## *Chapter IV: Elections Codes*

*Title 1. Elections Commission*

Section 1. Purpose

The Elections Commission is established to facilitate fair and open Student Government Elections for both eligible candidates and eligible voters.

Section 2. Composition

There shall be an Elections Commission composed of a up to two Chair(s), one Vice Chair, and at least ten (10) members at large and, up to but not, exceeding twenty (20) members at large, referred to henceforth as elections commissioners.

2-1. Chair(s) and Vice Chair Selection

The Chair(s) of the Elections Commission shall be nominated by the Elections Commission via internal election and presented to the President of Student Government. The President shall either present the nominee(s) to the Senate for ratification or reject the nomination(s). In the case of rejection by the Senate or the President, the Elections Commission shall nominate new candidate(s). The Elections Commission shall elect a Vice Chair without ratification.

2-2. Elections Commissioners Selection

Applications shall be made available at the discretion of the Chair(s) and Vice Chair. Following review of applications and reduction of the application pool if necessary, interviews shall be conducted with the presence of the Chair(s) and/or Vice Chair. Executive Officer(s) or Assistant Executive Officer(s) may assist with interviews. The Chair(s) shall make final decision concerning the elections commissioners.

2-3. Ratification

Chair(s) of the Elections Commission shall submit the appropriate legislation to the Senate recommending the ratification of the selected applicants. Ratified Elections Commission members are not subject to the application process at the end of each elections cycle.

2-4. Removal or Unexpected Vacancies

1. Should the Chair(s) of the Elections Commission be unable or unwilling to fulfill their duties as Chair, the Vice Chair of the Elections Commission shall take the place of the Chair until new Chair(s) are selected.
2. The Chair(s), Vice Chair, and Elections Commissioners shall not serve in or run for any elected Student Government position while also serving on the Elections Commission.
3. Elections Commission members, including the Chair(s) and Vice Chair, may be subject to removal in extreme circumstances as decided by the Advisor(s) of Student Government or a vote of three-fourths (3/4) of filled positions of the Elections Commission.

Section 3. Authority

The Elections Commission is authorized to act as an independent agency of Student Government. The Elections Commission shall have original jurisdiction to pursue matters related

to elections. The Supreme Court of Student Government shall have original judicial jurisdiction regarding all elections processes. All University policies and decisions shall supersede these Elections Codes.

3-1. Powers of the Elections Commission
The Elections Commission is authorized to:

1. Conduct elections of its Chair(s) and Vice Chair.
2. Administer and conduct the organization, coordination, and operation of all student body-wide Student Government elections and referenda.
3. Administratively enforce regulations, procedures, and rules governing elections and referenda.
4. Refer all reviewed violations to the Student Government Supreme Court.
5. Decide on instances of automatic disqualification.
6. Promulgate and amend the Elections Codes to administer the powers and authority vested by this chapter and the Student Government Constitution.
7. Recommend amendments to the Student Government Constitution or remaining portions of the Statutes that relate to elections procedures.
8. Designate the timeframe for elections via Senate-approved calendar.
9. Make expenditures on the Elections Commission budgetary allocation.
10. Close voting, after consultation with the Advisor(s), and transmit such a decision in writing to the President of Student Government.

3-2. Responsibilities of the Elections Commission

1. Create, and have approved by the Senate, a semesterly Elections Calendar that includes, at minimum, dates to file for candidacy, mandatory candidates meeting, opening of polls, closure of polls, and run-off election polling opening and closure.
2. Publicize information about application procedures for candidacy and voter participation, including but not limited to
    a. Deadlines for submissions
    b. Mandatory meetings for candidates or campaigns
    c. Meet the candidate events
    d. Voting dates and times
3. Host a mandatory event for all candidates to review all election requirements.
4. Organize events that support educating the student body about elections.
5. Manage reservations for all events throughout the election season.
6. Staff and manage polling stations.
7. Act as a neutral body as it relates to candidates and campaigns.
8. Provide appropriate support for candidates throughout the election season.
9. Manage appropriate records of all submitted graphic campaign materials for at least one calendar year.
10. Enable all members of the University of Miami community to submit requests for violation review.
11. Announce all election results, as well as runoff election results if necessary, and notify candidates of their victory.

**3-2.1. Responsibilities of the Advisors**

1. Verify eligibility of candidates and voters.
2. Oversee all associated actions necessary to manage online voting system(s), including ballots, eligibility, and results.
3. Maintain historical record keeping.
4. Provide appropriate support to Elections Commission and Court.
5. Act as a neutral party as it relates to candidates and provide support at their request.

*Title 2. Voting and Results*

Section 1. Voter Eligibility

1. Voters must be enrolled as full-time degree seeking undergraduate students and have paid the Student Activity Fee at the time of voting.
2. Voters may only vote for those candidates seeking to represent their constituency, such as school, year, residency, or other applicable seat.
3. Seats are further defined in Article II, Section 2. of the Constitution, and Chapter I, Title I of the Statutes.

Section 2. Polling Stations

An official Student Government polling station is one that is monitored and staffed by the Elections Commission.

Section 3. Ballot

1. Candidates shall be placed on their corresponding ballot based upon the seat or position which they indicate upon filing for candidacy.
2. Candidates shall be listed in alphabetical order by last name.
3. The ballot shall be prepared and presented to candidates during the mandatory candidates meeting.
4. Candidates may only make changes to the ballot up until the date designated on the elections calendar.

3.1. Ballot – Ticket Appearance

1. Ticket affiliation shall be denoted through the usage of parenthesis appearing next to the candidate's name.

Section 4. Election Results

1. Senate Candidates
    a. To win a seat, candidates must achieve plurality of votes.
    b. In the case of a constituency with more than one (1) seat up for election, the number of winners shall be representative of the number of open seats.
2. Executive Candidates
    a. To win an executive position, candidates must receive a simple majority of votes (50% plus 1 vote).
3. Referendum
    a. To adopt referendum, 2/3 majority of votes in favor is necessary.

b. In the event that a referendum receives an affirmative between 50% and 2/3, the question must be sent to the Senate (pursuant to Article VI, Section I of the Constitution).

4-1. Election Results Announcement

1. The Elections Commission shall announce these election results to the general student body and submit them to be posted to the student body at large.
2. The Elections Commission shall also be responsible for formally notifying by email all candidates for office of their electoral status within forty-eight (48) hours of the original election results announcement.
3. The Elections Commission shall not announce vote total or winner(s) in the event that Elections Commission and/or applicable Court action has not been determined on a violation that has been submitted on time.
4. For the purpose of establishing a total vote count for a particular office, votes for a disqualified candidate shall not be counted.

Section 5. Electoral Fraud

1. Any action, physical, verbally, or otherwise, designed with the intent to interfere with any aspects of the voting process. Acts of interference with the voting process include, but are not limited to:
    a. Manipulation of constituency: any act or attempt by a candidate or campaign to coerce, verbally or otherwise, any undergraduate student of the University of Miami to change or otherwise alter their residential status or academic school or college in order to qualify for a particular constituency.
    b. Intimidation: any act or attempt, verbally or otherwise, designed to discourage or disenfranchise any undergraduate student of the University of Miami from voting in a Student Government election including but not limited to, violence or the threat thereof, attacks on polling places, and psychological threats.
    c. "Vote Buying:" any act or attempt by a candidate or campaign to coerce any undergraduate student of the University of Miami to vote in a particular way by providing them with any individual benefit(s) or detriment(s).
    d. Misinformation: act or attempt by a candidate or campaign to knowingly and willingly provide false information to a member of the University of Miami community concerning Student Government elections with the intent to discourage or disenfranchise undergraduate students from voting in a Student Government election.
    e. Group Voting: any act or attempt by a candidate or campaign to collect personal information, such as University login credentials or any other information that is required for the purposes of voting, of any undergraduate student of the University of Miami with the intent to vote for or in lieu of the undergraduate student in a Student Government election.
    f. Tampering with electronic voting machines: any act or attempt by a candidate or campaign to either damage, disrupt, or otherwise tamper with any device, personal or otherwise, that is being used as part of a Student Government election.

g. The Elections Commission reserves the right to report any act of electoral fraud to the Dean of Students Office for further investigation.

*Title 3. Candidacy and Referendum*

Section 1. Student Rights & Responsibilities Handbook
All candidates, tickets, and referendum must abide by the standards and policies enumerated in the Student Rights & Responsibilities Handbook. The Elections Commission reserves the right to report any alleged violation(s) of the Student Rights & Responsibilities to the Dean of Students Office.

Section 2. Candidacy Requirements
All candidates must meet the following requirements to appear on the ballot:

1. Be currently enrolled, full-time undergraduate students and be in good disciplinary standing as determined by the Dean of Students Office.
2. Have a grade point average (GPA) of at least 2.5 (Senate candidates) or at least 2.7 (Executive candidates).
    a. First semester Freshmen or Transfers filing for candidacy are exempt from providing their grade-point average.
3. Be a member of the constituency they wish to represent.
4. Be a candidate for one (1) position per election cycle.
5. Submit the application (file for candidacy) on time.
6. Attend all mandatory candidates meeting(s).

Section 3. Referenda Campaign Requirements

1. A referendum may only appear on the Spring ballot.
2. Referenda authors must be currently enrolled, full-time undergraduate students and be in good disciplinary standing as determined by the Dean of Students Office.
3. All referenda authors must attend a Mandatory Writing Workshop to establish the question, which shall appear on the ballot.
4. The referendum campaign must submit a petition, featuring the question, that has been signed by at least five hundred (500) enfranchised undergraduate students.
    a. The petition signers must include their school, academic class, and UMID number (C number) upon signing.
    b. Referendum authors and those on the ticket may not conduct raffles, giveaways, lotteries, prizes, or any other incentive in exchange for signing a petition.
    c. Any attempt to exchange a change to win any item of value physical or digital shall be considered an act of vote buying and may result in an automatic disqualification.
5. The referendum campaigning must submit the application (file for candidacy) on time.
6. The referendum authors must attend the mandatory candidates meeting.
7. All referendum candidates must provide a detailed written breakdown of the intended use of the proposed funds that will be included in the petition.

Section 4. Application Procedures

The following guidelines apply to all candidates filing for application:

4-1. Filing for Candidacy

1. Candidates shall declare their intention to run through online application.
2. Associated applications must be submitted by the date and time set forth in the semesterly elections calendar, or the student shall not appear on the ballot.
3. Candidates who wish to run with a ticket must declare affiliation within the application.

**4-1.1. Write-In Candidates**

Any student who did not submit an application for senate candidacy by the established deadline will still be eligible for a seat via write-in.

1. Write-in candidates who graphically campaign, with the exclusion of personal emails or other forms of individual communication, shall be disqualified.
2. Write-in candidates shall not be permitted for executive office except in the case where no candidate files for an executive office.

4-2. Formation of a Ticket

A ticket shall be defined as individuals who share publicity or finances with the goal of achieving election together. It shall consist of candidates from no more than one of the following categories:

1. Those candidates running for seats within a single school
2. Those candidates running for seats within a single academic class
3. Those candidates running for seats within a residential constituency
4. Those candidates running for seats within a unique population
5. Those candidates running for President, Vice President and/or Treasurer

**4-2.1. Ticket Names**

Ticket names will be assigned in the order received. A campaign shall hold all rights to the ticket name until they relinquish the name to another campaign or no longer remain University of Miami undergraduate student(s).

Section 5. Mandatory Candidates Meeting

1. All candidates, tickets, and referendum authors must attend any candidates meeting as outlined in the Election Calendar.
2. Candidates must review their ballot and affirm its accuracy or request changes by the completion of the meeting.
3. If a candidate cannot attend the meeting or must be late, a valid written excuse must be submitted to the Chair of the Elections Commission by noon the day of said meeting.
4. The Chair of the Elections Commission, after consultation with the Advisor(s) of Student Government, reserves the right to deny any written excuse submitted.
5. The decision of the Chair of the Elections Commission must be submitted to the candidate within twenty-four (24) hours and may not be appealed.

Section 6. Slogans, Campaign Names and Graphic Campaign Material

Slogans, campaign names or graphic campaign materials that are remarkably similar or that differ by words that do not significantly change the meaning or theme shall constitute affiliation with more than one ticket and shall be considered so at the discretion of the Elections Commission.

Section 7. Establishment of a Campaign

1. A campaign shall be defined as a group of one (1) or more individuals coming together with the purpose of developing a platform (i.e., campaign goals and/or initiatives) and getting a candidate or ticket elected or referenda passed
2. A member of a campaign is anyone who engages in graphic or verbal campaigning or contributes time and effort to a campaign in any way. Candidates must submit their list of up to 15 people to the Elections Commission as their campaign members.
3. A campaign supporter is any person who actively graphically or verbally campaigns on a candidate or ticket's behalf.

7-1. Soliciting Campaign Supporters or Members

1. A candidate, ticket, or referendum may solicit the support of campaign members or campaign supporters before filing for candidacy.
2. Candidates may not intimidate, threaten, or bully, as determined by the Elections Commission, members, or supporters to join their campaign. Such actions will be considered electoral fraud (pursuant to Title 2, Section 5.) and be treated as such.

7-2. Campaign Members

1. Candidates must submit their list of up to 15 people to the Elections Commission as their campaign members.
2. Candidates must submit a list of campaign members before said members contribute time or effort to a campaign in any way.
3. Additions may be made to the list of campaign members up until 11:59 PM night before the first day of voting.
4. Campaign members may not be removed from the list of campaign members and shall continue to count towards the total of 15.
5. Actions taken by campaign members shall carry the same gravity as it relates to these codes as a candidate or ticket.

Section 8. Run-off Election Candidacy

If a senate candidate fails to achieve plurality or an executive candidate fails to achieve majority then a run-off election shall commence in accordance with the Elections Calendar. The two candidates with the most votes, or in the case of a tie, all candidates who are tied, shall appear on the run-off ballot (pursuant to Title 2, Section 3.).

8-1. Write-In Candidates in Run-off Elections

If an unopposed candidate for President, Vice President, or Treasurer fails to win a simple majority of the votes, then the name of the write-in candidate with the most votes will appear on the runoff ballot.

Section 9. Withdrawal or Disqualification

1. Candidates may withdraw at any point. Any candidacy withdrawn after the application deadline may not be reinstated. The candidate is eligible to run as a write-in candidate.
2. Votes received for candidates who withdraw or are disqualified (pursuant to Title 6, Section 1-3. and Title 6, Section 5. Clause 5) after voting has commenced shall be considered invalid and not counted.

*Title 4. Finances*

Section 1. Expenditures

1. Expenditures for independent candidates or tickets for the positions of President, Vice President, or Treasurer shall be limited to the amount of $1000 for spring elections.
2. Expenditures for Senate candidates shall be limited to the amount of $300 for fall or spring elections.
3. Expenditures for referenda shall be limited to the amount of $300 for fall or spring elections.
4. Expenditures during run-off elections shall be limited to total retail expenditure per campaign of $500 regardless of the amount of money spent during the election.

1-1. Goods and Services

All goods and services, excluding labor performed by full-time University of Miami undergraduate students, that are either purchased or donated shall be assessed as a campaign expenditure at its retail value. If these goods or services were acquired at a price substantially below the market value available to the general public or other candidates, the Elections Commission shall determine its retail value. Any University resources that are available to all students for free may be used by any candidate or ticket during their campaign.

**1-1.1. Sources of Campaign Funding**

Candidates are permitted to use their personal finances to make campaign expenditures. Candidates may also accept financial donations from other individuals, including but not limited to family, friends, and fellow students. Candidates may not accept financial or material donations from politically-affiliated corporate organizations. The distinction of such organizations shall be at the discretion of the advisors.

1-2. Corporate Sponsorship

Any corporate or commercial promotion in graphic campaign material in exchange for sponsorship is prohibited.

**1-2.1. Student Ambassador Sponsorship**

Students who are employed or affiliated with a company as a brand ambassador shall serve as an exception to the corporate policy clause. Candidates may not receive benefits from student ambassadors personally or for their campaign members but may host events in which items associated with the brand ambassador are distributed to the student body. Candidates or campaigns may distribute items to the student body up to $500 in value. This number shall not be counted towards their campaign expenditures. A written summary of such benefits must by included in the financial report. Similar to other expenses, value of such items must be reported at retail value of the item.

Section 2. Financial Report Procedure
A Financial Report must be submitted by ALL independent candidates, tickets, and referenda. The report must include the retail value of all goods and services used in the campaign, all income sources, expenditure receipts, student ambassador sponsorships, and other pertinent information as determined by the Elections Commission and included in the election packet.

2-1. Financial Report Procedure for Expenditures
Independent candidates, tickets, and referenda who spend money on their respective campaigns must submit a Financial Report by time of polls closure on the last day of voting.

2-2. Financial Report Procedure for Lack of Expenditures
Independent candidates, tickets, and referenda that do NOT spend money are also required to submit the Financial Report by the time of polls closure on the last day of voting and are similarly subject to disqualification in the event that they fail to do so.

Section 3. Runoff Election
1. Expenditures for independent candidates or tickets for the positions of President, Vice President, or Treasurer shall be limited to the amount of $500 for spring elections regardless of the amount of money spent during the election for tickets.
2. Expenditures for Senate candidates shall be limited to the amount of $200 for fall or spring elections regardless of the amount of money spent during the election for tickets.

*Title 5. Campaigning*
Section 1. Campaign Procedures
In areas where University policy conflicts with campaign procedures, the University policy shall be supreme. The following guidelines shall apply to all graphic campaign materials:

1-1. Campaigning Definition
1. Campaigning shall be defined as any verbal or graphic campaigning or any other action that is intended to solicit votes for a particular candidate, ticket, or referendum.
2. A member of a campaign is anyone who engages in graphic or verbal campaigning or contributes time and effort to a campaign in any way.
3. A campaign supporter is any person who actively graphically or verbally campaigns on a candidate or ticket's behalf.
4. A ticket/candidate may be held responsible for any violation committed by a campaign member or supporter, to be determined at the discretion of the Elections Commission.
5. A referendum shall abide by all rules governing candidates unless stated otherwise.

1-2. Verbal Campaign Definition
Verbal campaigning constitutes oral solicitation of votes for any candidate, ticket, or referendum. Verbal campaigning will be held to equal standards as any other form of campaigning in regards to the Elections Codes.

1-3. Graphic Campaign Definition

Graphic campaigning shall include the distribution or exhibition of any written, electronic, or printed material that contains any reference in support of or is a clear reference to a candidate, ticket, or referendum. Any election code that refers to graphic campaigning applies to articles of clothing, unless otherwise stated.

1-4. Review of Graphic Campaign Materials

1. Graphic campaign material that shall be printed or made available with physical copies must be reviewed by the Elections Commission for the purpose of ensuring validity of information.
2. Graphic campaign material that shall be shared through a listserv must be review by the Elections Commission for the purpose of ensuring validity of information.
3. Other graphic campaign materials are not required to be reviewed before distribution, but all graphic campaign material must abide by these codes or be deemed a violation.

1-5. Campaign Endorsement

An endorsement is the verbal or graphic approval of an individual for an office. Candidates, tickets, and referendum may seek out the endorsement of their campaign by a University of Miami registered student organization. The student organization may publicize their endorsement as they see fit so long as the endorsement abides by these codes,including graphic campaigning as defined in Chapter IV. Title 5. Section 3. Of these codes However, candidates, tickets, and referendum may not do the following:

1. Seek out endorsement of a non-University of Miami student.
2. Seek out the endorsement of a University of Miami Department, Division, or non-student entity.
3. Seek out the endorsement of a business (in conjunction with Section 4-1.2.)
4. Seek out the endorsement of a "celebrity" or someone famous, as so deemed by the Elections Commission, excluding current University of Miami students.

Section 2. Campaign Ethics

1. All campaigning must be done with a positive manner.
2. Negative campaigning or "mudslinging" is not permitted through any media or medium, including graphic or verbal campaigning.
3. Platforms of an opposing candidate, ticket, or referendum may be discussed candidly, but must not be discussed as personal attacks.
4. Personal attacks on candidates, tickets, or referenda as well as current student government members are not permitted and any graphic material that is negative or slanderous in content, as deemed by the Elections Commission, is strictly prohibited.
    a. Slander shall be defined as oral defamation, in which someone tells one or more persons an intentional untruth about another.
    b. Libel will be defined as to publish in print, writing, or broadcast through radio, television or film, an intentional untruth about another which will do harm to that candidate or their reputation.
5. Candidates may not berate or otherwise behave inappropriately with Elections Commissioners.

Section 3. Campaigning Policies

The following campaigning policies shall apply to all candidates and referenda:

1. There shall be no campaigning prior to the time established by the Election Calendar.
2. As indicated in the Elections Calendar, during the Interim Period, candidates, campaigns, or organizations part of an organizational referendum campaign may contact an organization's president/chair or the event coordinator, whichever is applicable, in order to schedule a time to campaign or make a formal presentation at any organizational meeting, general or otherwise.
3. Authorized campaign materials may only be removed by the elections commission or the original candidate, ticket or referendum that posted them.
4. The Elections Commission, after consultation with the Advisor(s) of Student Government, reserves the right to deny any candidate, campaign, or organization as part of an organizational referendum campaign the right to campaign, graphically or otherwise, at any time, provided that the candidate, campaign, or organization is violating Student Government and/or official University policy.
5. Graphic or verbal campaigning is permissible in both virtual and in-person settings (pursuant to the following clauses).
6. Graphic or verbal campaigning at student organizations meetings, including Greek Life, class meetings, or other meetings related to University of Miami business is permitted with the approval of the meeting organizer and the Elections Commission.

3-1. Graphic Campaigning Permissible In-Person Locations

Graphic Campaigning for individual tickets, candidates, or referendum shall be allowed in the following areas of campus:

1. The U-Statue. Candidates must reserve the U-Statue through the Elections Commission 48 hours prior to intended times of use.
2. Student Organizations upon approval from the organization's president and the Elections Commission. This includes, but is not limited to, Fraternity houses and the panhellenic suites. Campaigning, including placing signage, within Fraternity houses and Panhellenic suites shall be limited to interior spaces only, unless approval is explicitly granted by the Elections Commission.
3. Merrick Fountain and the surrounding courtyard.
4. Bulletin boards and other designated posting areas upon approval by the elections commission. Only one piece of graphic campaign material per candidate or ticket is permitted per designated posting area. Graphic campaign material for a single ticket or candidate may not cover more than one-fourth (1/4) of the posting area.
5. Banners in designated areas through recommendation of the Elections Commission. A candidate is limited to a maximum of one.
6. Stakes on the walkway from the Ashe building to the University Center. Usage of this space may be requested from the Elections Commission.
7. Any locations not mentioned will be evaluated at the discretion of the Elections Commission. Graphic Campaigning at any other location of campus may not violate any other codes.

3-2. Graphic Campaigning Prohibited In-Person Locations

There shall be no graphic or verbal campaigning for any individual candidates, tickets, or referenda in the following areas of campus:

1. In the entire area defined as the Student Center Complex (pursuant to Title 5, Section 3-2.1.), including the Rathskeller and its patio, except for wearing graphic campaign materials.
2. In or immediately around any of the University Libraries, with the exception of wearing graphic campaign materials.
3. At University sporting events. For the purpose of this rule, students wearing graphic campaign materials shall be considered to be actively campaigning.
4. On University shuttles, except for wearing graphic campaign materials.
5. At any Student Government event or meeting, except for student government organizational referendum.
6. In the Student Government office.

**3-2.1. Student Center Complex**

1. The Student Center Complex shall be defined as the entire Shalala Student Center building, Rathskeller and its patio, Whitten University Center building, the Food Court, the Rock, the Patio, UC Pool, and the Breezeway, as well as their immediate vicinities and the pathways around them. This restriction also applies to the immediate vicinities of those areas, defined as all spaces within 25 feet of the listed locations and their connecting pathways.
2. The U Statue and its surrounding area are excluded from the Student Center Complex for campaigning purposes.
3. No student employee of the Student Center Complex or an office located in the Student Center Complex may wear or display graphic campaign material during the time they are at work.
4. No organization's office in the Student Center Complex may be used for campaign meetings, storing, or producing campaign materials or serving as a campaign base in any other way. This does not apply to the organizational referenda of those organizations possessing offices.

3-3. Graphic Campaigning In-Person Permissible Actions

The following actions related to graphic or verbal campaigning for individual candidates, tickets, or referendum are permissible:

1. Amplification (i.e., sound) of any kind upon approval by the elections commission.
2. Placement of graphic campaign materials on personal property with consent of the owner. Personal Motor vehicles are considered personal property.
3. Students wearing graphic campaign materials will not be actively campaigning if they are moving or passing through an area in an inconspicuous manner.

3-4. Virtual Graphic Campaigning

Graphic Campaigning for any candidate, ticket, or referendum may take place in the following virtual spaces:

1. Social media platforms that will enable a candidate, ticket, or referendum to share their campaign information in a positive manner.

2. Personal social media accounts.
3. Virtual meetings hosted by University of Miami student organizations, students, or faculty.
4. Listservs or University email.

**3-4.1. Virtual Meetings**

1. A candidate, ticket, or referendum may attend a virtual meeting with the purpose of graphic campaigning after they have received approval from the individual(s) organizing the meeting and the Elections Commission.
2. Candidates may show or distribute graphic campaign material at the discretion of the meeting organizer.
3. Candidates may not negatively discuss opposing candidates, tickets, or referendum while attending a virtual meeting (pursuant to Title 5, Section 2.)

**3-4.2. Social Media**

1. During the graphic campaigning period determined by the Elections Calendar, a candidate's social media account shall be considered graphic campaigning.
2. Geotagging on social media platforms may be permissible as long as the geotagging location is on the Coral Gables campus.

**3-4.3. University Email**

1. Emails sent to Listservs (i.e., electronic mailing lists maintained by a University administrator or faculty member or maintained by a student organization) that utilize a mail merge software function, or are otherwise an attempt to send an email to multiple recipients are permitted.
2. Emails sent to Listservs must be approved by the Elections Commission before distribution with the consent of the Listserv manager shown to the Elections Commission for approval.
3. Graphic campaign material for any single campaign shall not be distributed to the same listserv more than once.
4. Graphic campaign material shall not be sent privately to an individual recipient more than three (3) times. In the event of a runoff election, the same rule would apply.

**3-4.4. Group Chats**

1. A group chat shall be determined as a messaging group of 3 or more individuals.
2. Graphic campaign material for any single campaign shall not be distributed to the same group chat more than three (3) times. This excludes group chats used for the purpose of a campaign team.

3-5. Graphic Campaigning In-Person and Virtual Prohibited Actions

The following actions related to graphic or verbal campaigning for individual candidates, tickets, or referendum are prohibited:

1. Impeding or constricting the normal flow of traffic.
2. Unreasonably disruptive actions deemed by the Elections Commission, e.g., shouting, virtual commenting, etc.

3. Oral or graphic solicitation of votes in any student residence by campaigning door to door.
4. Distributing graphic campaign material under doors in the student residence areas.
5. Chalking or marking on University property includes motor vehicles.
6. Attaching graphic campaign materials to plant life or trees.
7. Inserting graphic campaign materials into the ground.
8. Covering other posted material with campaign materials, unless the other posted material is outdated.
9. University of Miami student employees must not have graphic material visible while at work, regardless of the location of their job.
10. Wearing graphic campaign material (t-shirts, sweatshirts, etc.) at polling stations. Such violations are recommended at the discretion of the Elections Commission.

Section 4. Run-Off Elections
The same established rules for graphically campaigning shall apply to runoff election, except that write-in candidates who are placed upon the runoff ballot shall be permitted to graphically campaign.

*Title 6. Violations & Enforcement*
Section 1. Infraction Types
Candidates, tickets, or referenda that have violated these established codes shall be subject to penalties based upon the infraction type. Infractions shall fall into the following categories:

- Minor Infraction
- Major Infraction
- Automatic Disqualification

1-1. Minor Infraction
A minor infraction shall include violations of the following, but not limited to:

1. Campaigning in advance of the established Election Calendar (pursuant to Title 5, Section 3. Clause 1)
2. Campaigning at a student organization meeting without the approval of the meeting organizer (pursuant to Title 5, Section 3. Clause 6)
3. Campaigning in a location that is prohibited (pursuant to Title 5, Section 3-2. and Title 5, Section 3-2.1.)
4. Campaigning in permissible spaces without appropriate approval or reservation (pursuant to Title 5, Section 3-1.)
5. Campaigning through prohibited actions (pursuant to Title 5, Section 3-3.)
6. Seeking out an endorsement, other than a University of Miami student organization (pursuant to Title 5, Section 1-5.)
7. Campaigning through email that exceeds the contact limitations of usage of a listserv once and private messaging an individual recipient more than three (3) times (pursuant to Title 5, Section 3-4.3.)
8. Campaigning through any of the in-person or virtual prohibited actions (pursuant to Title 5, Section 3-3.)

1-2. Major Infraction
A major infraction shall include violations of the following, but not limited to:

1. Intimidation, threatening, or bullying of individuals to join a campaign (pursuant to Title 3, Section 7. and Title 3, Section 7-1.)
2. Any actions that contradict the Campaign Ethics (pursuant to Title 5, Section 2.)
3. Electoral fraud, in cases where the Elections Commission has not automatically disqualified the candidate, ticket, or referendum (pursuant to Title 2, Section 5.)
4. Repetition (i.e., the second occurrence) of any minor infraction action to which a candidate has been determined responsible for previously.

1-3. Automatic Disqualification
The Elections Commission is granted the right to automatically disqualify candidates for the following actions:

1. Electoral fraud of any kind (pursuant to Title 2, Section 5.)
2. Failure to meet requirements for candidacy (pursuant to Title 3, Section 2.)
3. Failure to attend the mandatory candidates meeting (pursuant to Title 3, Section 5.)
4. Failure to submit a Financial Report (pursuant to Title 4, Section 2. and associated sections)
5. Exceeding the spending limits for a candidate, ticket, or referendum (pursuant to Title 4 Section 1.)
6. Accepting or utilizing donations from politically-affiliated corporate organizations (pursuant to Title 4. Section 1. Clause 1-1.1.)
7. Falsification of any document submitted to the Elections Commission, Trial Court, or Supreme Court
8. False testimony to the Elections Commission, Trial Court, or Supreme Court
9. Accrual of three (3) minor and/or two (2) major infractions (whichsoever first occurs) as decided by the Supreme Court (pursuant to Title 6, Section 6. Clause 5).

Section 2. Elections Commission Procedures

1. Any University of Miami undergraduate student may bring notice of any Elections Codes or official University policy violation to the attention of the Elections Commission up until one (1) hour after the polls close on the last voting day.
2. Such notice may include an action that is in violation of more than one (1) code, however, the Elections Commission shall only consider one code, the most egregious, per action.
3. The complaint must be submitted within 24 hours from the time of its first occurrence or observance by complainant (whichsoever first occurs) via online form.
4. The Chair(s) of the Elections Commission shall notify all candidates of a complaint brought against them.
5. The Chair(s) of the Elections Commission may, at their discretion, forward any submissions to the Dean of Students Office without presenting to the Elections Commission.
6. The Chair(s) shall evaluate submissions via an internal procedure and determine if each meets the below criteria. All submissions must:
    a. Contain a complainant;

   b. Have been filed against a current candidate, ticket, or referenda sponsor;
   c. Be associated with at least one of the infractions outlined within Title 6, Section 1 of these Elections Codes; and
   d. Contain accompanying evidence.
7. All submissions determined by the Elections Commission to have met the above criteria must be forwarded to the Chief Justice of the Supreme Court within twenty-four (24) hour of the initial receipt of the submission.
8. The Chair(s), after consulting an Advisor, may dismiss any violation requests if they deem it not an infraction of the elections codes.
9. The Elections Commission reserves the right to hold a mandatory meeting during campaigning, with attendance from all requested campaign members, to discuss the state of campaigning. Failure to attend could result in a violation.

Section 3. Supreme Court Procedures

1. All complaints that are approved by the Elections Commission must be forwarded to the Chief Justice of the Supreme Court for the determination of probable cause.
2. The Supreme Court may devise internal procedures for the determination of probable cause in consultation with an Advisor, however, a final vote of some sort must occur. A simple majority vote is necessary to find probable cause.
3. The Chief Justice is responsible for alerting the Elections Commissions Chair(s) of the final determination on all transmitted submissions within twenty-four hours of their receipt.
4. If probable cause is found, the submission must be argued before the Trial Court.

Section 4. Trial Court Procedures

1. The Chief Justice shall be responsible for the execution of Trial Court.
2. The Trial Court shall be a standing committee of the Student Government Supreme Court. The Trial Court shall be composed of the Associate Chief Justice, acting as the non-voting Chair of the Trial Court, and five (5) Associate Justices.
   a. The Chair shall participate in all hearings of the panel; quorum for trial court will consist of the chair and two (2) associate justices. Trial Court may have up to four (4) associate justices so long as enough justice remain for Appellate Court. In instances wherein only two (2) or four (4) associate justices are present, the Associate Chief Justice shall be empowered to cast a tie-breaking vote as Chair.
3. All parties involved in hearings before the Trial Court shall be served notice by the Chief Justice of the time, location, and nature of the Trial Court hearing.
4. The accused party shall be made aware of its Affirmative Rights when served notice of the time, location, and nature of the Trial Court hearing.
5. Any party, excluding the Trial Court, may choose not to attend the hearing.
6. Hearings shall be made accessible to the public at the discretion of the Chief Justice.
7. Hearings shall commence at 8:00 PM and end no later than 12:00 AM.
8. All parties shall be sworn in prior to the start of the first hearing of the night.
9. The Trial Court shall use the standard "beyond a reasonable doubt," meaning that no other logical explanation may be derived based upon the evidence.
10. The Trial Court shall adhere to Article I, IV, and VIII of the Federal Rules of Evidence.

11. The Trial Court shall determine responsibility and, at their discretion, assess a penalty or dismiss the complaint.
12. A penalty shall be decided upon at the discretion of the Court.
    a. Example penalties include suspension of in-person or virtual graphic campaigning rights, service hours to student government, reduction of campaign expenditure limits, formal apologies, etc.
13. All decisions of the Trial Court are to be expressed and explained in writing and are public information.
14. The Associate Chief Justice shall inform the accused party of its Affirmative Rights before commencing with the Trial Court proceedings.

4-1. Affirmative Rights of the Accused Party

1. The accused party has the right to challenge the hearing date, time, or location.
    a. The objection must be submitted in writing to the Chief Justice of the Supreme Court within 16 hours of receipt of the notice.
2. The objection must fully explain the reasons for the request.
    a. The accused party has the right to not attend the hearing and have a decision made in their absence.
3. The accused party has the right to choose a University of Miami undergraduate student to attend the hearing and assist the accused party The chosen student cannot speak on the accused party's behalf.
4. The accused party has the right to question the complainant and witnesses and submit statements or evidence to prove innocence.
5. The accused party has the right to remain silent and no inference may be drawn from this silence.
6. The accused party has the right to call witnesses and present evidence in its defense. A student may offer a written request to the Trial Court that the Court call specific witnesses for it if those witnesses have previously refused to appear and are shown in the request to be material to the accused party's defense. The Trial Court shall determine a witness's materiality based on the statement presented by the accused party.
7. The accused party, if found responsible, has the right to review a written summary upon which the finding of responsibility was based.
8. The accused party has the right to appeal and be heard. The appellate option may only be exercised after the Trial Court's decision finding responsible or from penalties arising from the violation. Appeals must be in writing, addressed to the Chief Justice of the Supreme Court and be submitted within twenty-four (24) hours of receipt of the Trial Court's decision.

Section 5. Appellate Court Procedures

1. The Student Government Supreme Court shall have final appellate jurisdiction.
2. Appellate hearings shall be made public at the discretion of the Chief Justice.
3. Appeals to the Supreme Court must be submitted in writing within twenty-four (24) hours of the decision by the Trial Court. All parties involved shall be served reasonable notice of the time, location, and nature of the Supreme Court hearing.
4. There shall be three grounds for appeal:

   a. The procedures of or leading to decisions by the Elections Commission or Trial Court violated the Elections Codes.
   b. The penalty does not properly reflect the severity of the violation.
   c. New evidence has become available that would significantly alter the outcome.
5. In all appeals properly submitted, the Supreme Court may affirm the decisions of the Trial Court, reverse and remand the decision with instructions, or reassess the penalties.
6. Supreme Court Justices hearing a case as members of the Trial Court shall be prohibited from personally participating in the appellate hearing of the same case in any manner whatsoever.
7. The Chief Justice of the Supreme Court shall inform the appealing party of its Affirmative Rights before commencing with the Appellate Court proceedings.

5-1. Automatic Disqualification Considerations

1. If a candidate feels that they have been wrongly automatically dismissed, the candidate has the right to submit a written appeal to the Chief Justice of the Supreme Court within twenty-four (24) hours of notification of automatic dismissal.
2. If the Chief Justice of the Supreme Court determines that the request meets the standards for appeal as outlined in Title 6. Section 5. Clause 4 of the Elections Codes, the case will be brought before the Student Government Supreme Court.
3. The appellate court has the authority to assign major or minor infraction status to the violation.
4. The decision of the Supreme Court may not be appealed.

Section 6. Violations and Penalties

1. The Elections Commission shall charge candidates, tickets, or campaigns with Automatic Disqualification.
2. The Trial Court shall be empowered to penalize independent candidates, tickets, and referenda for violations stated within these Elections Codes.
3. The Trial Court shall determine if the violation occurred.
4. The Trial Court shall assign major or minor infraction status to a violation.
5. The accumulation of three (3) minor or two (2) major infraction status violations, whichsoever is the first to occur, shall disqualify a candidate, ticket, or referendum.
6. An automatic disqualification shall supersede any other violations.
7. A penalty shall be decided at the discretion of the Court (pursuant to Title 6, Section 4. Clause 11).
8. Any penalties assessed to a ticket or candidate will be charged to the ticket.

6-1 Violations of the Student Rights & Responsibilities Handbook

1. The Elections Commission reserves the right to report any violation of the Student Rights & Responsibilities Handbook to the Dean of Students Office.
2. Any candidate, campaign, or organization as part of an organizational referendum that is found responsible for violating the Student Rights & Responsibilities Handbook by the Dean of Students Office, shall be automatically disqualified.
3. An automatic disqualification due to a violation of the Student Rights & Responsibilities Handbook may not be appealed.

4. Should a candidate, campaign, or organization as part of an organizational referendum be found not responsible of violating the Student Rights & Responsibilities Handbook by the Dean of Students Office, the case against them shall be dismissed and no agency or branch of Student Government may pursue actions against them regarding the alleged violation.
5. Violations of the following shall be cause for automatic disqualification and may not be appealed to the Supreme Court:

*Title 7. Commission on Elections Codes Revision*

A revision of Elections Codes may be initiated by a petition signed by the President, the Speaker of the Senate, the Chief Justice, the Chair of the Elections Commission, and the Student Government Advisor requesting the creation of a Commission on Elections Codes Revision. The petition should indicate that, "effective and efficient functioning of Student Government elections requires holistic changes to the Student Government Elections Codes." The Commission shall be comprised of the Chief Justice or Associate Chief Justice, who shall serve as a non-voting Chair; a voting representative from the Executive Branch chosen by the President of Student Government; a voting representative from the Legislative Branch chosen by the Speaker of the Senate; a voting representative from the Judicial Branch chosen by the Chief Justice of the Supreme Court; and a voting representative from the Elections Commission chosen by the Chair of the Elections Commission. The Commission on Elections Codes Revision's purpose shall be to make edits and revisions to the Codes that, inter alia:

1. address student concerns;
2. reflect de facto changes to the electoral process and the environment in which elections take place, particularly with regards to new media and physical changes to campus geography;
3. facilitate the proper functioning of enforcement mechanisms with regard to Codes violations;
4. uphold the integrity of the democratic elections process; and
5. correct any grammatical or factual errors.

It shall be the duty of the Chair to ensure that all changes being proposed fit the above criteria. The Commission may propose as many revisions as its members feel are necessary so long as the proposed revisions fit the above criteria. If the Commission unanimously votes to accept the revised Elections Codes in their entirety, the revisions shall then be referred to the Senate. The Senate, with a quorum, may, by simple majority of the present senators, approve the revisions in their entirety.