

# Election Legislation Overview

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## **ARTICLE I. LEGISLATIVE BRANCH**

This Constitution creates a Student Senate, which shall be the legislative authority exercise the legislative power of the Student Government Association.

## Section 1. Powers and Duties

- A. The Student Senate shall have the power and responsibility to:
1. Approve the Student Government Association budget.
  2. Appropriate funds.
  3. Enact Student Government Association policy.
  4. Approve the nominations of all appointed Executive Officers, Election Board members, and Supreme Court Justices.
  5. Internally elect the following officers:
    - a. Senate President: This shall be a Senator, nominated within and elected by the Student Senate, who shall preside at all meetings. The Senate President shall expressly retain his voting privileges at all meetings.
    - b. Senate Coordinator: This shall be a Senator, nominated within and elected by the Student Senate, who shall insure the actions of all Senate committees on referred legislation, review the academic status of all elected Student government Officials and schedule and inform Senators of all Senate Meetings.
  6. Internally elect the Interim Senate
  7. Execute all other powers or responsibilities delegated or assigned to the body by this Constitution or by any University authority.
  8. Exercise all powers necessary and proper for carrying into execution the foregoing powers.
- B. The Student Senate may, by a two-thirds majority, adopt or amend internal legislative procedures, in the form of Senate Procedural Bylaws, consistent with this Constitution, at a meeting of the Senate where quorum is present. Such action is not subject to veto. Newly adopted or amended Bylaws shall be effective immediately upon passage.
- C. The Student Senate may override a presidential veto of legislation by a two-thirds (2/3) vote at the next Senate meeting where quorum is present following the date the veto takes effect.
- D. The parliamentary authority governing the conduct of business on the floor of the Senate shall be the most recent edition of Robert's Rules of Order, except where it conflicts with this Constitution or Senate Procedural Bylaws.

Any enactment or exercise of power which conflicts with this Constitution and or which introduces conflict into any of these Articles, shall be considered void.

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## **Section 3. Membership**

- A. The Student Senate shall be comprised of Senators At-large, College Senators, and Freshman Senators.
1. The number of Senators At-large shall be set at twenty (20). Fifteen (15) of these positions shall be undergraduate students and five (5) shall be graduate/professional students.

2. The number of Freshman Senators shall be set at four (4).
- B. In order to serve as a Freshman Senator, a student must be a Freshman at the University of Kentucky in credit hours at the time of his/her election. Any college credit earned during high school enrollment shall not be considered.
- C. The Senate Coordinator, shall request a review of the academic status of all elected Student Government officials before the first Senate meeting of each semester. In the event that any member does not meet the academic requirements specified in this Constitution, his or her position shall immediately be declared vacant.
- D. In order to serve as a Student Government Association Senator at the University of Kentucky, one must be a full-time or part-time student.

#### **Section 4. Term of Office**

**A. All Senators shall serve from the day they are sworn into office by the Chief Justice of the Student Government Association Supreme Court or his designee Associate Justice until the swearing in of the next Senate. The term of any Senator who resigns or who is removed by procedures established within this Constitution shall end immediately.**

B. Should a vacancy occur within the Student Senate, the runner-up in the preceding election for that position shall assume the powers, duties, and office of Student Senator for the remainder of that term, provided that he meets the qualifications of a Senator established in this Constitution. If no such person exists, or if the runner-up refuses to fill in the vacancy, the Chairperson of the Senate appoints the new Senator, subject to approval by a majority vote of the remaining Senate.

### **ARTICLE VI – ELECTIONS**

#### **Section 1. Types of Elections**

A. The Freshman Senators shall be elected by and from the Freshman class on the Wednesday and Thursday between the seventh and tenth week of classes during the Fall Semester. The Wednesday/Thursday date shall be determined by the Senate President.

B. All candidates for office must meet the requirements for that office. It shall be a condition precedent to the attainment of a chief leadership position in any branch of government, that the individual shall be a member of Student Government.

- C. A special election shall be held if the Supreme Court invalidates or nullifies an election.

## **Section 2. Election Oversight and Administration**

- A. There shall be an Elections Board of Supervision and Office of the Election Investigator.
- B. The Elections Board of Supervision shall consist of five members. Each member shall be nominated by the President and approved by a majority vote of the Student Senate. This board will be responsible for the administration of Spring and Freshmen elections, including:
  - 1. Adequately conducting the election, including:
    - a. Submitting to the Student Senate, no less than three weeks prior to the Freshmen Elections, the polling places, times, and campaign prohibited zones, which the Student Senate shall amend and approve by majority vote.
    - 2. Insuring the Constitutional eligibility of the candidates.
    - 3. Establishing and enforcing election rules and regulations consistent with this Constitution.
    - 4. Delivering the election results to the Supreme Court and the Election Investigator for Certification, and subsequently announcing the results of the elections.
    - 5. Distributing copies of all election rules and regulations at the first candidates' meeting.Subsequent to the distribution of these rules, and until the certification of an election, the Board of Supervision shall establish no new election rules or regulations.
- C. Members of the Elections Board of Supervision may neither hold nor seek any other position in the Student Government Association, nor hold membership on the Supreme Court or hold the Office of Election Investigator.
- D. There shall be an Elections Investigator appointed by the Chief Justice of the Student Government Supreme Court. The Investigator shall have the power to:
  - 1. Challenge any election or candidate for good cause on behalf of any candidate or student eligible to vote in that election.
  - 2. Any candidate or other student wishing to challenge a candidate or election must file a claim to show good cause with the Investigator or his/her designee, who, upon a showing good cause, must:
    - a. Develop an investigation to discover any evidence supporting the claim.
    - b. File and prosecute the claim with the Supreme Court.
    - c. If the Election Investigator does not find good cause for the claim, the student may appeal that determination at the Election Review Hearing.
- E. In the case of a tie for any office other than the President and Vice President, the current Senate shall certify the winner by majority vote.

## **Section 3. Filing Requirements and Procedures**

A. All persons running for an office are required to submit an application, a petition, and a deposit to the Chairman of the Elections Board of Supervision. The candidate may designate the exact variation of his or her name that appears on the ballot in the application. The Board of Supervision shall prohibit frivolous and fictitious names from appearing on the ballot. This form cannot be changed or handed in after the last time for filing

B. To appear on the ballot for Freshman Senator, each candidate must obtain signatures from two (2) percent from the eligible voters for their respective seat and submit the petition with his/her application. The petition must contain each student's date of birth to enable the Election Board of Supervision to verify the enrollment of the person signing the petition.

C. The application form shall also be accompanied by a thirty dollar (\$30.00) deposit of which \$25.00 will be refunded only if the candidate removes all of his or her campaign literature from campus no later than 5:00 p.m. Friday after the closing of the last polling place. If a candidate fails to remove his or her own literature, the deposit shall be withheld. Furthermore, a violation of campaign rules may result in the deposit being retained as a penalty at the discretion of the Supreme Court. Otherwise, \$25.00 will be refunded following the official certification of the election results by the Supreme Court.

D. Upon initial acceptance of a deposit by the Chairman, a receipt will be given.

#### **Section 4. Candidates Meeting**

A. The Elections Board of Supervision shall establish a candidates meeting at which time, rules, regulations, and pertinent meeting dates, as well as duties and responsibilities of a Student Government Representative and the goals of the Student Government Association will be presented to the candidates.

B. The Candidate or agent thereof will be required to sign in, and be present at the end of the meeting when roll is called.

C. If a Candidate or agent thereof does not attend and remain present for the duration of the meeting, the candidate's name will not appear on the ballot.

D. All Candidates and agents thereof, are responsible for all information in the meeting as well as the Constitution, and all federal, state and University rules and regulations for campaigning and elections.

#### **Section 5. Expenditures**

A. The Student Government Senate shall have the power to establish maximum expenditures for all elections. Any changes to statutes regarding expenditures shall take effect the following school year.

#### **Section 6. The Regulation of Candidate Conduct**

- A. In order to ensure the fair and orderly conduct of elections, the Senate may establish election rules governing the conduct of all candidates for Student Government office of their respective campaigns.
- B. The Senate must establish an appropriate and specific penalty, or range of penalties, for the violation of any campaign rule. Additional penalties may be defined for the violation of multiple rules.
- C. Penalties may include forfeiture of fees, fines, the disqualification of a specific number or portion of votes cast for a candidate or ticket, disqualification of the candidate or ticket, or any other appropriate sanction within the scope of the Student Government's authority.
- D. The Supreme Court will impose prescribed penalties through the process defined in Section 9 of this Article.
- E. Additions or changes to the campaign rules will become effective in the academic term following the term in which the Senate enacts such additions or changes.

### **Section 7. Polls**

- A. The Freshman Senators shall be elected by the Freshman class on the Wednesday and Thursday by the tenth week of classes but not earlier than the seventh week of classes of the fall semester. The Wednesday/Thursday date shall be determined by the Senate President.
- B. "Polls" and "Polling Location" means a voting location under the direct supervision and control of the Election Board of Supervision.
- C. At the close of each voting day, all ballot boxes and/or voting machines will be sealed. A member of the Elections Board of Supervision and a representative from the ~~Office of Student Involvement~~ Office of Student Organizations and Activities will be present to open the ballot boxes and/or voting machines.

### **Section 8. Voting Procedures**

- A. Full and part time students shall be permitted to vote once per election in which they are eligible to vote upon the authentication of their Link Blue account.
- B. An Act shall be passed by a majority of the Senate and the signature of the President establishing the voting method, which shall include a minimum of two polling locations and may include online voting.
  - 1. "Online Voting" means a voting system that allows voters to vote from any computer connected to the internet.
- C. There shall be no consultation or campaigning in the voting area. Such activity will be grounds for a student's vote being disqualified UNLESS such student is a candidate, in which case a higher penalty may be imposed. Poll workers will record the name and I.D. number of the person engaging in such activity. The Elections Board of Supervision shall post a sign at each poll with the exact wording in the sentences above notifying voters of this prohibition.

- D. No other tickets shall be permitted. Senatorial candidates may only seek office on independent platforms, and may not be affiliated with or endorse Presidential and Vice Presidential tickets.
- E. No other tickets shall be permitted. Senatorial candidates, including Freshman Senators, College Senators, Graduate Senators-at-Large and Senators-at-Large, may only seek office on independent platforms, and may not be affiliated with or endorse Presidential and Vice Presidential tickets.
- F. A ticket is defined as two or more candidates or candidates' staff campaigning jointly. Senatorial campaigns should be independent from all other Senatorial Campaigns. Candidates cannot appear on campaign materials with other candidates, including but not limited to, banners, posters, handbills, social media accounts, and other promotional materials. Candidates and campaign staff may not exhibit support, electronic, verbal or written, for other candidates running in their election or candidates running in the President Vice Presidential Election.
- FG. Presidential and Vice Presidential tickets and campaigns must be exclusive and divorced from all Senatorial campaigns, including on campaign websites, social media, and during handbilling, or through verbal, electronic or written communication.
- H. Senatorial Candidates may not campaign with or for another candidate via website, social media, during handbilling, or through verbal, electronic or written communication.
- GI. Each voter shall be allowed to vote for a Presidential/Vice Presidential ticket, the maximum number of Senators At-large based on their classification, and the maximum number of candidates permissible in that individual's college.
- HJ. A write-in vote shall be valid only if the vote names an eligible candidate.
- HK. Poll workers should enforce these voting regulations and report any violations to the Elections Board of Supervision.

**Section 9. Election Challenges and Violations**

- A. Each candidate or President/ Vice President ticket shall submit any documentation required by the campaign and election rules along with a phone number and email address at which the candidate may be reached to the Election Investigator or his/her designee by 5:00 p.m. on the Friday following the election.
  - 1. Failure to submit required documentation by 5:00 p.m. on the Friday following the election will result in a penalty to be determined by statute.
- B. The Election Investigator will review all documentation submitted by candidates to ensure compliance with all campaign rules. Any student who believes that a violation of election or campaign rules has occurred may file a claim for good cause with the Election Investigator before 5:00 p.m. on the Friday following the election.

C. When in the Election Investigator's judgment, his/her independent investigation or any student claim shows that there is good cause to believe a violation has occurred, the Election Investigator will give notice to the candidate involved in the alleged infraction and will provide a concise written statement of the reasons for that finding.

D. If the Election Investigator does not find good cause for a student complaint, the Election Investigator will notify the complaining student of that finding and will provide the complaining student with a concise written statement of the reasons for that finding. The Election Investigator will also inform the complaining student that the student may appeal that finding to the Supreme Court at the Election Review Hearing. The Election Investigator will also inform each candidate or ticket of each student complaint alleged against that candidate or ticket.

E. The Election Investigator will make all good cause determinations and provide all notifications required in this section at least 24 hours before the Elections Review Hearing.

1. A statement sent to the email address provided by candidates in subsection (A) will satisfy the statement of findings and notice requirements pertaining to candidates.

2. Notice and statement of findings may be provided to a complaining student at the student's university email address, unless the student provides another email address to be used for this purpose.

3. At the Election Investigator's discretion, any requirement for notice or statement of findings may be satisfied by actual service of the notice or statement in writing.

F. On the Wednesday following each election, the Supreme Court will convene the Election Review Hearing. The Chief Justice will cause the time and place of the Election Review Hearing to be posted at the Student Government Office at least 24 hours before the hearing.

At the election Review Hearing:

1. The Election Investigator will present the statements required in subsections (C) and (D) of this section and any additional material of relevance to the Supreme Court. The Election Investigator will present his/her findings in those cases in which the Investigator found good cause individually. Each candidate or ticket implicated in those cases will be afforded an opportunity to respond to the Election Investigator's findings.

2. Any student who filed a timely complaint with the Election Investigator per subsection (B) for which the Election Investigator did not find good cause will be permitted to contest the Election Investigator's finding. The Election Investigator and any candidate or ticket implicated in such complaint will be permitted an opportunity to respond.

3. The Supreme Court will review the Election Investigator's good cause determination for each case. If the Court finds that there is good cause to believe that a violation has occurred in any case, the Court will advise the affected parties of its finding and of the range of penalties provided by this constitution or by statute for the alleged offense(s). The Court will then make a ruling on each individual claim.

A. If after the Court's judgment, a candidate chooses to contest the allegation, the candidate must appeal directly to the University Appeals Board.



4. The Chairperson of the Elections Board of Supervision or his/her designee will present the results of the election vote to the Supreme Court for certification. The Supreme Court will certify the election by a simple majority vote of the justices present.

5. Unless a gross irregularity has occurred which affects the validity of all races in a given election, those races unaffected by the irregularity shall otherwise be certified.

## **ELECTION ACT**

### I. Application of this act

A. This act shall govern all Student Government elections at University of Kentucky. Specifically, these elections include spring elections for the Senate and President and Vice-President, and fall elections for Freshman Senate.

B. When there is any contradiction between this act and the Bylaws of the University of Kentucky Student Senate, these rules shall supersede those bylaws.

1. This act shall not be read to conflict with the Election Expenditure Act.

C. This act serves as the primary source of fall and spring Student Government Election rules pursuant to the Student Government Constitution and shall supersede all previous acts and policies establishing procedures and rules for Student Government.

D. Any questions of law regarding this election act, its meaning, its application, and its enforcement shall be decided by a majority vote of the Student Government Supreme Court.

### II. Definitions

#### A. Campaign Material

1. Any banner, poster, handbill, web page or social media account, email document, auditory or visual recording, location-based marketing material (i.e. SnapChat filters) or other device that is intended to influence voting at an election.

#### B. Candidate Platform

1. A candidate platform shall be defined as a statement from the candidate or candidates describing their positions.

2. Candidate platforms shall be subject to all guidelines regarding campaign material except where otherwise noted.

3. Each candidate platform shall not exceed five-hundred (500) words.

4. The Elections Board of Supervision shall not accept campaign platforms after the deadline for which candidate petitions are accepted.

5. The Elections Board of Supervision shall make the campaign platform available via the Student Government website within two (2) business days following the candidate eligibility and verification process.

6. The Elections Board of Supervision shall make the campaign platform available at the polling locations during designated polling times, but must do equally for all candidates who have presented a candidate platform.

#### 7. Editing and Changing Campaign Platforms

1. The Elections Board of Supervision shall not make changes or edits of campaign platforms after the deadline for filling campaign platforms.

2. The Elections Board of Supervision may at their discretion make changes or edits that immaterially change the campaign platform.

a. Immaterial changes include only grammatical corrections.

3. The Elections Board of Supervision may shorten the length of any platform statement that exceeds the maximum limit to 500 words.

8. The Elections Board of Supervision shall not accept or use images in union with a campaign platform.

#### C. Eligible Voter

1. An eligible voter shall be defined as a currently enrolled student at the University of Kentucky.

2. The final test for eligibility shall be the list provided by the Registrar, subject to appeal.

#### D. Candidate for office

1. A candidate for office shall be defined as any person seeking an office in Student Government who has filed a petition with Election Board of Supervision. Eligibility is defined below.

#### E. Elections Board of Supervision

1. The Student Government President with the approval of the majority of the Senate, in accordance with the Constitution of the Student Government and their respective Bylaws, shall appoint the Elections Board of Supervision. The Elections Board of Supervision Chair shall be appointed by the Student Government President.

2. No persons affiliated with a campaign, including a candidate for office, may serve on the Elections Board.

a. "Affiliated with" is defined as openly endorsing a campaign.

3. The Elections Board shall have at least four (4) members in addition to the Elections Board of Supervision Chair.

a. Nominations shall be presented to Full Senate at least one month prior to Freshman Elections.

b. The Elections board shall be responsible for answering any questions of fact regarding elections procedures.

#### F. Pollster

1. Only members of the Elections Board of Supervision shall monitor a polling location.

a. A pollster includes students designated to work at the polling location.

#### G. Polling Location

1. A polling location shall be defined as the area within twenty-five feet of an official voting location designated by the Elections Board of Supervision on the day of the election.

2. A portable computer shall not be considered a polling location unless specifically designated to be such by the Elections Board of Supervision.

#### H. Campaign Purposes

1. Using campaign material to influence voting for or against one or more particular candidates for office at an election.

#### I. Election Day

1. Shall be designated by the Election Board of Supervision to consist of a minimum of eighteen (18) hours over two (2) days.

#### J. Banner

1. Campaign material larger than 13 x 19 inches.

#### K. Poster

1. Campaign material sized 13 x 19 inches or less that is to be posted

#### L. Handbill

1. Campaign material sized 8.5 x 11 inches or less to be distributed by hand.

#### M. Ticket

1. Two or more candidates or candidates' staff campaigning jointly. Senatorial campaigns should be independent from all other Senatorial Campaigns.

2. Candidates cannot appear on campaign materials with other candidates, including but not limited to, banners, posters, handbills, social media accounts, and other promotional materials.

3. Candidates and campaign staff may not exhibit support, electronic, verbal or written, for other candidates running in their election or candidates running in the President Vice Presidential Election.

#### III. Candidate Eligibility

A. As defined by Article VI – Elections Section 3. Filing Requirements and Procedures of the University of Kentucky Student Government Constitution

#### IV. Campaigning

A. Candidates for office are responsible for familiarizing themselves with and following all applicable University, Election Board of Supervision, and Student Senate policies.

B. Upon filing of candidate petition, all candidates must sign a statement that they will adhere to all elections by-laws. If not signed, their nomination will be declared invalid by the Election Board of Supervision. This statement is to be turned in along with the petition form.

C. All candidates must attend all election meetings including an election forum to be held within three school days after the nominations are closed.

D. No campaigning may take place at any polling location during polling hours on the election days, nor may any campaign material be present at a polling location during polling hours.

1. This shall exclude candidate platforms received and approved by the Elections Board of Supervision.

2. Campaign material within the campaign free zone prior to the zone being designated by the Election Board of Supervision shall be removed by an election official prior to opening the poll.

E. No candidates are allowed within twenty-five (25) feet of any on-campus poll at any time while the poll is open except the following:

1. When a candidate is casting his or her vote.

2. Exempting incidental traffic flow through the hall in which the candidate lives, works or attends class.

3. The candidate is removing campaign materials at the direction of the Election Board of Supervision.

4. The Elections Board, in collaboration with the Marketing Committee, shall organize the promotion of candidate applications. They shall also organize the education of students as to SGA activities and advocacy of election day voter participation beginning at least three (3) weeks prior to election day.

(a) Methods may include tabling, handbilling, and social media activities. Campaign Platforms may be made available, doing equally for all candidates who have presented a candidate platform.

F. Neither verbal campaigning nor campaign materials shall be allowed within twenty-five (25) feet of the polls while polls are open if applicable.

G. University of Kentucky Libraries and University of Kentucky Student Computer Labs shall be designated as campaign-free zones on election days.

H. Door-to-door campaigning is not allowed in residence halls.

I. Forums and campaigning may take place in residence halls in compliance with Residence Life regulations.

J. Candidates may hold forums with any student organization provided it is approved by that organization's president.

K. Libelous or slanderous campaigning shall be subject to sanction by the Student Government Supreme Court.

L. No Activities Fee money shall be used for campaigning purposes.

1. This shall exclude the Elections Board of Supervision reproducing candidate platforms approved by the Elections Board.

M. No person may personally or through an agent intimidate, harass, use or threaten the use of force, violence, or restraint in order to compel or induce any person to vote, abstain from voting, or vote or abstain from voting for a particular candidate or referendum.

N. No student may set up a computer or other electronic device to be used as a polling location for the purpose of soliciting votes.

1. This does not include polling locations designated by the Elections Board of Supervision.

O. All candidates and their staff must adhere to all elections policies and applicable institutional policies during the election period. Unless otherwise allowed under the elections by-laws and policies, all candidates must adhere to applicable university policies, municipal policies and laws, and state policies and laws.

P. Additional policies and procedures approved by the Election Board of Supervision and this Senate for the purpose of managing the elections process may be promulgated in addition to this act and must be adhered to by all candidates and staff. All additional policies will be provided to candidates prior to the start of any campaign period.

Q. Campaign expenditure amounts and provisions shall follow the Election Expenditure Act

R. No Student Government resources shall be used to support any candidate unless those resources are available to all candidates.

S. All campaign emails sent to multiple voters must have all email addresses in the blind carbon copy (Bcc) line

1. Any voter that requests to be removed from campaign emails must be removed from all campaign mailing lists within 36 hours

T. No candidate may use ticketing as a campaign strategy, as defined above in Section II.

#### V. Violations

A. If a candidate is found to have violated any of the policies outlined in Section IV above, the Student Government Supreme Court can sanction the candidate as follows:

1. The Supreme Court may choose to warn the candidate in written or oral form that he or she has violated the Student Government Association Elections Policies and notify them that further violations can result in revocation of candidacy or nullification of the candidate's votes.

2. The Supreme Court may place a fine on a candidate for campaign violations up to twenty five dollars (\$25) per violation, not to exceed one hundred dollars (\$100) per election per candidate.

3. The Supreme Court may choose to revoke the candidacy for students who have violated State or Federal laws, University guidelines, Student Government Constitution, or the Student Code of Conduct, with or without warning. This includes violations related to unethical or dishonorable conduct.

4. The Supreme Court may choose to nullify all votes, or a percentage of votes of the votes for a candidate, if violations are reported after the polling is closed for the aforementioned conduct, with or without warning.

5. All rulings by the Supreme Court of a disciplinary nature may be referred to the Dean of Students.

B. If a candidate is found to have violated campaign expenditure limits the Student Government Supreme Court shall sanction the offending candidate as follows:

1. When the campaign expenditures exceed the limit by less than the greater of amount twenty-five dollars or five (5) percent, the offending candidate's total votes shall be decreased by ten percent.

2. When the campaign expenditures exceed the limit by the greater amount of twenty-five dollars or five (5) percent or more, the offending candidate shall be disqualified.

C.If a candidate is found to have violated specific policies outlined in section IV, the Student Government Supreme Court shall sanction the offending candidate as follows:

1. If subsection G, H, or K under Section IV is violated the offending candidate's total votes shall be decreased by no less than 10% per subsection violated. This percentage may be increased at the discretion of the Supreme Court.
2. If subsection M, N, or T under Section IV is violated the offending total votes shall be decreased by no less than 25% per subsection violated. This percentage may be increased at the discretion of the Supreme Court.
3. For all other subsections under Section IV the Supreme Court may choose to nullify all votes cast, or a percentage of the votes of a candidate, or level any other sanctions permitted under Section V.

## VI. Voting Procedures

### A. Online Method

1. At least two (2) computers with a connection to the online ballot shall be set up at each polling location. These computers shall be designated the polling locations.

2. The Elections Board of Supervision shall designate a minimum of two polling locations.

3. At least two pollsters shall be present at the polling location at all times.

4. The Elections Board of Supervision shall maintain a secure web site, updated in real time, containing online ballots and a voter verification database containing data provided by the Registrar. The web site shall also contain links to candidate platforms, the election rules, and directions for reporting errors.

5. If a student claims to meet the criteria to be a voter, but is not able to log into the system as a valid user, then the pollsters shall require a photo ID and will follow the procedure for double enveloping.

6. Voters shall cast their votes using this secure web site from the polling computer(s) or any other computer connected to the internet.

### B. Double Enveloping

1. The pollster shall give the voter two envelopes and paper ballots for each position.

2. The voter shall mark their vote on the ballots and then seal the ballot in the first envelope.

3. The first envelope shall then be sealed in the second envelope, upon which the pollsters shall then write the voters name and student identification number, the name of the pollsters, and a description of the problem.

4. This method shall not be employed unless a voter claims to be eligible but is not entered in list of eligible voters, or claims not to have voted but is marked as voted.

5. The Elections Board of Supervision shall review these ballots and determine which students were eligible voters. The ballots of eligible voters shall then be added to the vote tally.

6. The Closed Kiosk Method shall be the preferred system of voting.

#### VII. Timeline

A. The Elections Board of Supervision shall be established by five (5) weeks prior to the spring election and three (3) weeks prior to the fall election.

B. The Elections Board of Supervision shall no later than three (3) weeks before the election present for approval to the Senate the following:

a. The location of the election polls

b. The times of operation of each election poll.

c. The promotional efforts of the Board (see section II.E.4).

d. Any additional procedures and policies for the purpose of managing the election.

#### VIII. Election procedures

A. The election method shall be Online Method as well as polling locations.

B. Upon completion of the Vote Counting, the Elections Board shall notify all candidates of their status within one day and make the results public within the same time frame.

C. If a candidate declines a position, the eligible candidate with the next highest percentage of votes shall be offered that position.

D. The Elections Board of Supervision shall be responsible for all elections procedures, excluding election publicity, setting the polling locations, and provision of necessary funds or materials, but including the following:

1. Maintaining the list of eligible voters.

2. Validating election petitions.

3. Compiling the list of ballot-eligible candidates into ballots.

4. Investigating any election irregularities or campaign violations reported.

5. Deciding any questions or disagreements regarding elections not specifically answered in this document or the Constitution of the Student Body.

E. The Student Supreme Court may, upon violation of any procedure and at its discretion, invalidate the election results and call for a new election.

#### IX. Vote Counting

A. At least four members of the Elections Board, a professional staff representative of the Office of Student Involvement, and the Elections Board of Supervision Chair shall be present at the vote counting.

B. No student not on the Elections Board of Supervision shall be present.

C. The vote counting shall take place within twenty-four (24) hours of the closing of the polls.

D. The results shall be unlocked and their numbers tallied by the computer voting scripts. Any obviously misspelled names shall be corrected and added to the tally.

E. No counters may leave during the counting, except at the discretion of the Elections Board of Supervision Chair.

F. The Elections Board of Supervision shall determine, via majority vote, the validity of the elections upon completion of the vote counting.

G. The results shall not be final until certified by a majority of the Supreme Court at the Election Review Hearing. Said results will be enacted upon swearing in by the Student Supreme Court Chief Justice.

#### X. Campaign Materials

##### A. Restrictions on the Placement of Campaign Materials

1. Signs posted inside the residence halls must comply with Residence Life regulations.

2. There shall be no posters in classrooms.

3. No campaign material, writing or paint may be placed on the ground (e.g. sidewalks, roads, driveways) or living material.

4. Posters may not be placed on any glass, elevators, or painted surfaces, in accordance with UK's Administrative Regulations Governing the Use of University Facilities by Registered Student Organizations.

5. Campaign materials may not be placed on bulletin boards designed for use by campus organizations.

6. Each campaign must use discretion not to damage University property.

##### B. Elections Board of Supervision Approval of Campaign Materials

1. The Elections Board of Supervision must approve any posters in advance, in order for candidate posters to comply with the Student Government policies.

2. No poster may be displayed on campus area property without the official seal of the Elections Board of Supervision.

C. No person may bribe, give, or lend anything of over one dollar (\$1.00) in value in order to induce a person to vote or refrain from voting or to vote for or against a candidate or referendum.

D. The Number of Campaign Materials Shall be limited by the following provisions:

a. Presidential campaigns will be limited to posting 150 posters and 15 banners on campus area property.



b. Senatorial campaigns will be limited to posting 100 posters and 10 banners on campus area property.

c. There is no limit to the number of handbills a campaign may distribute.

E. Destroying or defacing the campaign materials of other candidates is prohibited.

#### F. Removing Campaign Materials

1. After campaign material has been placed, it may not be removed by anyone other than the candidate, campaign manager(s), the elections committee or the poll workers while voting is in progress. University employees acting in accordance with their duties and in enforcement of university policy may remove materials.

2. All posters and other campaign materials must be removed by 5 pm on the Friday following the election. It must be the responsibility of all candidates to see that their materials are removed.

### **ELECTION EXPENDITURE ACT**

A. Senatorial candidates are limited to two hundred dollars (2006 dollars) ~~if campaigning individually or two hundred fifty dollars (2006 dollars) if campaigning on a ticket.~~ For each election taking place after 2006, the maximum allowed expenditure shall be adjusted for inflation or deflation as determined by the United States Federal Reserve.

B. Each candidate shall submit the candidate's expenditure form to the Chairperson of the Elections Board of Supervision or his/her designate no later than 5:00 p.m. on the Friday following the election. Failure to do so shall result in the loss of the candidate's deposit. Candidates are responsible for getting a receipt form showing date, time and the Chairperson's or designates' signature. Original receipts and a copy of all printed material shall accompany the expenditure form.

C. The winner of a write-in vote must file an acceptable expense report, showing that campaign expenses did not exceed the limit for that office, before being seated.

D. All commercial or individual services or tangible materials donated by non-students to a candidate or candidates shall be attributed as expenditures of the receiving candidate or candidates at a reasonable retail price.

1. Tangible materials donated by students to candidates shall also be attributed as expenditures of that candidate at a reasonable retail value. Tangible material donated by students to candidates include, but are not limited to paper, wood, glue, staples, posters, signs, banners, t-shirts, and other like materials. Tangible materials donated by students to candidates shall not include the hosting of a website, web site design, or computer programming, since these donations are services.

2. Services donated by students to candidates shall be subject to the following rules:

a. Any student, whether part time or full time, of the University of Kentucky, including Lexington community college students, can donate their services in any capacity whatsoever, including professional

services, and that donation shall not be attributed to the expenditure of the receiving candidate or candidates;

b. Service donations by students include donations of website hosting, websites services, or the donation of any future technology that may replace web communication.

3. The Supreme Court shall have jurisdiction to settle valuation disputes, subject to ultimate review by the Supreme Court which shall retain appellate jurisdiction over all valuation disputes.”

4. The burden is on the claimant to prove by a preponderance of evidence that the candidate has exceeded their spending limit. Once a claimant initiates such a claim, the claimant must first make a good cause showing to the Election Investigator, and only if the Investigator has determined that good cause in fact exists shall the claim proceed. If a claim proceeds beyond the Election Investigator, the candidate shall be afforded ample opportunity to present evidence to the Supreme Court that the material or service was proper.

### **University of Kentucky Campus Signage Policy**

*Candidates running for office must adhere to the UK Campus Signage Policy guidelines. A copy of this policy with highlighted portions for candidates will be available online at [www.uksga.org](http://www.uksga.org) and the full policy (without highlights) can be found at [www.uky.edu/Graphics/SignagePolicy.pdf](http://www.uky.edu/Graphics/SignagePolicy.pdf).*