

SENATE OF COLLEGE COUNCILS ELECTION CODE

CHAPTER ONE: GENERAL PROVISIONS

- 1.01 This code was arranged and is intended to be used to govern all aspects of general elections of the Senate of College Councils at The University of Texas at Austin. Additionally, this code applies to elections sponsored by the Senate of College of Councils; failure to comply with this election code by organizations and/or entities shall lead to the renounced support of the Senate of College Councils and/or the disqualification of participating organizations and/or individuals. Upon its passage within the General Assembly, this election code shall supersede all other documents and extraneous decisions directly governing the general elections of the Senate of College Councils.
- 1.02 This act shall be referred to and cited as “The Senate of College Councils Election Code” or the “Senate Election Code” otherwise known as the “SEC.”
- 1.03 Candidates for any election shall be responsible for maintaining a strict compliance with all aspects of the Senate Election Code throughout their active campaigns.
- 1.04 Ignorance of this Code shall not be an acceptable defense in response to any offense committed in any election under the jurisdiction of this Code. Upon being nominated, and subsequently declaring a candidacy, candidates are responsible for abiding by the entirety of the Senate Election Code.
- 1.05 A hard copy of the Senate Election Code must be made available to each candidate at the time that he or she accepts nomination. Any University of Texas student can acquire a full electronic copy of the Senate Election Code at any time by visiting the official website for the Senate of College Councils.
- 1.06 The Senate Election Code shall become effective immediately after its passage by the General Assembly. All matters, inquiries, and disputes pertaining to the General Election shall be settled via the use of the Senate Election Code; this code provides ultimate authority and shall supersede ALL contradicting codes in regards to the Senate of College Councils general/sponsored elections.

CHAPTER TWO: DEFINITIONS

- 2.1.1 “University” refers to The University of Texas at Austin.
- 2.1.2 “Student” refers to any person whose name appears on the current roster of the Registrar of the University. Only registered students may seek nomination.

- 2.1.3 “Officer” refers to any of the executive board members and does not specifically refer to the three elected positions.
- 2.1.4 “Election Committee” or the “EC” refers to the Election Committee established by the Senate of College Councils Code.
- 2.1.5 “Appellate Court” refers to the entity granted Appellate authority, regarding infractions, sanctions, and other topical issues relating to the Senate Election Code.
- 2.1.6 “Writ of Subpoena” refers to the compulsion of candidates to testify upon campaign indictment regarding any aspect of the election process.
- 2.1.7 “Candidate” refers to any student running for election. A candidate must be a member of Senate’s General Assembly in the year which they are seeking election as well as a registered student at the University.
- 2.1.8 “Campaign Materials” refers to all materials affiliated with a candidate including, but not limited to, social media, print/literature, technology, supplies, etc.
- 2.1.9 “Campaign” and “Campaigning” refer to statements, literature, activity or deliberate use or distribution of materials that have the effect of soliciting votes or interest for a candidate for elective office.
- 2.1.10 “Advisory Opinion” refers to any opinion issued by the Election Committee resulting from a hearing.
- 2.1.11 “Regulatory Bodies” include the Election Board, the Appellate Court and administrative bodies of the election process.
- 2.1.12 Members of Senate’s General Assembly include: AtLarge Representatives, the Leadership Team, Council Presidents, Council Financial Directors, and Council Senate Representatives.
- 2.1.13 The Senate Leadership Team is composed of the Senate Executive Board and Committee Chairs.
- 2.1.14 “Preparation Activities”: Candidates are only allowed to discuss their platforms for the position they are running after they have been nominated.

CHAPTER THREE: THE ELECTION COMMITTEE

3.1. Committee Composition

- 3.1.1. There shall exist an Election Committee to administer and supervise the elections of the Senate of College Councils.
 - 3.1.2. The Election Committee shall be a sanctioned institution of the Senate of College Councils pursuant to the requirements of the Constitution of the Senate of College Councils.
 - 3.1.3. No member of the Election Committee shall run for an elected position in a Senate of College Councils election.
 - 3.1.4. Any individual on the Election Committee who wishes to participate in an election shall abdicate his or her position on the Election Committee, and that individual shall be replaced pursuant to the rules that resulted in his or her membership.
 - 3.1.5. The Election Committee shall comprise of one representative chosen from five councils, which are chosen at random through a general council pool. Each council shall appoint one representative in the manner they see fit. If a council cannot provide a representative another council will be chosen at random to send forth a representative until five representatives from five different councils sit on the Election Committee. These representatives must not be the Council's President, Senate Representative or Financial Director, as these members have a voting stake in Senate's General Assembly.
- 3.14 The Election Committee shall select from among its members a Chair of the Election Committee using the procedure described in Sections 3.2.3 and 3.2.4 of the Election Code.

- 3.1.6. The Chair of the Election Committee shall not be prohibited from voting on matters brought before the Committee and shall preside over the business of the Election Committee in an administrative capacity.
- 3.1.7. The Chair of the Election Committee shall appoint a Secretary who shall maintain a comprehensive record of the business of the Committee.
- 3.1.8. The Chair of the Election Committee may appoint a Chair Pro Tempore from among the members of the Election Committee, subject to the approval of the Committee by the procedure described in Sections 3.2.3 and 3.2.4 of the Election Code, in the event of his or her absence.
- 3.1.9. The President of the Senate of College Councils, the Vice President of the Senate of College Councils, the Policy Director of the Senate of College Councils and the Dean of Students Office shall serve on the Election Committee as ex-officio members in an advisory capacity, unless these individuals are participating in an election, but shall not exercise a vote on matters before the Committee.
- 3.1.10. The Chair of the Election Committee shall present all rulings of the Election Committee pursuant to Section 3.1.7 of the Election Code at the General Assembly of the Senate of College Councils immediately following the ruling.
- 3.1.11. The Election Committee shall have the jurisdiction and authority set forth in Section 3.2 of the Election Code.

3.2. Jurisdiction, Authority, and Limitations

- 3.2.1. The Election Committee shall have jurisdiction regarding all violations of the Election Code enumerated in Section 3.5 and all matters regarding elections in the Senate of College Councils. In pursuit of its duties, the Election Committee may

prosecute violators of any aspect of this Code, or the rulings of the SEC. The SEC shall serve as the court of jurisdiction.

- 3.2.2. All College Councils shall defer any jurisdiction over Senate of College Council election procedures to the Election Committee.
- 3.2.3. The Election Committee shall exercise its authority by a simple majority of its voting members.
- 3.2.4. The Election Committee may not exercise its authority without achieving a quorum, which is hereby defined as exactly 3 of its voting members with the chair being one of the three.
- 3.2.5. The Election Committee shall have the authority to interpret the Election Code.
- 3.2.6. The Election Committee shall have the authority and the obligation to issue a compulsory opinion on any matter under its jurisdiction upon the request of any candidate within twenty-four hours, provided that the candidate submits a specific question to the Chair of the Election Committee.
- 3.2.7. The Election Committee shall not be obligated to hold a public meeting to issue a compulsory opinion provided that the voting procedure described in Sections 3.2.3 and 3.3.4 is used.
- 3.2.8. Any compulsory opinion that the Election Committee issues during an election shall apply for that entire election, but the Election Committee is not obligated to abide by the precedence of advisory opinions from previous elections.
- 3.2.9. The Election Committee shall have the authority to adjudicate alleged violations of Section 3.5 of the Election Code by holding a public hearing in accordance with Section 3.3 of the Election Code.

- 3.2.10. In adjudicating alleged violations of the Election Code, the Election Committee shall have the authority to issue writs of subpoena ad testificandum and writs of subpoena ad duces tecum, which all candidates shall be obligated to obey on account of their candidacy.
- 3.2.11. The Election Committee shall have the authority to impose binding sanctions upon candidates whom it finds have violated provisions of Section 3.5 of the Election Code.
- 3.2.12. In sanctioning a candidate for a violation of Section 3.5 of the Election Code, the Election Committee shall have the authority (1) to deny a candidate the right to campaign for a specified period of time, and (2) to disqualify a candidate from an election.
- 3.2.13. The Chair of the Election Committee with the Deputy Dean of Students shall certify the fairness of the elections in accordance with the provisions of the Election Code immediately following the tallying of the votes.
- 3.2.14. No election results shall be considered official until certified by the Chair of the Election Committee and the Deputy Dean of Students.
- 3.2.15. Outstanding complaints to the Electoral Committee and pending appeals of Election Committee rulings shall not inhibit voting from occurring but the Election Committee shall not certify an election until all outstanding complaints have been addressed and all damages have been remedied.
- 3.2.16. The General Assembly of the Senate of College Councils, in accordance with the voting procedure stated in Article III in the Constitution of the Senate of College

Councils, shall have the authority to nullify any election in which the Election Committee has violated the provisions in Section 3.2 of the Election Code.

3.2.17. All actions and rulings of the Election Committee are subject (1) to the appeals process described in Section 3.4 of the Election Code, and (2) to the discretion of University officials and administration.

3.3. Hearing Procedures

3.3.1. Any registered student may file a complaint with the Election Committee against a candidate for violation of any provision in Section 3.5 of the Election Code.

3.3.2. Members of the Election Committee shall be prohibited from filing a complaint.

3.3.3. The Election Committee must respond to all complaints within forty-eight hours of the complaint having been submitted by (1) dismissing the complaint, or (2) issuing a ruling to resolve the complaint at the conclusion of a public hearing.

3.3.4. The Election Committee shall dismiss a complaint without holding a hearing when (1) the complaint was not filed within a reasonable amount of time, (2) the complainant does not identify himself or herself, (3) the complaint does not specify a suspected candidate or candidates, (4) the complaint does not specify the provisions of Section 3.5 of the Election Code that allegedly have been violated,

3.3.5. The complainant shall be informed in writing or via email of the dismissal of a complaint within twenty-four hours of the dismissal having been made.

3.3.6. The complainant may appeal the dismissal of a complaint within forty-eight hours of being notified of the dismissal in accordance with the appeals process set forth in Section 3.4 of the Election Code.

- 3.3.7. The Election Committee shall notify all parties named in the complaint within twenty-four hours of the complaint being filed, either in writing or via email, of the time, date, and place of the hearing.
- 3.3.8. The notification required in Section 3.3.9 of the Election Code must additionally include the name of the complainant, the name of the defendant, and the provisions of the Election Code that have allegedly been violated.
- 3.3.9. A hearing concerning a violation of the Election Code shall not be held within twenty-four hours of all parties being notified, unless all parties elect to waive this constraint.
- 3.3.10. All parties enumerated in a complaint shall appear before the Election Committee at the stated time and date of the hearing.
- 3.3.11. All parties reserve the right to appoint counsel to advise them and speak for them at the hearing.
- 3.3.12. A hearing shall not commence without a quorum of the Election Committee.
- 3.3.13. The Election Committee may reasonably adjourn and recommence hearings using the voting procedure described in Sections 3.2.3 and 3.2.4 of the Election Code
- 3.3.14. The Election Committee shall determine the format and procedures of the hearing, subject to the constraints enumerated in Sections 3.3.16 through 3.3.20 of the Election Code.
- 3.3.15. The complainant and the defendant shall both have the opportunity to publicly address the Election Committee, and the complainant shall bear the burden of proof.

- 3.3.16. The Election Committee shall administer reasonable time limits on hearing proceedings using the voting procedure described in Sections 3.2.3 and 3.2.4 of the Election Code.
- 3.3.17. All parties shall have the right to summon no more than three witnesses to testify before the Election Committee and to present material evidence to the Election Committee at the time of the hearing.
- 3.3.18. All witnesses shall be permitted to authorize an agent to submit a signed affidavit to the Election Committee at the time of the hearing.
- 3.3.19. The submission of an affidavit by a witness to the Election Committee shall fulfill the obligations of a writ of subpoena ad testificandum.
- 3.3.20. The Election Committee shall make available for public scrutiny an official ruling that confirms or denies the existence of a violation of the Election Code within twenty-four hours of the hearing.
- 3.3.21. The Election Committee shall base the ruling described in Section 3.3.21 of the Election Code on the preponderance of the evidence and shall use the voting procedure described in Sections 3.2.3 and 3.2.4 of the Election Code in making its ruling.
- 3.3.22. The Election Committee shall state in its ruling its reasons for overturning any previous precedents set by the Election Committee.
- 3.3.23. If the Election Committee confirms the existence of a violation of the Election Code, it shall additionally include in its ruling any sanctions that it shall impose upon any party.

3.3.24. Any party may appeal the ruling of the Election Committee within forty-eight hours of being notified of the ruling in accordance with the appeals process set forth in Section 3.4 of the Election Code.

3.4. Appeals Procedure

3.4.1. An unbiased third party shall constitute an appellate institution that shall consider all appeals from the Election Committee.

3.4.2. The appellate hearing shall occur within a reasonable time, as determined by the Election Committee after an appeal has been made.

3.4.3. The appellate institution shall make a ruling, following a period of discussion agreed to in accordance with the aforementioned voting procedure.

3.4.4. The decision of the appellate institution shall be considered final and may only be reversed or remanded at the request of University officials or administration.

3.5. Enumeration of Violations

3.5.1 Violations of the Code shall be divided into three classifications.

(a) Class A violation shall result in the offense being made public.

(b) Class B violation shall result in the inability of the candidate to campaign at councils the week voting occurs.

(c) Class C violation shall result in disqualification from the election.

CHAPTER FOUR: CANDIDATE RIGHTS AND DUTIES

SUBCHAPTER A: Nomination Process

4.1.1 Nominations for the elected officer positions – President, Vice President, and Financial Director – shall be made during the General Assembly two weeks prior to the last meeting of February and shall close at the time of adjournment of that meeting.

4.1.2 All candidates in the election must campaign separately, without endorsements from any fellow candidate. No unauthorized association between candidates of any kind will be tolerated. Candidates found in violation of this rule can be subject to immediate disqualification.

4.1.3 All candidates must adhere to the qualifications set forth in this Code, University policy, the General Information Catalogs, and all statutes enforceable by the EC, and/or the Appellate Court.

4.1.4 All candidates must be deemed eligible by the Code in order to be able to participate in the election process. All candidates must also undergo a discipline check in order to be eligible for nomination.

4.1.5 Eligible candidates include only those who were members of Senate's Assembly the year in which the election is held

4.1.6 Each candidate is permitted to communicate with the college councils – the voting members – prior to the election date, but not prior to the close of the nomination process.

4.1.7 The EC shall ensure that the names and positions of all candidates who have been nominated are posted online. Once campaigning begins, candidate statements shall be included after review by the EC.

4.1.8 In accordance with Section 2 of this Code, candidates are subject to governance by this Code during the election process. Students who are deemed as candidates by this Code shall remain classified as candidates until the completion of the election cycle in which they ran.

4.1.9 Any candidate wishing to withdraw from an election may do so by turning in a written request to the Election Committee no later than five (5) class days before the election is held.

SUBCHAPTER B: Campaign Provisions and Procedures

4.2.1 Candidates shall be required to adhere to all rules as defined in the Code.

4.2.2 No campaigning will be allowed until the close of the nomination period, as determined by the Election Code. Please refer to section 2.09 and 2.10 of this Code for a definition of campaigning.

4.2.3 A sample of all campaign materials must be filed with the EC prior to its public distribution or posting.

4.2.4 All Campaign Materials must be in compliance with University regulations including those governing the use of electronic media.

4.2.5 No candidate, shall remove, obscure, or damage any materials used by another candidate.

4.2.6 Candidates shall refrain from knowingly deceptive or misleading campaign activities, including any act or statement reasonably calculated to injure or compromise the rights or interests of any student, faculty or administration.

4.2.7 Candidates shall not engage in campaigning activities that subjects students, faculty, or the administration to demeaning verbal harassment as determined by the Election Committee.

4.2.8 Endorsements may not be sought out, advertised or otherwise acquired.

4.2.9 If an officer or head of any entity adopting this code campaigns for any candidate, he or she must make a good faith effort to distance him or herself from the entity of which he or she is an officer.

4.2.10 Candidates are not permitted to use University resources or organizational resources of mass communication such as list serves, social media pages, etc. without documented written consent from the Election Committee. No candidate at ANY time shall use copy machines provided in the Senate/Student Government Office.

4.2.11 Members of the Election Committee may not officially support or campaign for any candidate. Doing so shall be considered just cause for removal from the Committee.

4.2.12 No campaign materials shall be used besides written campaign literature.

SUBCHAPTER C: Election Timetable and Procedures and Guidelines:

4.3.1 Elections for Senate President, Vice President, and Financial Director occur during the last General Assembly Meeting of February.

4.3.2 Nominations for officer positions occur during the General Assembly Meeting before the meeting in which elections occur.

4.3.3 Transition of officer and leadership team positions will occur during the first General Assembly meeting in April.

SUBCHAPTER D: Nomination Process

4.4.1 Nominations for candidates can be received from anyone who is a member of Senate's General Assembly.

4.4.2 Nominations for candidacy must receive a second from another member of Senate's General Assembly.

4.3.3 Nominations must occur within Senate's General Assembly.

4.4.4 A candidate may only be nominated at the General Assembly at which nominations occur.

4.4.5 A candidate may only run for the position for which they have been nominated. They may not seek nomination for a separate position at the election General Assembly.

SUBCHAPTER E: Election Procedures

4.5.1 No college council may be specifically excluded from casting a vote at the election.

4.5.2 No candidate may exchange anything of value, excluding campaign material, in return for guarantee of vote.

4.5.3 Each candidate for elected officer positions has five minutes to present at the General Assembly followed by a three-minute period of questions from the Senate membership.

4.5.4 In the event of a tie, a second vote will occur at the following general assembly meeting. In the event of a second tie, the outgoing President shall have a final voting decision.

4.5.5 A candidate may drop down to the next position if they lose the race for the position for which they were running.

4.5.6 Candidate information on the ballots shall include the candidate's name, position sought, and other information pertinent to voting procedure.

4.5.7 A council not in attendance at the time of the election may not cast a vote for any of the elected positions.

4.5.8 The final vote tabulation shall be under the supervision of the Chair of the Election Committee and the Deputy to the Dean of Students. No candidate for any office or position shall participate in vote tabulation. The Election Committee shall annually determine the process for certifying election results.

4.5.9 Each Council shall receive one vote. Voting power shall be distributed thusly:

a) The Council President, Financial Director and Senate Representative shall each carry 20% of that Council's vote (total of 60%). General council members shall have the ability to lobby any of these three entities to vote for the candidate of their choice.

b) The general council shall make up the remaining 40% of the vote for each candidate. Councils shall administer the voting process in any way that they see fit.

c) Councils may bind their elected representatives to vote as per the individual Council constitutions, except in the case of a candidate dropping down.

In case of a candidate dropping down, the council's vote shall count for 25% and the President, Financial Director and Senate Representative's votes shall count equally. All three representatives MUST achieve consensus.

4.5.10 Complaints regarding the election, or allegations of election fraud, must be directed to the Office of the Dean of Students in consultation with the Election Committee.