

Florida Atlantic University  
Student Government Statutes

Title III - Elections

**300.000 Authority**

300.100 The Elections Board shall be in charge of all Student Government elections, including General, Special and Run-off Elections, including referendum elections and Constitutional amendment questions that are set forth in this document, and is established for that purpose by the Student Government Constitution and Statutes.

300.200 The supervisor of Elections shall serve as the chairperson of the Elections Board and shall faithfully execute those duties and responsibilities designated by the Student Government Constitution and this Chapter of the Student Body Statutes to conduct proper elections by the Elections Board.

300.300 The Elections Board is beholden to the Senate as provided in the Student Government Constitution, Article III, Section 3, Part B, Clause 7 “Legislative Branch: Powers, Duties and Limitations of Senate: The Senate shall...Provide for the elections of the Student Government.”

**301.000 Purpose**

301.100 The purpose of this chapter is to define and outline the structure and operation of elections and the Elections Board within the Florida Atlantic University Student Government.

**302.000 Definitions**

302.000(a) Ballot - The official medium used by which a vote is recorded.

302.000(b) Banner - Any 2-dimensional printed campaign materials that exceeds 22 inches by 25 inches that is approved by the Election Board and is not posted on the wall or a board.

302.000(c) Bribe - A prize, reward, gift or favor given or promised with the intent to influence another vote for a particular candidate, ticket or party.

302.000(c)(1) Any campaign materials approved by the Election Board and given during the official campaign period shall not constitute as a bribe or bribery.

302.000(d) Campaign Expense - The fair market value of any goods or services paid for or received by a candidate or ticket's campaign.

302.000(e) Campaign Materials, Authorized - Any items approved by the Elections Board, which contribute to a candidate or ticket's campaign, including electronic media.

302.000(f) Campaigning - All publicizing and/or distribution of campaign materials (i.e.: apparel, flyers, handbills, food, websites, etc.) or verbal communication that solicits or calls for support of a candidate or ticket for an elected office of Student Government.

302.000(f)(1) The wearing of campaign apparel (t-shirts, hats, buttons, etc.) by anyone other than the candidates themselves does not constitute campaigning, unless such behavior is accompanied by some other action, such as the verbal endorsement or discussion of a candidate or ticket or the promotion or distribution of campaign materials.

302.000(g) Contribution - Any service, goods, or sum of money donated to a candidate with the intent of promoting or aiding the candidate in his or her campaign.

- 302.000(h) Declaration of Candidacy - The process whereby a student declares intent to campaign for office and be placed on an election ballot.
- 302.000(i) Direct Written Notice - Paper or electronic (FAU e-mail, or fax) notice.
- 302.000(j) Due Process - A fundamental, constitutional guarantee that all official proceedings will be fair and that a student will be given notice of the proceedings and an opportunity to be heard before the Elections Board and/or the Student Court.
- 302.000(l) Election Period - The time period beginning the day Declarations of Candidacy begin and ending on the date that official results have been publicized and there are no outstanding complaints, contestations, hearings or appeals, including run-off elections if applicable.
- 302.000(l)(1) For special elections, the end of the election period will be the date that official results are publicized and there are no outstanding complaints, contestations, hearings or appeals.
- 302.000(m) Endorse – The act of declaring one’s public approval or support of a candidate, ticket or party.
- 302.000(n) Fill-in Candidacy - The process whereby a student declares intent to be placed on an election ballot just before an election is held thereby waiving their right to participate in the full length of the campaigning period.
- 302.000(o) General Election - Elections held once (1) during both fall and spring semesters for the purpose of determining which candidates will assume all Student Government elective offices.

302.000(o)(1) General Election ballots may include referendums and Constitutional Amendment questions.

302.000(p) Itemized List - A document containing individual campaign expenses, each separately identified, along with all required financial information associated with such expense.

302.000(q) Major Violation - Any violation affecting the outcome of an election, including but not limited to those listed in 319.300.

302.000(q)(1) For sanctioning purposes, the combination of any three (3) minor violations must be considered as one (1) major violation.

302.000(r) Minor Violation - Any violation not affecting the outcome of an election, including but not limited to those listed in 319.400.

302.000(s) Official Results - The official posting of the final election results, as certified by Student Government Advisors and the Elections Board, after all appeals and contestations have been exhausted.

302.000(t) Online Polling Stations:

302.000(t)(1) A designated and posted area set up by the Elections Board or Student Government Advisors containing computing stations for online voting.

302.000(t)(2) Any public computer lab located anywhere on any FAU campus.

302.000(u) Online Polling Region - A twenty-five (25) foot radius surrounding designated Online Polling Stations and general use computing labs on all FAU campuses.

302.000(v) Political Party - A group of candidates, who may or may not be associated with a ticket, cooperatively campaigning together for elected offices.

302.000(w) Poll - A survey put to the Student Body on any ballot administered by the Elections Board not carrying the weight of legislation.

302.000(x) Posters - Any printed 2-dimensional campaign material not to exceed 22 inches by 25 inches in dimension for the purpose of limiting poster size used for campaigning thereby creating greater equity in the campaign process.

302.000(x)(1) These limitations do not apply to digital signage.

302.000(y) Public Notice - Any written notice published on the SG website, MyFAU, in SG offices or sent via e-mail.

302.000(z) Recall - The dismissal from office of an elected official by a popular vote.

302.000(aa) Referendum - Any question put before the Student Body for a vote.

302.000(bb) Special Election - Any election other than a General Election where the ballot may contain candidates for elected office.

302.000(bb)(1) Special Election ballots may not include referendums and Constitutional Amendments.

302.000(cc) Sponsor - A business, organization, entity or individual that provides a candidate or ticket with a cash and/or in-kind fee in return for an advertising or promotional opportunity of some form.

302.000(dd) Ticket - Two (2) candidates cooperatively engaged in a campaign for Student Body President and Vice-President.

302.000(ee) Third Party Advertising - Solicited or unsolicited support for a candidate or ticket by an organization or individual other than the candidate or ticket themselves.

302.000(ff) Unofficial Results - The posting of the election results by Student Government Advisors and the Elections Board prior to any appeals and/or contestations.

**303.000 Election Funding**

303.100 Sufficient funds shall be available for the election process from the Student Government Activity and Service Fee Budget in the SG Elections account.

**304.000 Elections Board**

304.100 Composition of the Elections Board. The Elections Board shall consist of at least five (5) FAU students, at least one (1) student from each of three (3) campus groupings: Boca Raton, Broward, Northern Campuses, and an Elections Marketing Director, led by the Chair of Elections.

304.110 The Supervisor of Elections may create any unpaid, volunteer position, that he or she deems necessary and proper provided that the Student Senate is notified of the action in writing.

304.111 Any unpaid, volunteer positions created by the Supervisor of Elections will not be considered part of the Elections Board.

304.120 The Elections board will play an active monitoring role during the campaign period.

304.130 All elections board members are to attend a training regarding their positions and the elections process at least one (1) month prior to an election period, unless hired after that point, at which point they will be individually trained by the Supervisor of Elections.

- 304.131 The Elections Board training shall be created, facilitated and ran by the Supervisor of Elections along with Student Government Advisors.
- 304.132 If an employee or volunteer misses training, that employee or volunteer will have fourteen (14) regular days from said training to complete a make-up training.
- 304.133 Makeup trainings will occur if the employee is hired after the semester training has occurred, and will occur within fourteen (14) regular days of the official hiring date.
- 304.200 Selection of the Members of the Elections Board
- 304.210 The Supervisor of Elections shall be selected through an appointment process initiated by the Student Body President within thirty (30) business days after the inauguration of the Student Body President and confirmed by a two-thirds (2/3) vote of the Student Senate.
- 304.220 The three (3) campus based Elections Board Commissioners shall be selected through an application process by the Supervisor of Elections within sixty (60) business days after the Supervisor's confirmation by the Student Senate.
- 304.230 Each Elections Board Commissioner and the Assistant Supervisor of Elections must be confirmed by a two-thirds (2/3) vote of the Student Senate.
- 304.240 All Elections Board positions are open to any member of the FAU student body.
- 304.250 Each and every member of the Elections Board must meet and maintain the minimum qualifications for eligibility as stated in University Regulation 4.006.

304.300 Neutrality of the Elections Board

304.310 No member of the Elections Board may endorse or campaign for any candidate or ticket for an elected position in Student Government, nor shall they act in any partisan manner while they are serving as members of the Elections Board.

304.320 No member of the Elections Board may hold or be a candidate for an elected or appointed position elsewhere within Student Government during their term on the Elections Board.

304.400 Resignation or Removal of Members of the Elections Board

304.410 Failure to attend three consecutive meetings of the Elections Board without prior notification to the Chair of Elections shall constitute an automatic removal from the Elections Board. This includes private meetings between an Elections Board member and another Elections Board Member and/or an Elections Board Member and the Student Government Advisors.

304.420 In the event of a student complaint, including from a member of Student Government, against a member of the Elections Board, including the Chair of Elections, to the Student Court via the Student Government Advisors, the Student Court shall meet and determine if an Elections Board member may have violated the Elections Statutes.

304.421 If the Student Court decides that an Elections Board member may have committed a violation of the Elections Statutes, it shall follow procedures for such hearings as detailed in Chapter 600.

304.430 At the recommendation of the Student Court, the Student Body President may remove any member of the Elections Board with the concurrence of a two-thirds (2/3) vote of the Student Senate.

304.440 An Elections Board member who is removed from office may appeal to the Student Court via the Student Government Advisors.

304.441 Appeals of Student Court decisions should be directed to the Vice President of Student Affairs.

304.500 Vacancy of an Elections Board Member - Filling a vacancy due to the untimely removal or resignation of an Elections Board member, including Chair of Elections, shall follow the selection and confirmation process stated in Chapter 304.200 as needed. This replacement excludes the clause stating that the appointment process initiated by the Student Body President must be within thirty (30) business days after the inauguration of the Student Body President.

304.510 Supervisor of Elections Board Vacancy - If the Supervisor of Elections position is vacant, the succession process is as follows: The Assistant Supervisor of Elections will be appointed as the Interim Supervisor of Elections by the Student Body President. If the Assistant Supervisor of Elections is not eligible for the position due to any reason regarding eligibility or that is freely stated by the Assistant Supervisor of Elections, the Student Body President will appoint the Elections Board Commissioner (that being the Boca raton Commissioner, the Jupiter Commissioner, or the Broward Commissioner), that the Student Body President deems the most capable out of the three.

- 304.511        The temporary appointment of an Interim Supervisor of Elections must be approved by a two-thirds (2/3) vote of the Student Senate.
- 304.512        The Student Body President must submit the position of Supervisor of Elections vacancy within (1) business week of the vacancy to Human Resources.
- 304.600        Term of Office - Members of the Elections Board shall serve until the conclusion of the following spring semester regardless of the date of their appointment and confirmation.
- 304.700        Compensation of Members of the Student Elections Board - The members of the Elections Board may be compensated if provided for in the Activity and Service (A & S) Fee budget for Student Government.
- 304.710        All Student Government employees are considered Temporary Student Employees and are bound by the University's Regulations and policies governing both Temporary and Student Employees.

**305.000        Duties of the Supervisor of Elections**

- 305.100        Supervise Student Government Elections, chair the Elections Board and its meetings, and supervise the Elections Board members in accomplishing the requirements specified in this Chapter.
- 305.200        Maintain twenty (15) weekly office hours with an additional five (5) hours that may be used as office hours at the discretion of the Supervisor of Elections. The office hours will be posted on the outside of the Elections Office door at the beginning of every semester, and will stay posted for as long as it is applicable.

- 305.210 In the case that the office hours must change, the new office hours will be posted on the outside of the Elections Office door and will stay posted for as long as they are applicable. This should be completed as soon as the office hours have changed.
- 305.300 Maintain files containing any and all pertinent information related to elections.
- 305.400 Submit an oral and/or written report to the Student Senate at a Senate meeting if required to do so by written request of a Senator.
- 305.410 The Supervisor of Elections will attend the first Senate meeting of each semester and the Senate meeting that occurs immediately before the elections and will update the Senate of ongoing elections procedures at that time.
- 305.420 In the case that the Supervisor of Elections cannot attend, they will provide written reasoning to the Student Body Vice President, who will adjudicate on whether the absence is excused.
- 305.500 Hold Elections Board meetings at least weekly throughout the elections period to train, supervise, and delegate election related tasks to the Elections Commissioners.
- 305.510 The Supervisor of Elections shall be a voting member of the Elections Board only in the case of a tie, and shall count toward quorum.
- 305.520 Elections Board meetings are subject to Florida Sunshine Law and twenty-four (24) hours public notice must be given.
- 305.600 Supervisor of Elections shall be required to create, help facilitate, and run the Elections Board Trainings along with Student Government Advisors.

- 305.610 The Elections Board Trainings are mandatory for the Supervisor of Elections, the Assistant Supervisor of Elections, the Boca Raton Campus Commissioner, the Broward Campuses Commissioner, the Jupiter Campus Commissioner and any volunteers.
- 305.620 If an employee or volunteer misses training, that employee or volunteer will have fourteen (14) regular days from said training to complete a make-up training.
- 305.621 Makeup trainings will occur if the employee is hired after the semester training has occurred and will occur within fourteen (14) regular days of the official hiring date.
- 305.700 Review, and submit a list of revisions to the Elections Statutes as legislation to the Student Senate within one (1) month following each election, if needed.
- 305.800 Maintain candidate information and submit to the Student Government Advisors for eligibility determination and posting to the SG Elections webpages and in all Student Government Offices.
- 305.900 Preparation of the Ballot with the support of the Student Government Advisors.
- 305.1000 Tabulation and posting of election or referendum results to the Student Government Elections web pages and in all Student Government Offices with the support of the Student Government Advisors no later than 12:00 p.m. on the afternoon following an election or referendum.

305.1100 The Supervisor of the Elections Board will play an active monitoring role during the Elections Period and will work with Assistant Supervisor of Elections on marketing for the Election.

305.1200 Prepare forms, policy and other elections materials for distribution via the Student Government Elections website, tabling, and at Informational and Mandatory Candidacy meetings.

305.1210 The Supervisor of Elections will also host and facilitate any and all Mandatory Candidacy Meetings.

305.1300 Coordinate Presidential Debates

305.1310 The Student Body President and Vice President tickets will debate before the spring General Elections, administered by the Elections Board with support from Student Media Outlets.

305.1320 The Presidential ticket debate will be held on the Boca Raton Campus, will be video-conferenced/videotaped and will be distributed to the partner campuses by Owl TV via closed circuit TV and web streaming, if available, before elections polls open.

**306.000 Duties of the Elections Board Commissioners**

306.100 Maintain fifteen (10) weekly office hours with an additional five (5) hours that may be used as office hours at the discretion of the Assistant Supervisor of Elections.

306.200 Attend each Elections Board meeting unless excused by the Supervisor of Elections, give a weekly report as requested by the Supervisor of Elections, and take the minutes for the Elections Board meetings.

- 306.210 The Assistant Supervisor of Elections shall be a voting member of the Elections Board, and shall count towards quorum.
- 306.300 Shall help create and advertise University-wide Election programs and activities that are provided by the Elections Board.
- 306.400 Make sure all Elections Board information is correct on the Student Government website and social media pages.
- 306.500 Will utilize Student Government Social Media pages to advertise the Student Government Elections.
- 306.600 Review all Elections Board flyers and make sure they are created in accordance with the guidelines and visual standards manual of Florida Atlantic University.
- 306.700 Be the liaison between the Elections Board and the University Marketing Department.
- 306.800 Be the liaison between the Elections Board and the Florida Atlantic University.
- 306.900 Develop a Marketing Plan for all Student Government Elections at Florida Atlantic University.
- 306.1000 Follow statutes 304.130, 304.132, and 304.133 in their entirety.
- 306.1100 Assume the duties of the Supervisor of Elections when needed
- 307.000 Duties of the Elections Board of Commissioners**
- 307.100 Maintain at least ten (10) weekly office hours with an additional five (5) hours that may be used as office hours at the discretion of each Elections Board Commissioner.

The office hours will be posted on the outside of the Elections Office door at the beginning of every semester, and will stay posted for as long as it is applicable. Hours will also be posted in their respective campus's Student Government Office.

307.110 In the case that office hours must change; the new office hours will be posted on the outside of the Elections Office door and will stay posted for as long as they are applicable. This should be completed as soon as the office hours have changed.

307.200 Attend all Elections Board Meetings, unless the absence is excused by the Supervisor of Elections, and give a weekly report at each meeting.

307.210 Each Commissioner shall be a voting member of the Elections Board, and shall count toward quorum.

307.300 Submit an oral and/or written report to each of their respective campus's House of Representatives if required to do so by the written request of the respective House Speaker.

307.310 Commissioner of each respective campus will attend the first respective campus House meeting of the semester and the respective House of Representative meeting that occurs immediately before the election and will update their respective House of Representatives of ongoing election procedures at that time.

307.320 In the case that a commissioner cannot attend their respective House of Representatives meeting, they will provide written reasoning to their respective campus' House Speaker, who will adjudicate on whether the absence is excused.

- 307.400        Develop and approve elections timelines with the direction of the Supervisor of Elections and support of the Student Government Advisors specifying dates and deadlines for the election process in accordance to the Elections Statutes.
- 307.500        Advertise all elections and referendums at least one (1) month before the start of an election on every FAU campus via University email, MyFAU, Blackboard, Student Media Outlets, Tabling, Handouts, and/or Informational Meetings.
- 307.600        Assist in conducting at least one (1) Mandatory Candidacy Meeting to explain the Elections Statutes, campaign policies, and to answer questions concerning an election to all declared candidates and/or tickets.
- 307.700        Coordinate Legislative Candidate Meet and Greet Events and Debates
- 307.710        The Legislative Meet and Greet events may be held by Commissioners on their respective campuses. These events will provide candidates an opportunity to debate against other candidates in an organized format. The structure of these debates is created at the discretion of each Commissioner for their respective campuses.
- 307.720        The Legislative Debate may be held by the Commissioners on their respective campuses. These events will provide candidates an opportunity to debate against other candidates in an organized format. The structure of these debates is created at the discretion of each Commissioner for their respective campuses.
- 307.800        Coordinate Gubernatorial Debates
- 307.810        The Gubernatorial debates will be held on the candidate's respective campuses and will be videotaped by Owl TV, if available, before election polls open.
- 307.900        Administer and Oversee the Elections Process including:

- 307.910 Making all necessary arrangements for online polling stations on every FAU campus.
- 307.911 This shall include providing for supplies, staffing a secure environment, physical designation of, and any other items required for the proper, efficient, and legal completion of the Elections.
- 307.920 Physically designating the online polling stations and campaign boundaries at least one (1) business day before the first day of the election.
- 307.930 Planning, requesting, and setting up designated online polling stations on each of the three (3) FAU campus groupings with assistance from Student Government advisors and the Office of Information Technology (OIT).
- 307.940 Removing all advertisements, signage, and other materials promoting the election in general, which was set up by the Elections Board.
- 307.950 Approving and filing all examples of campaign materials before such materials are posted by candidates, tickets, or their supporters and keep an accurate representation of any campaign materials.
- 307.960 Checking the campuses during an election period for any unauthorized campaign materials.
- 307.970 Arranging for removal and recording of all unauthorized campaign materials immediately and initiating appropriate action to fulfill the requirements of the Elections Statutes and University posting policies.
- 307.980 Hearing and acting upon complaints and contestations regarding an election or referendum.

307.990 The Elections Board Commissioners will play an active monitoring role during the Elections Period.

307.1000 Follow statutes 304.130, 304.132, and 304.133 in their entirety.

**308.000 Elections Timeline**

308.100 Spring and Fall General Election Timelines must include the following dates:

- 308.100(a) Informational meetings
- 308.100(b) Declaration of Candidacy deadline
- 308.100(c) Mandatory Candidacy Meeting(s)
- 308.100(d) Campaign Period
- 308.100(e) Debate and/or Meet the Candidates Events
- 308.100(f) Fill-in Declaration of Candidacy Deadline
- 308.100(g) Sample Ballot Posting
- 308.100(h) Election Days
- 308.100(i) Complaint and Contestation Deadline
- 308.100(j) Campaign Expense Reporting Deadline
- 308.100(k) Elections Board Hearings
- 308.100(l) Appeals to the Student Court Deadlines
- 308.100(m) Possible Run-off Election Days
- 308.100(n) Official Results Posting

308.200 The Declaration of Candidacy period should be a minimum of two (2) weeks.

308.300 Campaign Period shall be a minimum of two (2) weeks prior to Election Days.

**309.000 Elections Forms**

309.100 All forms used during elections will be developed by the Elections Board, in compliance with Elections Statutes and approved by the SG Advisors.

309.200 All candidates must submit the following documents, available on the SG Website and Elections Office to the Elections Board by the specified deadlines:

309.210 Declaration of Candidacy or Fill-in Declaration of Candidacy

309.220 Code of Ethics Agreement

309.230 Campaign Expense Report Form

309.240 Complaint and Contestations Form

309.250 Classroom permission form

309.300 The Elections Board will make available all election forms on the Student Government website, and OwlCentral with support from the Student Government Advisors.

### **310.000 Declaration of Candidacy**

310.100 Candidates for elected office must complete the Declaration of Candidacy Form and submit it by the specified deadline.

310.110 If running on a ticket, each candidate must individually complete the Declaration of Candidacy Form and submit it by the specified deadline.

310.120 Declared candidates' eligibility will be verified by the Student Government Advisors before being posted on the Student Government Website and at Student Government Offices and the Elections Office.

- 310.130 Eligibility must be met according to the minimum requirements set forth in University Regulation 4.006 as well as the Student Body Constitution and all applicable Student Body Statutes.
- 310.200 Candidates seeking Presidential or Vice Presidential office must run on a ticket with, but not limited to, a candidate seeking the other office of the pair.
- 310.210 For all other positions, candidates shall retain the right to endorse or campaign with other candidates as independents or as members of a party.
- 310.300 The Declaration of Candidacy is comprised of:
- 310.310 Declaration of Candidacy Form
  - 310.320 Code of Ethics Agreement
  - 310.330 Attendance at a Mandatory Candidacy Meeting
  - 310.331 Proxies may not attend on behalf of a candidate.
- 310.400 The Elections Board may disqualify candidates who fail to submit any or all forms correctly and in compliance with 309.000. Elections Board may also disqualify candidates who, fail to comply with 310.200, and/or fail to attend a Mandatory Candidacy Meeting.
- 310.500 The Supervisor of Elections will notify disqualified candidates in writing via email or mail no later than three (3) business days after the candidate's disqualification has been decided and verified by the Student Government Advisors.
- 310.510 If an immediate disqualification by the Elections Board occurs prior to or during the campaign period, the candidate has no grounds for appeal and the decision of the Elections Board is final.

310.511 If an illegal disqualification by the Elections Board occurs, the candidate may appeal to the Student Court based on an alleged violation of the SG Constitution or Statutes, as long as such appeal is made within twenty-four (24) hours of notice of the decision by the Elections Board.

310.600 All party names must be submitted to the Elections Board and Student Government Advisors for approval before using. All party members must be listed and updated as changes occur to the Elections Board and Student Government Advisors.

310.700 A party as a whole entity is subject to the same rules and processes presented in these statutes as an individual candidate or ticket.

310.710 A party is not liable or punishable for an individual candidate's intentional or grossly negligent disregard of these Election statutes.

**311.000 Fill-in Candidates**

311.100 Fill-in Candidates may only fill seats that would otherwise go vacant.

311.200 Fill-in Candidates must file a Fill-in Declaration of Candidacy Form no later than the Wednesday before Election Days.

311.300 Fill-in Candidates will be verified by the Student Government Advisors within two (2) business days of submitting their Fill-in Declaration of Candidacy that they meet the minimum qualifications as stated in University Regulation 4.006 and the Student Government Constitution and Statutes.

311.400 Fill-in Candidates will be added to the Online Ballot as a "Fill-in Candidate".

311.500 Fill-in Candidates may not campaign except on the day before and on Election Days.

**312.000      The Ballot**

312.100      The Spring General Election Ballots will be organized in the following order:

312.110      Ballot A - Student Body President and Student Body Vice President and any University-wide referendum(s)

312.120      Ballot B - Campus Governors and any campus-based referendum(s)

312.200      The Fall General Election Ballots will be organized in the following order:

312.210      Ballot A - All Senate seats and any University-wide referendum(s)

312.220      Ballot B – All Campus House of Representatives seats and any campus-based referendum(s)

312.300      The descriptive text listed above as “Ballot A” and “Ballot B” is merely for organizational purposes, and the actual ballots will include a descriptive title in their place.

312.400      Ballot information will be displayed in alphabetical order by the candidate’s last name.

312.410      Full legal names must be used on the ballot, no nicknames or aliases may be used in place of a full legal name.

312.500      Names of candidates on ballots may be labeled by the Elections Board and SG Advisor to indicate ticket or party affiliation.

312.600      Candidates will only appear on ballots if they have properly filed all appropriate paperwork by publicized deadlines and have been verified by the Elections Board and the Student Government Advisors and are otherwise eligible to hold the office they seek.

312.700 A Sample Ballot will be posted after Fill-in candidates' and regular candidates' eligibility has been verified by the Student Governments Advisors and shall remain posted until the Friday before Election Days.

312.710 Any errors on the Sample Ballot from which the Online Ballot will be constructed must be reported in writing to the Chair of Elections by the Friday before Election Days and the Student Government Advisors will make corrections before the Online Ballot is constructed.

312.800 The Online Ballot will be constructed and posted on the Monday before Election Days and may not be changed or altered in any way preceding any election once constructed.

312.900 The Student Government Advisors will be responsible for providing the unofficial and official results of elections to the Supervisor of Elections, Student Body President (unless they are a candidate in the election), Senior Vice President for Student Affairs and his or her designee(s).

### **313.000 Online Polling Stations**

313.100 Online polling stations will be available on Election Days on all four major campus groupings.

313.200 Locations and hours of availability will differ on each campus grouping.

313.210 This information will be publicized at least four (4) weeks before an election.

313.300 No campaigning or campaign material will be permitted within Online Polling Regions, the FAU computer labs, or any other University computing areas except for

material voters may have legitimately received earlier that they choose to bring to the polls which they may do so and are expected to remove when they have completed voting.

**314.000 Online Voting Procedures**

314.100 The Supervisor of Elections will work with the Student Government Advisors and the Office of Information Technology (OIT) who will design and administer a web-based format for online voting.

314.110 The Elections Board shall not be held responsible for any technical errors with individual voters who were unable to vote due to technical and/or administrative errors with the online voting system.

314.120 Students who find themselves unable to vote due to technical and/or administrative errors with the online voting system should immediately contact the Student Government Advisors in writing to report this matter.

314.121 At the discretion of the SG Advisor a student with persistent technical difficulties will be given an alternate ballot.

314.130 Student campus designations will be determined by University Policy based on the Office of Registrar's enrollment roster.

314.200 Online voting may take place on any computer connected to the Internet anywhere.

314.300 Voting shall be done in accordance with the guidelines for General Elections as provided for under Article VI of the Florida Atlantic University Student Government Constitution.

- 314.310 FAU full-time faculty and staff who have access to the ballot because they are also enrolled as a student either part of full-time are not permitted to vote due to a conflict of interest as their primary role at FAU is to provide instruction and administrative services to students.
- 314.400 Candidates and their campaign supporters may not be in the FAU computer labs on Election Days except to use the computers for legitimate non-campaign purposes or to vote themselves.
- 314.500 Candidates and their campaign supporters may direct students to Online Polling stations and on-campus computer labs but shall not stay in the labs or online polling stations and must remain outside of the designated Online Polling Regions.
- 314.600 Candidates and/or campaign supporters may not set up any polling station for students to vote.
- 314.610 This includes the prohibition of candidates and/or campaign supporters from physically providing mobile devices, tablets, laptops or computers to solicit votes from students.
- 314.620 This does not include candidates and/or campaign supporters from directing students to OwlCentral on Students' mobile devices, tablets, laptops, and/or computers in order to vote.
- 314.621 Candidates and/or campaign supporters may model the voting process on a personal mobile device, tablet, laptop, and/or computers.
- 314.800 No candidate or campaign supporter may serve as a poll worker, nor shall any poll worker endorse a candidate while working.

**315.000      Campaigning**

315.100      Campaigning on campus must comply with the Elections Statutes, Student Code of Conduct, University Regulations and Posting Policies for all University campuses and facilities.

315.200      All campaign materials, including candidate web sites, must be approved and on file with the Elections Board.

315.210      All campaign material in any format, including but not limited to non-FAU websites, t-shirts, stickers, flyers, posters, and banners, that indicates a voting method, place, format, location, and/or time must include the following clause: “If accommodation(s) for a disability is required contact “Person”/”Phone Number”/TTY 1-800-955-8770, please make notification when possible within five (5) working days in advance of the date of the event”.

315.211      Candidates must replace “Person” with their own name and “Phone Number” with either their own phone number or the Student Government office phone number.

315.300      Distribution of campaign materials is restricted to the following:

315.300(a)    As per Housing policy, Housing facilities are restricted areas and candidates, tickets and parties may not distribute campaign materials in any housing facility at the University. This includes but is not limited to knocking on doors and soliciting for votes in the Housing Facilities or on its premises.

315.300(b)    University Computer Labs, Libraries, Bookstores (not including the Boca Raton Breezeway itself), and floors of Student Unions that house Student

Government offices (Boca Raton: 2nd floor, Davie: 2nd floor, Ft. Lauderdale Tower: 5th floor, and the entire Burrow on the Jupiter Campus are restricted areas and candidates, campaign supporters, tickets, and parties may not distribute campaign materials in any such facility at the University.

315.000(b)(1) Student Unions contain Student Government offices and are operationally funded by Student Government. So as to not cause a conflict where it could appear that Student Government officers are endorsing candidates, tickets or parties, campaigning is restricted to non-SG floors, rooms, and spaces in these facilities. Libraries and Bookstores are off limits to campaigning per University policy. Computer labs are considered online polling locations and are therefore restricted from campaign activities and materials.

315.300(c) Campaign materials may be posted in Campus Recreation and Wellness facilities on approved bulletin boards only.

315.300(d) Candidates may post only one campaign item per bulletin board where permitted.

315.300(e) All printed campaign material approved by the Elections Board meant for bulletin boards, offices, and buildings must be stamped with approval by staff members of the offices of Student Involvement and Leadership on the respective campus.

315.300(f) Campaign materials may not be slid under doors of any buildings including but not limited to classrooms, residence halls, offices or businesses on-campus.

315.300(g) Candidates who wish to distribute or display material on or in a University building must first have secured the written permission of the Building Manager and shall submit such permission to the Elections Board and Student Involvement and Leadership offices.

315.300(g)(1) Candidates who wish to decorate the Breezeway or any other building or public surface, indoors or out, with campaign materials must consult with and receive prior written approval from the Student Union Administration Office and the Elections Commissioner before doing so.

315.300(h) Campaigning may not begin before adjournment of the Mandatory Candidacy Meetings.

315.300(i) Campaign materials may not be placed on or in vehicles on campus without the written consent of the vehicle's owner.

315.300(j) No printed material larger than a poster shall be posted, placed or distributed anywhere on University property.

315.300(j)(1) This shall not prohibit a candidate or their campaign supporters from carrying signs approved by the Elections Board on their person provided they are not posted, placed, or attached to any University surface.

- 315.300(j)(2) This statute does not prohibit banners that are approved by the Elections Board and the Administration for the campus on which it is displayed.
- 315.300(k) No campaigning may take place and no campaign materials of any sort may be displayed or stored in Student Government offices, except the Elections Board Office which must store a record of campaign material submitted for approval for the purpose of conducting and monitoring a fair election process
- 315.300(l) Candidates and their campaign supporters must remain twenty-five (25) feet away from any online polling location during an election, unless they are casting votes.
- 315.300(m) Candidates, campaign supporters, tickets, and parties may not use any official FAU seal, logo, or mascot in any campaign materials, including but not limited to websites or third party advertisements.
- 315.300(n) Candidates, tickets and parties may not purchase any form of advertisement from FAU Student Media Outlets.
- 315.300(o) All campaign materials must be removed from buildings and campus property within seventy-two (72) hours after the conclusion of any election by the candidates, campaign supporters, tickets, and parties themselves.
- 315.300(p) When conducting or attending meetings on or off campus as a Student Government official, working within Student Government offices or at Student Government sponsored events, activities or functions, or in any other way representing Student Government in a matter that pertains to their roles and

responsibilities as a Student Government official, Student Government officers or programs may not endorse any candidate, ticket, or party.

315.300(p)(1) Leadership and members of registered student clubs and organizations, not including Student Government Programs, may endorse any candidate, ticket, or party as long as the leadership and members are not in violation of 314.300(p).

315.300(q) Candidates, campaign supporters, tickets, and parties must abide by the Office of Information Technology (OIT) and University Communications and Media Relations policies regarding use of electronic media and communications in their campaign.

315.300(r) Candidates, campaign supporters, tickets, and parties may not send unsolicited emails to FAU students via MyFAU or student's FAU email.

315.300(s) Personal messaging sent via non-FAU related email addresses and messaging services on platforms such as Facebook, Twitter, Google+ and others may be used for campaign purposes by candidates and tickets without the preapproval of the Elections Board, so long as the nature of the communications abide with all Chapter 300 Elections Statutes in their entirety.

315.300(t) Candidates, campaign supporters, tickets, and parties may not use official University websites for campaigning.

315.300(u) All campaign websites not run by the University must abide by the Chapter 300 Elections Statutes in their entirety.

315.300(u)(1) Personal websites including but not limited to Facebook, Twitter, Google+ and others may be used for campaigning provided the material posted on personal websites for the purpose of campaigning is preapproved by the Elections Board and complies with Chapter 300 Elections Statutes in their entirety.

315.300(v) Personal or free web sites shall not be considered as campaign expenses, however, candidates must provide evidence that use of the website is free.

315.300(w) The Elections Board shall have the responsibility for policing campaign web sites and electronic communications, however, such campaign materials must be preapproved by the Elections Board, except where otherwise stated in this chapter.

315.300(w)(1) Candidates, campaign supporters, tickets, and parties have the responsibility of self-monitoring and reporting campaign violations to the Elections Board and SG Advisor and providing supporting documentation when they discover them.

315.300(w)(2) The Elections Board may hear and decide on any such cases brought up through the Election Complaint and Contestation process.

315.300(x) No campaign material may be produced using Student Government materials, supplies or equipment.

315.300(y) Candidates, campaign supporters, tickets, and parties may not solicit endorsement from University faculty and staff regardless if such individuals are also enrolled in classes as this creates a conflict of interest.

**316.000 Campaign Expense**

316.100 Permissible campaign expenses include the purchase and/or construction of campaign materials such as t-shirts, flyers, posters, banners, promotional items, printing, etc.

316.110 Indirect campaign supplies (i.e.: staplers, tape, paint and brushes, etc.) are also considered campaign expenses.

316.120 Household items used in campaigns must also be documented and submitted to the Elections Board.

316.200 No student may use Activity and Service Fee funds (with the exception of monies collected by OPS wages) or materials purchased with Activity and Service Fees funds to campaign or support a campaign.

316.210 No student may use fundraising or other revenue funds collected on behalf of a registered student club or organization at FAU to campaign or support a campaign.

316.300 Campaign expenses for any and all regular and special elections are limited to the following amounts, including from donations:

316.310 Student Body President and Vice President Ticket – two-thousand (\$2,000) dollars per ticket.

316.320 Gubernatorial Candidates – one-thousand (\$1,000) dollars per candidate.

- 316.330 Senate Candidates – four-hundred (\$400) dollars per candidate.
- 316.340 House of Representative Candidates – two-hundred (\$200) dollars per candidate.
- 316.400 No candidate, ticket, or party may accept donations from any registered student club or organization or any Student Government Program funded by Activity and Service Fees.
- 316.410 This includes opportunities to campaign using Student Media Outlets. Student Media Outlets are required to make available and offer free and equal TV, radio, web, and hard print time and/or space for all candidates, tickets, and parties who choose to take advantage of such an opportunity.
- 316.500 If campaign contributions are to be solicited or accepted by a candidate, ticket or party, the following requirements must be met:
- 316.510 No candidates, ticket or party may accept donations from or provide sponsorship opportunities to any documented on-campus FAU vendor or contractor.
- 316.520 Contributions must not be solicited or accepted from any establishment defined as a “stand-alone bar” by Florida Statutes.
- 316.530 No business, organization, entity or individual may make any contribution through or in the name of another, directly or indirectly.
- 316.540 If a candidate, ticket or party has spent less than ninety-percent (90%) of their total campaign contributions by the end of the campaign period, the candidate will be assessed with a minor violation.

316.600 It is the responsibility of all candidates to inquire about expenses and services made by individuals or groups on their behalf.

316.610 Failure to account for any of the contributions on one's Campaign Expense Report Form can be grounds for immediate disqualification of the candidate by the Elections Board.

316.700 Non-Student Media Outlet radio, television and newspaper advertisements shall not be considered a campaign expense if free and equal time is available for and offered to each candidate for a particular office. Evidence of such must be provided to the Elections Board and SG Advisor prior to such an opportunity being afforded.

316.800 A Campaign Expense Report Form shall be submitted by each and every candidate to the Supervisor of Elections via the Student Government Advisors no later than 12:00 p.m. on the day following an election and shall include:

316.810 An itemized list of all known campaign expenses.

316.820 All original itemized receipts for all documented campaign goods and services purchased.

316.830 A list of all campaign contributors and contributions including their full legal name, residence or business address, and amount and/or material and its fair market value contributed to the campaign.

316.840 In the event that a candidate incurs no expenses, he or she is still required to submit a Campaign Expense Report Form indicating so. Campaign expense forms will be made public on OwlCentral by 5:00 PM on the day after an election so that students may freely view them and contest them if needed.

316.900 The Campaign Expense Report Form becomes public information upon submission.

**317.000 Election Results**

317.100 All Official Election Results must be verified by the SG Advisors with the cooperation of the Office of Information Technology (OIT) before posting.

317.110 FAU faculty and staff votes that are found in the election ballot report will be removed and not tallied with the student votes as part of the official results.

317.200 All Elections Results will be communicated to the Chair of Elections, Student Body President (unless they are a candidate in the election) and the Vice President for Student Affairs and his or her designee(s) immediately following the close of the polls, by the SG Advisors.

317.300 The Student Body President, Vice-President and Governor's Office must be won by a plurality of those voting in the Student Body Election.

317.400 Senate and Campus House of Representatives seats may be won by most votes cast in an election.

317.410 The three (3) candidates with the most votes cast will win the three seats on their respective campus grouping for the Senate.

317.420 The candidates with the most votes cast will win all Campus House of Representative seats in declining order until all seats are filled.

317.430 On ballots where candidates for Senate and Campus House of Representative are fewer than vacant seats, all candidates who receive at least one vote will win a seat on their respective legislative body.

### **318.000 Election Complaints and Contestations Process**

318.100 Any University student has the right to contest an election or bring a complaint before the Elections Board alleging a violation of the Election Statutes.

318.200 The Elections Board must bring up an alleged violation against a student for violating Election Statutes, by citing the alleged violation and evidence in a Complaint and Contestation Form at any time during the election process.

318.300 The Complaint and Contestation Form must be copied to the SG Advisor and the student(s) notified of the allegation(s) within twenty-four (24) hours of receipt.

318.400 Hearings for allegations brought up by the Elections Board may not be held until the election concludes.

318.500 Complaints and contestations regarding the eligibility of candidates based on the minimum requirements set forth in FAU University Regulation 4.006 are outside of the jurisdiction of the Elections Board and must be directed to the SG Advisor for further action.

318.600 All Election Complaint and Contestation Forms must be submitted to the Student Government Advisors no later than twelve (12) p.m. on the day after voting closes who will then immediately forward it to the Supervisor of Elections.

318.610 Complaint and Contestation forms must always be submitted with all evidence of an alleged violation or damages incurred available at the time and the full name and contact information for all witnesses known at the time of submission.

318.700 Upon receipt of a complaint or contestation, the Elections Board will meet the following Monday to adjudicate all complaints and contestations and to certify the final results of the election at the next Elections Board meeting.

318.710 A public notice must be posted by the Supervisor of Elections forty-eight (48) hours prior to the elections board hearing.

318.720 The student who filed the complaint or contestation, as well as the student it was filed against, may at the discretion of the Supervisor of Elections address the Elections Board. Any and all involved parties, who may be present, may also address the Elections Board with the permission of the Supervisor of Elections.

318.730 During the Hearing, the Elections Board will follow the same practices and procedures outlined in Chapter 613.440, regarding the Student Court Hearing process, although they may modify this process as needed to facilitate a fair and equal Elections Board Hearing, at their discretion.

318.800 The student may withdraw the complaint or contestation prior to the Elections Board taking action; however, the Elections Board may proceed with its investigation and hearing of the complaint or contestation.

318.900 The Elections Board, upon finding a candidate or ticket responsible for committing a violation of the Elections Statutes will decide the sanction for the violation.'

318.910 Notification of the decision of the Elections Board shall be presented to the candidate/ticket no later than twenty-four (24) hours after the decision is made.

### **319.000 Sanctions and Violations**

319.100 Sanctions for major violations of the Elections Statutes include:

- 319.110 Disqualification from the election.
- 319.120 Removal of votes, which may or may not affect the outcome of an election, but only in cases where there is concrete, documented evidence of voter fraud with an exact number of defrauded votes found.
- 319.121 If election results were affected by a violation of a candidate and/or party then the Elections Board may call for a new election, but only if the newly tabulated results, after a sanction is imposed, is a 50/50 tie.
- 319.200 Sanctions for one, or multiple, minor violation(s) of the Elections Statutes include:
- 319.210 A reprimand in the form of a written warning kept on file
- 319.211 Such written warnings will be recorded on a standardized form, which contains pertinent background information regarding the specific case, violation and candidate information.
- 319.212 A copy of the written warning shall be provided to the SG Advisor, the Elections Board and the Student Court.
- 319.213 An electronic copy of the written warning will be permanently stored on file by the Chief Justice, who will also be responsible for maintaining and updating a searchable database containing the warnings.
- 319.214 Previous written warnings against a candidate shall be brought forward as a determining factor in any future Elections Board or Student Court Hearings in any future elections involving the candidate in question.
- 319.300 Major violations include, but are not limited to:

- 319.300(a) Not attending a Mandatory Candidacy Meeting without making it up.
- 319.300(b) Exceeding allotted amounts in campaign expense.
- 319.300(c) Failing to report one or more campaign expenses.
- 319.300(d) Falsifying the Campaign Expense Report Form.
- 319.300(e) Attempting to qualify for candidacy under an assumed name.
- 319.300(f) Attempting or successful fraud in the voting process.
- 319.300(g) Intentional destruction of personal, private, or University property.
- 319.300(h) Intentional defacing of any surface of FAU or private property without permission.
- 319.300(i) Verbal or physical abuse or harassment of FAU students, faculty and/or administration.
- 319.300(j) Campaigning prior to the designated Campaign Period.
- 319.300(k) Any campaign or advertisement material that is/was proven to be untrue or injurious to another.
- 319.300(l) Sending unsolicited emails to FAU students via MyFAU or student's FAU email account.
- 319.300(m) The use of official University websites for campaigning purposes.
- 319.300(n) The combination of any three (3) minor violations.
- 319.300(o) Violation of the section 321.000 of this Chapter, Elections Code of Ethics.
- 319.300(p) Hosting a party event not registered with the Student Union and not approved by the Supervisor of Elections.

319.400 Minor violations include, but are not limited to:

319.410 Campaign within twenty-five (25) feet of online polling stations on all campuses.

319.411 Mechanical amplification for the purpose of campaigning cannot be heard within twenty-five (25) feet of online polling stations.

319.420 Use of staff, services, materials, supplies or equipment funded by Activity and Service Fee funds for campaigning with the exception of Student Media outlets who may offer election coverage available and accessible to all candidates free of charge.

319.430 Any violation of the Posting Policy

319.431 An additional minor violation will be assessed if candidates do not properly follow statutes 315.210 and 315.211 in their entirety.

319.431(a) The purpose of this statute is to stress the importance of total inclusion of the diverse student body at Florida Atlantic University.

319.440 Any other violation of University Regulations or policies, or local, state or federal law.

319.450 Failure to spend at least ninety-percent (90%) of total campaign contributions received by the end of the campaign period.

319.500 If not listed above, the Elections Board reserves the right to classify a violation as either major or minor at their discretion.

**320.000 Special Elections**

320.100 In the event of the invalidation of an election, the Elections Chair must call a special election within three weeks or before the end of the semester, whichever comes first.

320.200 All Special Elections shall follow the same procedures as those for regular elections.

320.300 There shall be no Fill-in candidates/tickets for Special Elections.

**321.000 Elections Code of Ethics**

321.100 This Code of Ethics applies to all candidates and/or parties for Student Government elective office and all persons associated with a candidate or ticket's campaign.

321.200 No candidate, ticket, party or individual shall misrepresent any material fact(s) regarding themselves or others through any campaign material(s) or while campaigning.

321.300 Any candidate or campaign member suspected of lying or being less than truthful while testifying before the Elections Board during an Elections Board Hearing shall be subject to review by the Student Court with a recommendation of disqualification of the candidate.

321.400 No candidate, ticket or individual shall commit or attempt a bribe.

321.500 No candidate shall alter his or her legal name provided to the Elections Board for placement on a ballot.

321.600 No candidate shall participate in, condone or authorize the defacement, destruction or theft of another candidate's campaign material.

321.700 No candidate shall publish either by verbal, written, printed or electronic material anything which is known to be false and/or directly or by inference threatens to accuse another of any crime or offense, or which is designed to injure the person, property, or reputation of another, or threatens to expose another to disgrace, or threatens to deny or terminate the membership of another in any campus organization without proper evidence of accusatory remarks.

321.800 A candidate is reasonably responsible for the actions of other individuals and organizations supporting him or her, and may be subject to review by the Elections Board for these actions.

321.900 Aggressive, hostile, violent or disruptive confrontation between candidates, tickets and parties will not be tolerated.

### **322.000 Constitutional Referenda**

322.100 Constitutional referenda shall occur in accordance to Article IX of the Student Government Constitution.

### **323.000 General Referenda**

323.100 General referenda are questions placed on the ballots during General Elections for the Student Body to vote on as legislated by the Student Senate, relevant Campus House, or student petition.

323.200 General referenda items pertaining to university-wide matters shall require a 3/4 vote of the Student Senate in order to be placed on the next regularly occurring spring election ballot.

323.210 Such referenda items must be voted on and approved by the Student Senate at least thirty (30) day prior to the election referenced above in order to appear on the ballot.

323.220 Such referenda items may also appear on the ballot if three (3) percent of the University wide student body signs a petition in support of the referenda item.

323.300 General referenda items pertaining to a campus-based matter shall require a 3/4 vote of the House of Representatives on the campus in question in order to be placed on the next regularly occurring Spring election ballot.

323.310 Such referenda items must be voted on and approved by the Student Senate at least thirty-days (30) prior to the election referenced above in order to appear on the ballot.

323.320 Such referenda items may also appear on the ballot if three (3) percent of the campus wide student body signs a petition in support of the referenda.

#### **324.000 Election Contingency Plan**

324.100 In case of a campus emergency such as a natural disaster, threats of natural disaster, acts of God, or other such threats to the safety and security of FAU students which may impede the voting process, the Student Body President may, upon agreement with the Supervisor of Elections and the Student Government Advisors, suspend and reschedule an election and revise the election timeline.

324.200 In the case of catastrophic technical or elections process failure, the Student Body President, may upon agreement with the Supervisor of Elections and the Student

Government Advisors, call a new election and any voter results of the disrupted election will be invalidated.

**325.000 Supplement to the Election Statutes**

325.100 The Elections Board and/or Student Court may adopt or look to any part of the election laws of the State of Florida, or to the common law, not in conflict with the Student Body Constitution, Student Body Statutes or FAU University Regulations to ensure fair and impartial elections and in interpreting these Chapter 300 Elections Statutes.