cast a vote, in accordance with the procedures prescribed by the Committee.
- vi) The election officer shall issue a ballot to the voter.
- b) Electronic ballot that can uniquely identify the voter through a password-protected identity verification, determine the eligibility and uniform constituent group of the voter, and ensure that each voter only votes once in an election:
 - i) The voter shall follow the instructions for electronic voting.

§80. Marking a ballot

- a) Candidates for office:
 - i) A vote for a candidate for a particular office whose name is on the ballot for that office must be indicated, if the ballot is a paper ballot, by placing an “X” or other mark that clearly shows the voter’s intent in the space or box provided beside the name of the candidate for whom the voter desires to vote, or if the ballot is an electronic ballot, by marking the radio button provided beside the name of the candidate for whom the voter desires to vote.
 - ii) In an election in which write-in voting is permitted, a vote for a candidate for office whose name is not on the ballot for that office must be indicated, if the ballot is a paper ballot, by placing an “X” or other mark that clearly shows the voter’s intent in the space or box provided beside the row marked “WRITE-IN”, and writing the name of the candidate in the appropriate place provided, or if the ballot is an electronic ballot, by marking the radio button provided beside the row marked “WRITE-IN,” and electronically demarcating the name of the candidate in the appropriate text box provided.
- b) A vote on a particular measure must be indicated, if the ballot is a paper ballot, by placing an “X” or other mark that clearly shows the voter’s intent in the appropriate space or box that is beside the proposition, indicating the way the voter desires to vote on the measure, or if the ballot is an electronic ballot, by marking the radio button beside the proposition, indicating the way the voter desires to vote on the measure.

§81. Instructing voter on casting ballot

On the request of a voter, an election officer shall instruct the voter on the proper procedure for casting a ballot.

§82. Spoiled ballots, register of spoiled ballots

- a) If, prior to finally casting and submitting a ballot, a voter mismarks, damages, or otherwise spoils a paper ballot in the process of voting, the voter is entitled to receive a new ballot by returning the spoiled ballot to an election officer, except that

a voter is not entitled to cast more than one ballot, nor receive more than three ballots, regardless of whether the ballot casting method utilized is by paper or electronic means.

- b) The supervising election officer shall maintain a register of spoiled ballots at the polling place. An election officer shall enter on the register the name of each voter who returns a spoiled ballot, and the serial number of each ballot spoiled.
- c) After making the appropriate entry on the spoiled ballot register, the election officer shall deposit the spoiled ballot in a box or envelope reserved solely for spoiled ballots.

§83. Voter deposit or submission of ballot

- a) After a voter has completed a paper ballot, the voter shall fold the ballot to conceal the way it is marked and shall deposit it in the ballot box used for the deposit of marked regular ballots.
- b) After a voter has completed an electronic ballot, the voter shall submit the ballot in accordance with such electronic submission procedures as the Committee shall by rule adopt.

§84. Removing and disposing of materials discarded by voters

An election officer periodically shall check all areas of the polling station for spoiled sample ballots or other materials used by voters that were left or discarded at the polling place, and shall remove and dispose of any such materials.

§85. Duties of election officers at polling stations

An election officer serving at a polling station shall—

- a) staff each poll station whenever it shall be open to voting, and no unstaffed poll station shall be open to voting.
- b) ensure that each voter is qualified to vote following procedures set forth by the Committee;
- c) execute the voting procedure for each voter;
- d) permit each such qualified voter to vote secretly, and only once;
- e) monitor the area around each polling station and report any complaints or activity observed in violation of this Charter to the Committee.

§86. Exclusion of bystanders and candidates from polling stations

Except as permitted by this Charter, a person may not be at a polling station from the time on election day that an election officer so authorized arrives at the polling station to make the preliminary arrangements prior to the opening of polls until the time that returns from the polling station have been compiled following the closing of polls.

§87. Security of ballots and ballot boxes

- a) From the time a supervising election officer at a polling place receives the official ballots for an election until the returns for that election have been compiled, the election officer shall take the precautions necessary to prevent access to the ballots and ballot boxes in a manner not authorized by law.

- b) The ballots and ballot boxes at a polling place shall be in plain view of at least one election officer from the time the polls open for voting until the returns for that election have been compiled.

§88. Access for persons with disabilities

Each polling station must provide a practical and effective means for voters with physical disabilities to cast a secret ballot.

§89. Voter unable to enter polling station

- a) If a voter is physically unable to enter the polling place without personal assistance or substantial likelihood of injuring the voter's health, on the voter's request, an election officer shall deliver a paper ballot to the voter at the polling place entrance or location nearest to the polling place entrance at which the voter may remain without personal assistance or substantial likelihood of injuring the voter's health.
- b) The regular voting procedures may be modified by the election officer to the extent necessary to conduct voting under this section.
- c) After the voter is accepted for voting, the voter shall mark the ballot and give it to the election officer, who shall deposit the marked ballot in the ballot box.

§90. Voters requiring assistance with ballot

- a) A voter is eligible to receive assistance in marking the ballot, as provided by this subpart, if the voter cannot prepare the ballot because of
 - i) a physical disability that renders the voter unable to write or see; or
 - ii) an inability to read the language in which the ballot is written.
- b) Persons providing assistance:
 - i) Except as provided by paragraph (ii), on a voter's request for assistance in marking the ballot, two election officers shall provide assistance.
 - ii) On the voter's request, the voter may be assisted by any person selected by any person selected by the voter, unless the person selected is a candidate for office in the election in which the voter offers to vote.
- c) For purposes of this subchapter, assisting a voter includes, by a person other than a voter that occurs while the person is in the presence of the voter's ballot—
 - i) reading or linguistically interpreting the text of the ballot and the instructions for marking the ballot to the voter;
 - ii) directing the voter to read the ballot;
 - iii) marking the voter's ballot; and
 - iv) directing the voter to mark the ballot.
- d) If a voter is assisted by election officers, one such officer shall read the entire ballot to the voter unless the voter directs the officer that the voter desires to vote only on certain officers or measures, in which case the officer shall read those items on the ballot specified by the voter. If a voter is assisted by a person of the voter's choice, an election officer shall ask the person being assisted whether the voter desires the entire ballot to be read to him, and if he so desires, the officer shall instruct the person assisting the voter to read the entire ballot to the voter.

- e) If assistance is provided to a voter who is not eligible for assistance under this subpart, the voter's ballot shall not be counted.

§91. First day closing procedures

- a) At the close of polling stations and after remaining voters have voted, an election officer shall secure any ballot boxes from the first day of voting and shall deposit the boxes in a secure location. The ballot boxes shall not be retrieved until the close of polling stations on the last day of voting. No returns shall be tabulated.
- b) An election officer shall collect all election supplies for redistribution by the Committee on the next day.
- c) An election officer shall collect all spoiled and defective ballots for examination by the Committee.

§92. Second day closing procedures

- a) At the close of polling stations and after remaining voters have voted, an elections officer shall secure any ballot boxes from the second day of voting.
- b) An election officer shall collect all election supplies for return to the Committee.
- c) An election officer shall collect all spoiled and defective ballots for examination by the Committee.

Chapter K – Standards for determination of result, tie vote, runoff and second election

§93. Plurality vote

Except as otherwise required by applicable governing law—

- a) to be elected to a public office for which there has been made one seat available through election, a candidate therefor must receive more votes in such election than any other candidate for the office; and
- b) to be elected to public office for which there has been made more than one seat available through election, a candidate therefor must be among the group of persons equal in number to the number of seats available, each of whom has received more votes in such election than any candidate who is not among the said group.

§94. Tie vote

- a) Except as otherwise provided in this section or in governing law, in an election requiring a plurality vote for an office for which one seat is available, if two or more candidates for the same office tie for the number of votes required to be held to gain election to the office, such that no one candidate receives a plurality of the votes cast, a second election to fill the office shall be held.
- b) Not later than the second day after the date the automatic recount required by subsection (i) is completed, the Committee shall order a second election between the candidates who shall have tied under subsection (a), and such second election shall be held not earlier than 5 days nor later than 15 days after the date on which the automatic recount required by subsection (i) is completed.

- c) The names of the tying candidates only shall be printed on the ballot for the second election, and no write-in votes shall be permitted.
- d) Notice of the second election shall be provided in accordance Title III, Chapter D.
- e) The tying candidates may agree, in lieu of a second election, to cast lots to resolve the tie. The agreement must be filed with the Committee, which shall supervise the casting of lots.
- f) A tying candidate may resolve the tie by filing with the Committee a written statement of withdrawal signed and acknowledged by the candidate. On receipt of the statement of withdrawal, the resolution of the tie among the remaining candidates shall be conducted in accordance with the provisions of this section, unless only one candidate remains, in which case he will be declared the winner, and no second election or casting of lots will be held.
- g) If a tie vote is not resolved under subsection (e) or (f), an automatic recount shall be conducted before the second election is held, and if such recount resolves the tie, the second election shall not be held.

§95. Runoff election

- a) If no candidate for a particular office receives the vote necessary to be elected in an election a runoff election is required.
- b) Runoff candidates in single-seat races:
 - i) For a single-seat race, except as provided by paragraphs (ii) and (iii), the candidates who received the highest and the second-highest number of votes in the main election or who tie in the main election for the highest number of votes are the candidates in a runoff election held to determine which candidate shall be elected to the available seat.
 - ii) If more than two candidates tie in the main election for the highest number of votes, an automatic recount shall be conducted. If the recount does not resolve the tie, the tied candidates shall cast lots to determine which two are to be the runoff candidates.
 - iii) If two or more candidates tie in the main election for the second highest number of votes, an automatic recount shall be conducted. If the recount does not resolve the tie, the tied candidates shall cast lots to determine which one is to be the second candidate in the runoff election.
- c) Runoff candidates in multi-seat races
 - i) For multi-seat races, if two or more candidates in a multi-seat race receive the same number of votes, such that the number of top-vote getters equal to the number of seats open for election in the race cannot be ascertained, an automatic recount shall be conducted. If the recount does not resolve the tie such that the number of top-vote getters equal to the number of seats open for election in the race can be ascertained, each candidate who received in the main election more votes than any of the candidates who receive the same number of votes is a winner, each candidate who received in the main election less votes in the election than any of the candidates who received the same number of votes is eliminated, and the candidates who tied in the main election are the

- candidates in a runoff election held to determine which candidates shall be elected to the available seats.
- d) Notice of the runoff election shall be provided in accordance with Title III, Chapter D.
 - e) Tie vote in runoff for single-seat races:
 - i) Except as provided by paragraph (ii), if the candidates in a runoff election for a single-seat race tie, an automatic recount shall be conducted. If the recount does not resolve the tie, the Senate shall determine a winner among the tied candidates.
 - ii) A tying candidate may resolve the tie by filing with the Committee a written statement of withdrawal signed and acknowledged by the candidate. On receipt of the statement of withdrawal, the remaining candidate will be declared the winner.
 - f) Tie vote in runoff for multi-seat races
 - i) If two or more, but not all, candidates in the runoff election receive the same number of votes, such that it cannot be determined who has been elected to fill the still-outstanding seats, an automatic recount shall be conducted. If the recount does not resolve the tie, the Senate shall determine a winner among the tied candidates.
 - ii) A tying candidate may resolve the tie by filing with the Committee a written statement of withdrawal signed and acknowledged by the candidate. On receipt of the statement of withdrawal, the resolution of the tie among the remaining candidates shall be conducted in accordance with the provisions of this section, unless the remaining number of candidates is equal to or less than the remaining number of available seats, in which case the remaining candidates will be declared the winners.

Chapter L – Determination of result

§96. Tabulating of results

Upon retrieving all paper ballots from the polling stations and from the secure location, the Committee, with the assistance of other election officers, shall proceed, in the presence of the official observers, to count the votes cast with paper ballots. The Committee shall then count all other votes. The Committee shall then determine the results of all elections.

§97. Irregularly marked ballots and write-in votes

All irregularly marked ballots and write-in votes shall be counted with respect to the intent of the voter, and shall not be discarded unless the intent of the voter cannot be determined.

§98. Release of results

No later than five o'clock p.m. on the Friday following an election, the Committee shall report the results of the general or second and runoff election, stating the total votes cast

for each candidate for each office or for each position on a measure, and which candidates shall have been elected, which shall be tied, which shall be candidates in a runoff election, and which measures shall be adopted, for each of the Student Association, Marvin Center Governing Board. If the report should change due to the withdrawal or disqualification of candidates, or for any other reason, the Committee shall report updated results.

§99. Recounts

The Committee may, at its discretion, grant requests from any registered candidate for a recount of their election, provided such request is made in writing no later than forty-eight (48) hours after the official report of results. Certain recounts are automatic, as provided by this Charter. The Committee shall conduct any recounts with all deliberate speed, and report the results. The Committee may also call its own recount by majority vote at any time prior to the conclusion of its duties.

§100. Disposal of paper ballots

After the results have been determined, all paper ballots and voting time rosters shall be stored in a secure location, where they shall be kept for 20 days. After 20 days, they shall be removed by the Committee and destroyed.

§101. Next most votes

Should a winner of an election be disqualified for violations, the person receiving the next highest number of votes shall be certified as the winner of said election.

§102. Effect of disqualification in a run-off

Should a candidate in a runoff election be disqualified at least 24 hours before the start of the run-off election, the candidate, not already a candidate in the runoff election, receiving the next highest number of votes in the general election shall be a candidate in the runoff election. Should a candidate in a runoff election be disqualified after 24 hours before the start of the run-off election, the remaining candidate in the runoff election shall be declared the winner. Should a candidate in a second election be disqualified, the remaining candidate in the second election shall be declared the winner.

§103. Notice of certification

After all remaining considerations that may influence the result of the totality of the general, second, and runoff elections have been disposed, the Committee shall report a list of certified results. After results are certified, such certification may not be undone by any authority, official, individual, or body.

Chapter M – Non-registered candidates

§104. Violations by non-registered candidates

The Committee may accept complaints under Title III of this Charter against any registered student. Those complaints shall be held by the Committee without action until the general election. If the student in question wins election to any position or is eligible

to take part in a run-off, the Committee will take action on all held complaints as though the student in question were a registered candidate and those complaints received at the time of release of official results. Should said candidate receive a disqualification order as a result of Committee action taken on the complaints, he or she shall not be certified or will not proceed to the run-off.

§105. Non-registered candidate in a run-off

Should a non-registered candidate win admission to a run-off election, he or she shall forward be considered a registered candidate. His or her name will be placed on the run-off ballot, and any complaints filed previously or forward shall be treated as would a complaint against a registered candidate.

§106. Ineligibility

No individual who has been disqualified shall be certified as the winner of any election, as a write-in candidate or otherwise.

Title IV – Campaign Rules and Procedures

Chapter A – Due process

§107. Filing of complaint, probable cause

- a) Any person who believes a violation of this Charter has occurred shall file a complaint with the Committee. Such complaint shall be in writing, signed by the person filing such complaint. Such a complaint shall consist only of the names of the candidates involved and an account of the alleged violation. Should a member of the Committee witness a violation, that member is required to file a complaint in the same manner, but that member shall not participate in the decision on the finding of fact. The Committee shall begin accepting complaints at the commencement of the registration period. Complaints against actions prior to the commencement of the registration period may be filed on the first day of the registration period, but following the commencement of the registration period, any witness to any violation must file a complaint within two class days of witnessing the complaint or the Committee shall not accept the complaint.
- b) The Committee shall transmit all complaints to the Investigator, who shall investigate the complaint.
- c) The Investigator shall present the results of his or her investigation to the Committee at a meeting thereof within five days of its receipt from the Committee. For each presentation, the Committee shall close the meeting to all except the Committee and its staff officers. The Committee shall notify the candidate of the date, time, and place of the presentation at least 48 hours before it shall take place. The presentation shall include:
 - i) An account of the alleged violation as determined by the Investigator to the best of his ability to be true;

- ii) A recommended determination by the Investigator of the names of candidates committing a violation and the sections of the Charter or rules of the Committee that are alleged to have been violated by each candidate;
- iii) A recommendation by the Investigator of whether sufficient evidence exists to prosecute the alleged violation against each candidate.
- d) The Committee shall consider the investigation and recommendations of the Investigator and shall, within 24 hours, either—
 - i) determine, by a failure to reach determinations under paragraph (ii) and (iii), that no probable cause exists to charge any candidate with a violation of the Charter, and proceed no further with the complaint;
 - ii) determine, by two members of the Committee voting as such, that there is probable cause to believe a candidate committed a violation of the Guide to Student Rights and Responsibilities, but not a violation of the Charter, and refer the complaint to Student Judicial Services;
 - iii) determine, by two members of the committee voting as such, that probable cause exists to charge one or more candidates with a violation of the Charter, and produce for each candidate alleged to have violated the Charter an indictment that shall include the name of the candidate indicted and the violations for which he or she is indicted, and proceed to hold a hearing;
- e) Should the Committee make a determination in accordance with subsection (d), paragraph (iii), the committee shall deliver the indictment to the candidate named therein with notice of the date, time, and place of the hearing at least 48 hours before the hearing.

§108. Evidence

Any documents, or other evidence to be presented by the Investigator during the hearing shall be made available to the candidate accused or his counsel at least six hours before the hearing, with the Committee permitting exceptions for evidence discovered after that time. The candidate shall appear in the office of the Committee at a mutually agreeable time to meet with the Investigator at least six hours before the hearing to likewise make available such things to the Investigator.

§109. Hearings

- a) A hearing shall be held at a meeting of the Committee within three class days of the determination of probable cause for a violation of the Charter.
- b) At the hearing, the Investigator shall present the results of his or her investigation. Should the respondent contest any allegation set forth in the indictment, he shall state so, and shall show cause for why he should not be found to have violated the Charter.
- c) The Committee is permitted to question the Investigator and the candidate accused.
- d) Following all presentations, the Committee shall close the meeting to all except itself to deliberate on the evidence and reach a decision on a finding of fact based on that evidence, by majority. A candidate shall be found to have violated the charter upon a preponderance of the evidence. The Committee shall address each

section of the Charter or rule for which the candidate is charged in its finding of fact, deciding whether or not the candidate is in violation. The Committee shall designate one or more of its members to submit to and on behalf of the Committee a written finding of fact to be agreed upon by all of those members in the majority on the decision of whether the candidate should be found in violation. Any member, agreeing or not in the decision to find the candidate in violation, may separately write his own finding of fact to be submitted to the Committee. The Committee shall then reopen the meeting to all.

- e) At the same or another meeting of the Committee, within twenty-four hours of the commencement of the hearing, the Committee shall accept the findings of fact submitted to it by its members, and shall vote to make the compilation of all of the findings of fact submitted to be the determination of the committee. If the Committee fails to adopt such a determination within 24 hours of the commencement of the hearing, the indictment shall be dismissed.

§110. Anonymous complaints

The Committee shall not conduct any investigation under this Charter based solely on the complaint of a person whose identity is not identified to the Committee and the subject of said complaint.

§111. Right to counsel

Any candidate shall have the right to select an enrolled student of the University to serve as his counsel before any proceeding of the Committee.

§112. Sentences

Whenever the Committee shall issue a finding of fact holding a respondent in violation of this Charter, the Committee shall impose one of the following measures in accordance with the provisions of this Charter:

- a) A “penalty” which shall take the form of the finding of fact and a notation upon the candidate’s record. Any candidate who shall accumulate six penalties during a given election period shall receive a disqualification order; and
- b) A “disqualification” which shall take the form of the finding of fact and an order by the Committee removing the candidate from the election ballot, invalidating their election to office, and declaring such candidate ineligible to be elected as a write-in to any office for the current election period.

§113. Appellate jurisdiction

The Student Court shall exercise final jurisdiction over all appeals of decisions of the Committee made by Student Association candidates. Any candidate may appeal a finding of fact and/or sentence under this Title by filing a notice of appeal with the Committee and the Court within ten (10) calendar days of the Committee’s decision. The Marvin Center Governing Board and the Program Board shall establish rules and regulations regarding appeals made by candidates for positions in those organizations in accordance with all appropriate governing documents.

§114. Public hearing requirement

All hearings held under this Title shall be open to the public, and all findings of fact (including any dissenting opinions) shall be made available for public inspection within twenty-four (24) hours.

Chapter B – Campaign rules

§115. Campaign period

A candidate may begin distributing campaign material after the conclusion of the registration period.

§116. Election day rules

No candidate shall be at a polling station during voting for a purpose other than voting.

§117. Postering rules

- a) Candidates may only place posters in the following public, University locations, unless the Committee shall establish otherwise by rule:
 - i) The exterior of the Marvin Center facing H Street
 - ii) The exterior of the Academic Center buildings
 - iii) The exteriors of any academic buildings facing the University Yard, except for the Law School
 - iv) The building exteriors adjacent to the main entrance to Ross Hall
 - v) The exteriors of Tompkins Hall, Duques Hall, and Funger Hall.
 - vi) Ames Hall at the Mount Vernon campus
- b) No poster shall be displayed where the side of a building shall not be perpendicular with a pedestrian right of way, nor shall any poster be affixed to any window, door, awning, rail, rack, post, handle, or temporary structure, or in such a way that blocks any sign.
- c) No poster shall exceed a height of 20 inches or a width of 20 inches.
- d) This section shall not apply to any private property not belonging to the University, or any space for the private use of residents or tenants.

§118. Limit on quantity of posters displayed

- a) Candidates shall be limited as to the number of posters they may display in the locations under section 117 at any particular time. Candidates for—
 - i) President , Executive Vice President, or Program Board candidates may display 150 posters; and
 - ii) At-Large Senator (Graduate or Undergraduate) may display 100 posters; and
 - iii) All other races may display 50 posters.
- b) Candidates shall be limited to using a maximum of 20 percent of their posters in each of the following locations:
 - i) The H Street side of the Marvin Center; and
 - ii) The sides of the Academic Center buildings.

§119. Postering period

- a) The Committee shall establish by rule a period of time during which posters shall be permitted to be displayed in public, University locations.
- b) This section shall not apply to any private property not belonging to the University, or any space for the private use of residents or tenants.

§120. Unrestricted activity

- a) The Committee shall not restrict any solicited conversation, in person or otherwise, nor any solicited distribution of campaign materials.
- b) The Committee shall not restrict anything worn by any person.
- c) The Committee shall not restrict any activity on the Internet except e-mail.
- d) The Committee shall not require its approval of the distribution of anything by any candidate.

Chapter C – Campaign finances

§121. Spending limits

Any candidate shall not make aggregate expenditures on behalf of their candidacy in excess of the following limits:

- a) For candidates for Student Association President, \$1,000;
- b) For candidates for Student Association Executive Vice President, \$1,000; and
- c) For candidates for Student Association Senator, \$500;
- d) The Marvin Center Governing Board and Program Board may establish similar limits for candidates for office in each respective organization.
- e) If a runoff is required then each candidate shall be allotted an extra \$250 for use during this period.

§122. Joint expenditures

Any candidate may divide the cost equally when declaring joint campaign expenditures with any other candidates on their finance reports, provided that:

- a) Candidates may equally divide the cost of any joint campaign expenditures on their finance reports; and
- b) Candidates from subsections (a) may also divide costs equally, so long as the names of each candidate appear on any material on which text will appear purchased by the expense.
- c) Candidates running unopposed may not divide the cost of joint campaign expenditures with any other candidate; and
- d) Non-registered candidates may not divide the cost of joint campaign expenditures with any other candidate.

§123. Reporting requirements

- a) Registered candidates shall report all expenditures on behalf of their candidacy to the Committee with proof of the fair market value of all expenditures, on a form regulated by the Committee, on the Fridays immediately preceding or following, or both, an election in which he or she is are candidates.

- b) Any unregistered candidates winning an election shall similarly report on the Fridays following an election in which he or she are candidates.

§124. Demonstrating the fair market value of goods and services

Candidates must provide receipts with their financial reports for all goods or services purchased.

§125. Reporting exemptions

The Joint Elections Committee shall compile and publicize a list of items that shall be exempt from regulation under this chapter.

§126. Exemptions for registered student organization communications

- a) Each registered student organization, provided that it has been registered since October 15 of the calendar year prior to the election, may place advertisements, in any campus publication, at no cost to any candidate endorsed in the advertisement. Any advertisement placed by a non-registered group, or a group that registered after October 15th of the calendar year prior, must have its cost reported in full by the candidate and included within his spending limit.
- b) Communication explicitly from leaders of any registered student organization to registered members of that registered student organization shall also not be subject to the reporting and spending limit requirements under this Chapter. Any communication from a leader of a registered student organization to a non-member of his organization, or to the general public, shall be subject to the reporting and spending limit requirements under this Chapter, excepting the advertisements allowed in this section.

Chapter D – Violations

§127. Bribery of officials, giving of unlawful gratuity

- a) Any candidate who confers, or offers or agrees to confer, any benefit upon an elections officer or the Student Court, upon an agreement or understanding that the vote, opinion, judgment, action, decision or exercise of discretion as and of an elections officer or the Student Court, will thereby be influenced, shall be disqualified.
- b) Any candidate who knowingly confers, or offers or agrees to confer, any benefit upon an elections officer or the Student Court, for having engaged in official conduct which he was required or authorized to perform, and for which he was not entitled to any special or additional compensation, shall be disqualified.

§128. Campaign financing

- a) Any candidate in a general election who shall make aggregate expenditures on behalf of their candidacy in excess of the expenditure limits shall receive a penalty in accordance with the amount overspent, which the Committee shall establish by rule.

- b) Any candidate who does not timely submit an expenditure report shall receive one penalty.
- c) Any candidate who does not submit an expenditure report shall receive two penalties.

§129. Campaign material of others

Any candidate who, with malicious intent, shall intentionally deface, destroy or remove any campaign material of another candidate shall receive two penalties for each such incident.

§130. Concealment, removal, or destruction of documents

Any candidate who willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any elections officer or the Student Court, shall be disqualified.

§131. Disruption of a function of the University or the government

- a) Any candidate engaging in campaigning who shall negligently disrupt a function of the University or the government, shall receive three penalties.
- b) No candidate shall be found in violation of this section for a singular incident who shall also be in violation of section 132 for same incident, and the incident is limited to the scope of the latter section.

§132. Unlawful distribution of campaign material

- a) Any candidate who distributes or attempts to distribute campaign materials to persons not soliciting them from inside a University building, outside the course of a solicited conversation or an event at which the candidate has received permission from the sponsor to distribute shall receive one penalty for each such incident.
- b) Any candidate who sends an unsolicited e-mail shall receive one penalty for each such incident, regardless of the number of persons affected by the incident, except that a candidate shall receive two penalties if the incident affects more than 20 persons.

§133. False statements

Any candidate shall be disqualified who, in any matter within the jurisdiction of the Committee or the Student Court, knowingly and willfully—

- a) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;
- b) makes any materially false, fictitious, or fraudulent statement or representation; or
- c) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry.

§134. Impersonation

Any candidate who falsely assumes or pretends to be an officer or employee acting under the authority of the Committee or any organization party to the joint agreement, shall be disqualified.

§135. Unlawful intimidation and influence of voting

Any candidate who intimidates, threatens, coerces, or promises monetary compensation to other persons for the purpose of interfering with or influencing the right of such other persons to vote or to vote as they may choose, or who violates section 116, shall be disqualified.

§136. Other noncompliance

Any candidate who fails to comply with a rule of the Committee shall be penalized in accordance with that rule.

§137. Obstructing elections administration

- a) Any candidate who intentionally obstructs, impairs or perverts the administration of this Code or other function of the Committee, or the Student Court, or prevents or attempts to prevent an elections officer, or the Student Court, from performing an official function, by means of intimidation, assault, harassment, interference, by means of releasing a dangerous animal under circumstances evincing the intent that the animal obstruct governmental administration, or by means of any independently unlawful act, shall be disqualified.
- b) Any candidate who, after being warned by an elections officer and having not complied, engages in disorderly, contemptuous, or insolent behavior during a proceeding of the committee, directly tending to interrupt its proceedings or to impair the respect due to its authority, or intentionally disobeys or resists the lawful process of a proceeding of the committee, may be summarily expelled from the proceeding by the Committee and shall receive two penalties for each such incident.
- c) No candidate shall be found in violation of more than one subsection of this section for any singular incident.

§138. Unlawful postering

- a) Any candidate who shall violate section 117 shall receive one penalty for each such incident. Any candidate who fails to take corrective action within 24 hours after the reporting of a finding of fact that finds the candidate in violation of this section shall be subject to renewed complaints.
- b) Any candidate who violates section 118 shall receive one (1) penalty for every five (5) posters or fraction thereof in excess of the permitted amount. Any candidate who fails to take corrective action within 24 hours after the reporting of a finding of fact that finds the candidate in violation of this section shall be subject to renewed complaints.
- c) Any candidate who shall violate section 119 shall receive one (1) penalty for each such incident. Any candidate who fails to take corrective action within 24 hours after the reporting of a finding of fact that finds the candidate in violation of this section shall be subject to renewed complaints.

§139. Unlawful use of University facilities and resources

Any candidate who, except as described in section 132(b), uses any resource of the University, including a student organization, of monetary value, or used in the discharge of an official duty of a person of the staff of the University or student organization, or without having received the permission of the University or the student organization when permission shall be required, for campaigning, shall receive three penalties for each such incident.

§140. Witness tampering, compounding a complaint

- a) Any candidate who, knowing that a person is or is about to be deposed as a witness in a proceeding of the Committee or Student Court, induces or attempts to induce such person to absent himself from, or otherwise to avoid or seek to avoid giving a deposition for such proceeding, or wrongfully affects or attempts to affect the testimony of such person, shall receive three penalties for each such incident.
- b) Candidates who solicit, accept, or agree to accept any benefit upon an agreement or understanding with another person who is not an elections officer that the candidate or the other person will refrain submitting a complaint shall receive three penalties.

Title V – Judicial Remedies

§141. Right to Petition

- a) Any person may petition the Committee for redress of any error of law, or for consideration of a rule to address any deficiency of law.
- b) The Committee shall place any petition submitted to it on the agenda of its next meetings and shall there consider it and immediately decide upon it.

§142. Information Requests

The Student Court may issue an order to the Committee to release any document or record in its possession to any student filing a petition requesting such order, but may not order the Committee to release any private record of any student that it may possess, without the appropriate authorization from the student to do so.

§143. Permanent injunctions

The Student Court may issue a permanent injunction against, or vacate, any decision of the Committee.

§144. Orders to remand

The Student Court may issue an order to the Committee to conduct a hearing on any complaint that has been previously dismissed for lack of probable cause.

§145. Reopening a time-limited process

The student Court may issue an order reopening any process in which the Committee or any student is required by law or rule to take any action or make any decision before, after, or between any dates and times, stating new deadlines for compliance.

§146. Vacating of elections, ordering new elections

- a) The Student Court may issue an order vacating the results of any election, and may issue an additional order calling for a new election, provided that the Court shall issue no preliminary or permanent injunction against any election that has not yet taken place.
- b) The Committee shall reconduct any invalidated or vacated election, except if the Student Court shall order otherwise.

§147. Recounts

The Student Court may issue an order to the Committee to conduct a recount of any election, or to open ballots to public inspection.

§148. Injunction of illegal regulations

The Student Court may issue a preliminary or permanent injunction against the prescription of any rule by the Committee that is in violation of this Charter or the governing law.