



BYLAWS OF THE STUDENT ASSOCIATION:

ELECTION COMMISSION



ARTICLE I: NAME

Section I: Name- The name of this committee shall be the Election Commission, a committee of Student Senate (UW-L Student Association).

ARTICLE II: PURPOSE

Section I: Purpose - This Commission is set-up solely to administer and monitor all elections and referenda of the UWL- SA. The objectives of the Election Commission are to ensure a fair campaign period and a fair election. The Election Commission is to be free of any political influences of Student Government. These objectives shall underlie all activities of the Election Commission.

ARTICLE III: MEMBERSHIP

Section I: Membership Requirements

- a) Students may volunteer or be nominated to join the commission. The Student Senate must approve the Commission appointments by a 2/3 vote.
- b) 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.

Section II: Membership Breakdown

- a) The Election Commission shall consist of six voting students, one student alternate, and one voting member representing the Dean of Student Affairs Office.
 - i) Two non-returning Senators
 - ii) Four non-senators
 - iii) One non-senator serving as an alternate

- iv) One Dean of Student Affairs or his/her designee
- b) All voting members of the UWL-SA Board of Directors shall not serve on the Commission.
- c) 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 UWL-SA Board of Directors.
- d) The Student Senate may appoint 6 (plus one alternate) students should they be unable to meet suggested membership after a three-week time period from first being brought up at a student senate meeting to fulfill the above requirements.
- e) No proxy voting will be allowed.
- f) The Election Commission shall dissolve on the final day of the academic year in which it is convened.

Section III: The Election Commissioner

- a) The Election Commissioner shall be elected by a simple majority vote of the members present of the Election Commission.
- b) 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.
- c) 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.

ARTICLE IV: POWERS AND RESPONSIBILITIES

Section I: Powers and Responsibilities of the Election Commission

- a) The Election Commission shall, acting in accordance with all provisions of the UWL- SA Constitution, have the authority to establish any rules it deems necessary for the purpose of conducting an election and/or Student Senate referendum.
- b) A sample ballot with biographies shall be publicized in the Racquet, either in print or online, and the Student Association webpage, at least one week prior to the election, or once finalized by the commission. The dates, times, and process of voting shall be included with this information.
- c) The Election Commission will draft a statement to be sent to all division or department 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.
- d) The Election Commission is responsible for gathering candidates' biographies and putting them on the UW-L SA website. A link to these biographies shall be included in the email sent out to the student body on the morning of Election Day for voting. Prior to placing the biographies

on the ballot website, the Commission should review the content in order to make sure the biographies contain factual information and solely pertain to that individual candidate.

- i) Biographies are not required. Candidates can choose to not supply one.
 - ii) Biographies are allowed only for Presidential and Vice-Presidential candidates
 - iii) Referendum questions will be put on UWL- SA website as well.
- e) The Election Commission is responsible for distribution of the Election Bylaws, Campus Publicity Guidelines and Residence Life Policies prior to the campaign period to all filed candidates.
- i) Can be given electronically but must be given hard copy upon candidate request.
- f) The Election Commission is responsible for keeping track of the amount of money each candidate has fundraised and spent based on the information each candidate provides.

ARTICLE V: CANDIDATES FOR OFFICE

Section I: Eligibility

- a) Any candidates for office shall maintain a minimum cumulative grade point average of 2.0 at the time of election and must meet the qualifications for that office as established by the UW-L SA Constitution.
- b) Students running for a seat representing a specific college must be currently enrolled as a member of that college.
- c) 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 wish to run.

Section II: Filing

- a) Candidates for an executive or senatorial position of the UWL- SA 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.
- b) Candidates for President and Vice President may file for office jointly or individually. Those Candidates for President and Vice President filing jointly shall be listed as tickets on the ballot. Student may vote for any combination of one candidate for President and one candidate for Vice President.
 - i) Each individual candidate for an executive position must include the signatures of at least fifty current UW-L students with the nomination forms. Each executive pair must include the signatures of at least one hundred current UW-L Students with the nomination form.

- c) Each candidate for a senatorial position must include the signatures of at least twenty-five current UW-L students with nomination papers.
- d) 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.

Section IV: Biographies

- a) Candidates for President and Vice President receive the opportunity to submit a biography that will be placed on appropriate sites by the Election Commission.
 - i) Biographies need to be submitted one week after the filing of nomination papers to be utilized.
 - ii) A link will be available to reach biographies and will be included in the email message sent for the election.
 - iii) 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.
- b) The biographies will contain four different questions.
 - i) “What are your past experiences?”
 - ii) “What inspired you to run for (position)?”
 - iii) “What are your future goals for Student Senate?”
 - iv) “How do you plan on representing your constituents?”
- c) The answers for each question on the biography may not exceed 120 words.
- d) 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.
- e) Before biographies are posted, the Election Commission will review content for factual and relevant information.
- f) 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.

Section V: Campaign Definitions

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

- 1) Examples include giving students campaign materials, hanging up posters, posting on Facebook, talking about running
- ii) Passive Campaigning is defined as any material, written, that is already present in the world and simply remains in place.
 - 1) Examples include allowing posters to remain up, leaving a Facebook page online without posting anything new, leaving chalk on the ground, leaving advertisements already in place on university tvs, wearing a button
- iii) Supporter is defined as any student who actively aligns themselves with a particular campaign and has been in contact with the candidate.
- iv) Write-in candidates shall be responsible to know and adhere to all election and campaign rules.

Section VI: Campaign Period

- a) The campaign period shall begin for a candidate after they have filed completed nomination papers and attended the mandatory policy meeting with the Election Commission. It shall last 3 weeks for Presidential and Vice-Presidential candidates and 2 weeks for all other Senatorial candidates.
- b) Campaigning outside of the campaign period shall be considered a violation and the candidate shall be considered for disqualification. The defendant(s) shall be provided the opportunity to appeal to the Election Commission. A 2/3 vote of the Commission members shall be required for reinstatement of the defendant.

Section VII: Conduct of Campaign throughout Campaign Period

- a) Candidates and their supporters must adhere to the Office of Residence Life Policies, UW-La Crosse Campus Publicity Guidelines, University Policies and the Election commission Bylaws

Section VIII: Conduct of Campaign prior to Election Day

- a) All active campaigning shall be done within the boundaries of the UW-L campus.
 - i) This will allow the Election Commission to keep an eye out for any campaign violations.
- b) University sponsored or hosted events cannot be used as campaigning opportunities.
 - i) Examples include not being able to name menu items after candidates, campaign while swiping cards at food service places or campaign while collecting tickets for campus events
- c) Resources that are specifically allocated for university organizations cannot be used for campaign purposes.

- i) Examples include not being able to use free The Cove materials or materials bought by campus organizations.
- d) All candidates will have an equal opportunity to access reservable spaces.
 - i) Examples include tabling at the Union and hanging banners outside of Whitney.
- e) Official university web space (excluding space allotted for personal use) cannot be used to campaign,
 - i) Personal web space (such as Facebook, campaign websites and Twitter accounts) may be used to campaign.
 - ii) Candidates may not use the University Seal, Student Association logo or any other copyrighted materials without explicit permission.
 - iii) Candidates may use UW-L provided e-mail.
 - 1) 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.
 - 2) The use of organization lists is acceptable only if the organization has endorsed the candidate
 - (a) Candidates cannot be the one to send an email to an organization list.
 - 3) Manually entering all e-mail addresses is acceptable.
 - 4) The use of class lists, provided by D2L or faculty, is acceptable.
- f) The Student Senate office area is off-limits for any campaigning or storage of campaigning materials.
- g) Candidates and their supporters are NOT allowed to distribute food items or beverages to potential voters.
- h) Candidates can come together to create "slates".
 - i) Slates are unofficial unions of candidates which promote each other through the campaigning process.
 - ii) Candidates can be on more than one slate if they choose.

Section IX: Conduct of Campaign on Election Day

- a) Candidates and their supporters are not allowed to engage in active campaigning on Election Day, started at 12:01 a.m.
 - i) Passive campaigning is allowed on Election day
 - 1) Examples include Facebook pages, banners, posters and buttons remaining if they were present prior to election day.
 - 2) However, new materials or posts cannot be added on Election Day.
- b) Candidates and their supporters may ask students if they voted already or remind them to vote.
- c) Members of official or unofficial slates cannot campaign for each other on Election Day.

- d) Candidates cannot ask, pay or bribe anyone to campaign on their behalf
- e) Any organization or entity who campaigns for a referendum or candidate must obey all election conduct outlined in the Election Commission Bylaws.

Section VIII: Campaign Finance

- a) Each individual candidate can spend a maximum of \$200 and each executive ticket can spend a maximum of \$300 on their campaign.
- b) If money is raised, it must be reported to the Election commission.
 - i) The report should include the amount of money raised and who or what organization donated said money.
- c) Each candidate must turn in receipts to show how much money has been spent on all expenses.
 - i) This includes all expenses. Examples include chalk, banners, Facebook promotions and buttons.
- d) Any campaign materials that are bought using money that is fundraised must say “AAPFB” candidate name “with donations from” person/organization that donated.

ARTICLE VI: QUALIFICATION AND CONDUCT OF VOTERS

Section I: Eligibility of Voters

- a) All undergraduate and graduate students who are registered at UW-L for the current semester are eligible to vote.
- b) Any student may vote for the candidates for executive offices and senatorial candidates in the school or college in which he/she is enrolled.

Section II: Voting Procedure

- a) No voter shall cast more than one vote for each executive office.
- b) 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.
- c) 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.

ARTICLE VII: MECHANICS OF THE ELECTION

Section I: Election Dates

- a) The Commission shall conduct a one-day election for executive and senatorial positions on the fifth Tuesday following Spring Break.
- b) The Election Commissioner or appointee will proceed as the moderator for the executive candidate debate.

- c) If circumstances arise that do not allow for the above dates to be feasible, the Commission shall announce feasible, substitute dates.
- a) The Election commission can choose the format of the debate; however, questions will not be given to candidates ahead of the debate.

Section III: Campaigning Violations

- a) The Election commission is charged with overseeing Campaign Violations and enacting consequences they deem necessary.
 - i) Complaints should be emailed to the Election Commissioner.
- b) The Election Commission has the power to enact the consequence they deem necessary based on the severity of the violation.
 - i) Potential consequences include not being able to actively campaign for a certain amount of days.
 - ii) Disqualification can occur if parts of the Election Bylaws, Residence Life Policies, Campus Publicity Guidelines or University Policy are violated by a candidate or by their supporters with the candidate's knowledge.

Section IV: Campaigning Violation Appeals

- a) All Commission judgments may be subject to an appeal from candidate(s) against whom a decision was rendered within one class days of notification.
- b) Once an appeal is received, the Commission shall meet within two class days of the receipt of the appeal to consider it.
- c) Candidates shall have the opportunity to appear in person before the Commission in support of their appeal.
- d) If the candidate (s) affected by the Commission's appellate decisions want to appeal further, they must take the issue to the Student Court.

Section V: Campaigning Violation Counter Appeals

- a) A counter-appeal is hereby defined as a response by candidate(s) not affected by the decision/sanction of Election Commission. Candidate(s) may file a counter-appeal within one class days of receiving notice of the Election Commission's appellate ruling.
- b) Candidates may file counter-appeals only if their arguments pertain to the legitimacy/merit of the initial appeal made by the other party. If the party filing the counter-appeal questions the judiciousness of the Election Commission's ruling, these arguments may be presented to the Student Court.

Section VII: Other Potential Judgements

- a) 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.
 - i) 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.
- b) 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.
- c) 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.

Section VIII: Ballot Counting

- a) The Election Commission shall supervise the vote tally.
- b) Any person who has access to the voting data while votes are being tallied may not release partial results.
- c) All voting data will be held by the Commission fourteen 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.
- d) 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.
- e) In case of a tie between candidates for an executive or senatorial position, there shall be a runoff election between those tied candidates, two weeks following the final Election Day.
- f) In case of write-in candidates for Senate positions, the Election Commission shall determine the winner by write-in votes and individual's consent.
- g) 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.
- h) The Election Commission will make the election results public upon approval of the election process and results and must present them to Student Senate.

ARTICLE VIII: FRESHMAN AND GRADUATE ELECTIONS

Section I: Eligibility

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

- b) 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.

Section II: Filing

- a) Candidates who wish to be on the ballot must complete and file with the Election Commission the proper nomination forms by 4:00pm the final day of the nomination period. No late papers will be accepted. The nomination period shall be no less than one week.
- b) Each candidate for a senatorial position must include the signatures of at least twenty- five UW-L Students with nomination papers.

Section III: Campaign Period

- a) The campaign period for freshman and Graduate elections shall begin after 4:00pm on the third Wednesday in September after completed nomination papers are submitted to the Election Commission.

Section IV: Eligibility and Conduct of Voters

- a) Eligible voters must be registered at UW-L for the current semester.
- b) Any student who is a freshman by credit (under 30 resident credits) is eligible to vote for the Freshman Senator positions
- c) Any student who is enrolled in a Graduate program at UW-La Crosse is eligible to vote for the Graduate Senator positions.
- d) Each voter is allowed to cast one vote for each Senator position that they are eligible to vote for.
- e) 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.

Section IV: Mechanics of the Election

- a) Elections for each position shall be held on the fifth Wednesday of September.
- b) If circumstances arise that do not allow for the dates set by the Commission to be used, the Commission shall announce feasible, substitute dates.
- c) Ballot Counting protocol is the same as Article VI, Section VII

ARTICLE IX: AMENDMENTS TO THE ELECTION commission BY-LAWS

Section I: Amendments- Amendments to these bylaws must be in writing to the Student Senate and require a 2/3 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

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