

UW-L STUDENT ASSOCIATION ELECTION BY-LAWS

4.1 Election Commission

A Commission set-up solely to administer and monitor all elections and referenda of the UWL-SA. The objectives of the Election Commission are to insure a fair campaign period and a fair election. Another objective of the Election Commission is to be free of any political influences of Student Government. These objectives shall underlie all activities of the Election Commission.

4.2 Membership

4.21 The Board of Directors of the UW-L Student Association, by majority vote, shall appoint the entire Election Commission no less than six weeks prior to the date of the election. The Student Senate must approve the Commission appointments by a 2/3 vote.

4.21.1 No member of the Election Commission shall participate in any partisan campus political activity while serving on the Commission, including the signing of petition papers, the wearing of campaign materials and the usage of online support such as social networking websites and web pages that explicitly endorse a particular candidate or slate. This includes both on and off campus activities. Failure to comply herewith shall be sufficient grounds for removal from the Commission by the Election Commission by a majority vote of those members present.

4.22 Membership Breakdown

4.22.1 The Election Commission shall consist of six voting students, one student alternate, and one voting member representing the Dean of Student Affairs Office.

- a. Two non-returning Senators
- b. Four non-senators
- c. One non-senator serving as an alternate
- d. One Dean of Student Affairs or his/her designee
- e. All voting members of the UW-LSA Board of Directors shall not serve on the Commission.
- f. No present UW-LSA interns shall serve on the Commission.

4.22.2 Four members are necessary for Election Commission quorum. Members must attend no less than 3/4 of meetings, or they will be subject to removal from the Election Commission by the UW-LSA Board of Directors.

4.22.3 No proxy voting will be allowed.

4.23 The Election Commissioner

4.23.1 The Election Commissioner shall be elected by a simple majority vote of the members present of the Election Commission.

4.23.2 The Election Commissioner shall be in charge of convening meetings, maintaining a file of all records: appeals and minutes. The Election Commission minutes shall be made accessible to the public upon request.

4.23.3 The Election Commissioner shall account for all Senate vacancies and comprise a list of total available seat positions prior to the end of the nomination period.

4.23.4 The Election Commission shall dissolve on the final day of the academic year in which it is convened.

4.3 Powers and Responsibilities of the Election Commission

- 4.31 The Election Commission shall, acting in accordance with all provisions of the UW-LSA Constitution, have the authority to establish any rules it deems necessary for the purpose of conducting an election and/or Student Senate referendum.
- 4.32 A sample ballot with biographies shall be publicized in the Racquet, the Student Association webpage, and Eagle Connection at least one week prior to the election. The dates, times, and process of voting shall be included with this information.
- 4.33 The Election Commission will draft a statement to be sent to all division heads, which will then be forwarded to all faculty and staff, reminding them that an endorsement for or against a specific candidate or candidates is prohibited. This shall be sent prior to the beginning of the campaign period.
- 4.34 The Election Commission is responsible for gathering candidates' biographies and putting them onto the sample and online ballots to inform voters. Prior to placing the biographies on the ballot, commission should review the content in order to make sure the biographies contain factual information and solely pertain to that individual candidate.

4.4 Candidates for Office

- 4.41 Eligibility
 - 4.41.1 Any candidates for office shall maintain a minimum cumulative grade point average of 2.0 at the time of election.
 - 4.41.2 Students running for a seat representing a specific college must be currently enrolled as a member of that college.
 - 4.41.2.1 In the case of a student who is working towards majors in different colleges, the student is allowed to choose the college in which they choose to run.
- 4.42 Filing
 - 4.42.1 Candidates for an executive or senatorial position of the UW-LSA who wish to be on the ballot must complete and file with the Election Commission the proper nomination form by 4:00 p.m. the final day of the nomination period and must turn the paper into the Office of Student Life. The nomination period shall be no less than two class weeks.
 - a. Each candidate for an executive position must include the signatures of at least fifty UW-L students with the nomination forms.
 - b. Each candidate for a senatorial position must include the signatures of at least twenty-five UW-L students with nomination papers.
 - c. Disqualification: If nomination papers are handed in after the deadline, their eligibility shall be decided by the Commission. The candidate affected shall present their defense to the Election Commission. A unanimous vote of Commission members present will be needed for re-qualification.
- 4.43 Biographies
 - 4.43.1 Candidates receive the opportunity to submit a biography that will be placed on the online ballot. This needs to be completed upon the filing of their nomination papers. Biographies will appear on a previous page during the voting process before the students are able to make their official vote(s). However, these biographies will not be present on the same page of the official online ballot.
 - a. The biographies will contain four different questions.
 1. "What are your past experiences?"
 2. "What inspired you to run for (position)?"
 3. "What are your future goals for Student Senate?"
 4. "How do you plan on representing your constituents?"
 - b. The answers for each question on the biography may not exceed 40 words.
 - c. Candidates who do not submit a biography on time will not receive the opportunity to have a biography present on the sample or online ballot.
 - d. Before biographies are posted, commission will review content for factual and relevant information.

- e. Disqualification: If candidates provide false information or personal attacks in their biographies they can be disqualified by the Election Commission. The candidate affected shall present their defense to the Election Commission. A 2/3 vote of Commission members present will be needed in order to be disqualified.

4.5 Campaign Period

- 4.51 Campaigning will be defined as any activity, either written or spoken, that is designed to influence students to vote for a prospective or official candidate or a referendum question on the ballot.
- 4.52 The campaign period shall begin for a candidate after they have filed completed nomination paper and attended the mandatory policy meeting with the Election Commission and last 3 weeks for Presidential and Vice-Presidential candidates and 2 weeks for all other Senatorial candidates.
 - 4.52.1 Nomination papers will include notice of dates of the campaign period and dates of mandatory meetings.
- 4.53 Disqualification
 - 4.53.1 Campaigning without complying with 4.52 shall be considered a violation and the candidate shall be considered for disqualification. The defendant(s) shall be provided the opportunity to appeal. A 2/3 vote of the Commission members shall be required for re-instatement of the defendant. Students considered for write-in must abide by all campaign policies with the exception of filing petition papers and meeting with the Office of Student Life.
- 4.54 Conduct of Campaign
 - 4.54.1 Equal campaign opportunities will be afforded to all candidates by University funded student organizations and affiliates.
 - 4.54.2 All campaign literature and materials (i.e. pamphlets, clothing/apparel, stickers, advertisements, etc.) must include an "authorized and paid for by" or "AAPFB" with the last name of the candidate(s) or name of campaign committee.
 - 4.54.3 The Election Commission will view each complaint independently unless multiple complaints are filed on the same issues.
 - a. When a complaint is filed, the Election Commission will contact the candidate(s) affected. Upon the decision of the Election Commission, a candidate has 24 hours to adhere to a decision made by the Election Commission.
 - b. The Election Commission has the power to decide the severity of the violation and enact the consequence they deem necessary.
 - 4.54.4 Write-in candidate(s), who choose to violate the Election Commission by-laws and/or Campus Publicity Guidelines, votes will not be counted.
- 4.55 Candidates and their supporters are NOT allowed to use, utilize, or campaign through Student Activities and Centers. Nor shall university resources be used to support candidate(s) campaigns. These resources include but are not limited to: naming menu items after candidates, distributing publicity (i.e. stickers on cups, handing out literature, etc.), swiping cards at food service places, collecting tickets for campus events, and stamping table tents and other candidate-specific publicity.
 - 4.55.1 Personal web space may be used, but not official university web space (excluding space allotted for personal use). Linking to other websites is allowable as long as the candidate(s) do not use the University seal, Student Association logo or any other copyrighted materials without explicit permission.
 - 4.55.2 A candidate or candidates may use e-mail, but they may not use any electronically created university administrative lists for campaign purposes or in any other way that

violates the university's policy regarding the use of e-mail. The use of organizations lists is, however, acceptable as well as manually entering all e-mail addresses.

- 4.55.3 The Student Senate office area is off-limits for any campaigning or storage of campaigning materials.
- 4.56 Candidates and their supporters are NOT allowed to distribute food items or beverages to potential voters.

4.6 Qualifications and Conduct of Voters

- 4.61 Eligibility of Voters
 - 4.61.1 All undergraduate and graduate students who are registered at UW-L for the current semester are eligible to vote.
 - 4.61.2 Any student may vote for the candidates for executive offices, senatorial candidates running at large, and senatorial candidates in the school or college in which he/she is enrolled.
 - 4.61.3 Only students residing off-campus at the time of the election may vote for the off-campus senators.
- 4.62 Voting Procedure
 - 4.62.1 No voter shall cast more than one vote for each executive office.
 - 4.62.2 The number of votes that a student may cast in his/her school or college shall be equal to the number of open positions available. The number of votes that a student may cast for senators at-large shall be equal to the number of at-large positions available in that election.
 - 4.62.3 It is the voter's prerogative to vote for only one candidate, to cast no vote at all, or to write in a name, which does not appear on the ballot. This shall not invalidate the ballot.

4.7 Mechanics of the Election

- 4.71 Election Dates
 - 4.71.1 The Commission shall conduct a one-day election for executive and senatorial positions on the fourth Tuesday following Spring Break.
 - 4.71.2 A debate for the executive candidates, sponsored by Student Association, shall be held the week before the general election.
 - 4.71.3 The Election Commissioner or appointee will proceed as the moderator for the executive candidate debate.
 - 4.71.4 If circumstances arise that do not allow for the above dates to be feasible, the Commission shall announce feasible, substitute dates.
- 4.72 Violation Protocol
 - 4.72.1 Campaign violations shall be defined as any activity committed by or given prior approval by a candidate contrary to the By-Laws of the UW-L Student Association Elections, UW-La Crosse Campus Publicity Guidelines, and the Residence Hall Solicitation/Campaigning Policy, as well as university policies. Write-in candidates shall be responsible to know and adhere to all election and campaign rules.
 - 4.72.2 When a complaint about a violation is brought to the Commission, it must include a description of the evidence, or the names of witnesses of the alleged violation.

- 4.72.3 In the case of an election violation, the following steps shall be taken.
- a. Failure of a candidate to abide by these by-laws may result in a disqualification of the violator(s) name(s) and removal from the ballot
 - b. The Commission may act on its own or act on an appeal written by any candidate, student, or witness.
 - c. A 2/3 vote by the Commission members shall be needed in order to take any action in response to violations.
 - d. Notification of the candidate(s) affected is required.
 - e. The candidate affected shall be given an opportunity to present their defense before the Commission reaches judgment.

4.8 Appeal process

- 4.81 The Commission shall have the power to suspend elections for twenty-four hours, upon receiving an appeal for such a suspension from one or more candidates, students or other witnesses. A 2/3 vote of Commission members present shall be required for a twenty-four hour suspension.
- 4.82 Elections shall be suspended only at the beginning of the election day before the polls open, or on the preceding day, but never while the polls are open on election day.
- 4.83 Written appeals regarding the election process for each election must be presented to the Election Commission before the polls close on the last day of that primary or general election.
- 4.84 When an appeal is made, the Commission must meet within two class days to determine whether a violation has occurred.
- 4.85 Other potential judgments
- 4.85.1 The Commission, by a 2/3 vote of members present, may choose to order a re-election for the office(s) if the election outcome was affected by violations.
- a. If a re-election is called, the Commission may leave the names intact, or may disqualify certain names from the ballot for the re-election.
- 4.85.2 If the person(s) making the appeal wish(es) to appeal the action of the Election Commission, they must take the issue to the Student Court.

4.9 Counter Appeals

- 4.91 All Commission judgments may be subject to a counter-appeal by the other candidate or candidates affected within two class days of notification of person(s) affected.
- 4.92 Any Commission meetings regarding written statements against a candidate where a candidate may be disqualified shall be made known to the candidates affected. They shall be notified of their right to appear before the Commission in defense and support.
- 4.93 Once a counter-appeal is received, the Commission shall meet within two class days of the receipt of the counter-appeal to consider it.
- 4.94 If the person(s) affected by the Commission's decision(s) pertaining to any counter-appeal want to appeal further, they must take the issue to the Student Court.

4.10 Ballot Counting

- 4.101 The Election Commission shall supervise the vote tally.
- 4.102 Any person who has access to the voting data while votes are being tallied may not release partial results.

- 4.103 All voting data will be held by the Commission four teen class days following the election day at which time they will be destroyed unless an appeal, recount, or re-election is pending, in which they shall be held until the dispute is resolved.
- 4.104 Recounts can be requested by a candidate up to three class days after the election. Such a recount is to be authorized by the Commission after hearing the case. A simple majority vote of members is needed for the recount decision.
- 4.105 In case of a tie between candidates for an executive or senatorial position, there shall be a run-off election between those tied candidates, two weeks following the final Election Day.
- 4.106 In case of write-in candidates for Senate positions the Election Commission shall determine the winner by write-in votes and individual's consent.
- 4.107 The Election Commission must approve the election process and results before they are made official. Two-thirds of the Election Commission members present must vote in the negative to not approve the process and results.
- 4.108 The Election Commission will make the election results public upon approval of the election process and results, and must present them to Student Senate.

4.11 Re-Elections Due to Other Un-Specified Conditions

- 4.111 A re-election may be authorized by the Commission whenever actions by a candidate, by parties unassociated with any candidate, or by parties unknown, significantly affected the outcome of the election. The same appeal process as found in sections 4.8-4.9 will be followed.

4.12 Freshman and Graduate Elections

4.121 Candidates for Office

4.121.1 Eligibility

4.121.1.1 Candidates for all offices shall be enrolled in UW-La Crosse and meet all other current Constitutional qualifications.

4.121.1.2 Candidates for Freshman Senator must be freshmen by credit (under 30 resident credits). Candidates for Graduate Senator must be Graduate students currently enrolled in a Graduate program.

4.121.2 Filing

4.121.2.1 Candidates who wish to be on the ballot must complete and file with the Election Commission the proper nomination forms by 4:00 pm the final day of the nomination period. No late papers will be accepted. The nomination period shall be no less than one week.

4.121.2.2 Each candidate for a senatorial position must include the signatures of at least twenty- five UW-L Students with nomination papers.

4.121.3 Disqualification:

4.121.2.3.1 Disqualification can occur if sections 4.54-4.56 and/or section 4.72.1 of this document are violated by a candidate or a candidate's campaign.

4.121.2.3.2 Any disqualification is subject to the violation protocol in section 4.72 of this document.

4.121.2.3.3 If disqualification(s) occur and a candidate wishes to appeal their disqualification, the appeal process detailed in sections 4.8-4.9 of this document will be followed.

4.122 Campaign Period

4.122.1 The campaign period for Freshman and Graduate elections shall begin for a candidate when the candidate has filed completed nomination papers to the Election Commission.

4.122.2 The campaign period will begin after 4:00 p.m. on the third Wednesday in September after completed nomination papers are submitted to the Election Commission.

4.122.3 All candidates must comply with sections 4.54-4.56 of this document.

4.123 Eligibility and Conduct of Voters

4.123.1 Eligibility of Voters

4.123.1.1 Eligible voters must be registered at UW-L for the current semester.

4.123.1.2 Any student who is a freshman by credit (under 30 resident credits) is eligible to vote for the Freshman Senator positions

4.123.1.3 Any student who is enrolled in a Graduate program at UW-La Crosse is eligible to vote for the Graduate Senator positions.

4.123.2 Conduct of Voters

4.123.2.1 Each voter is allowed to cast one vote for each Senator position that they are eligible to vote for.

4.123.2.2 It is the voter's prerogative to vote for only one candidate, to cast no vote at all, or to write in a name, which does not appear on the ballot. This shall not invalidate the ballot.

4.124 Mechanics of the Elections

4.124.1 Election Dates:

4.124.1.1 Elections for each position shall be held on the fourth Wednesday of September.

4.124.1.2 If circumstances arise that do not allow for the dates set by the Commission to be used, the Commission shall announce feasible, substitute dates.

4.124.2 Ballot Counting

4.124.2.1 Refer to section 4.10.

4.13 Amendments to Election Commissions By-Laws

4.131 Amendments to these by-laws must be in writing to the Student Senate and require a majority vote by those present for passage.

Proposed 5/4/88

Accepted 5/11/88

Approved revisions 2/15/06

Approved Section 4.543 Amendment 5/7/08

Approved Section 4.551 Amendment 3/4/09

Approved revisions 5/6/09

Approved Section 4.12 Amendment 12/4/09

Amended 4/28/2010

Approved Section 4.71.1 Amendment 2/29/2012

Approved Section 4.53.1 Amendment 3/28/2012