

TITLE VI: THE ELECTION STATUTES

Chapter 600 Definitions

The following are defined, but not limited to:

- A. **Active Campaigning** – Any display or distribution of tangible items or electronic media for a candidate/ticket for an elective office of the student body.
- B. **Authorized by Candidate** – Candidates written approval.
- C. **Auxiliary Organization**- Any organization not affiliated with UCF and with esteemed community prominence. (i.e. Shriner's, Kiwanis, League of Women Voters)
- D. **Bribe**- A prize, reward, gift, or favor bestowed or promised with a view to influence the action of another to vote, not vote for or against a particular candidate/ticket and/or any other item on the ballot, in any way. Any item distributed by the Election Commission shall not constitute a bribe or bribery.
- E. **Campaign Materials**- Any tangible items and/or electronic media which contribute to a candidate's campaign and/or infers that a candidate/ticket intends to run for an elected Student Government office.
- F. **Campus Media**- A university media with an audience in excess of two thousand (2000) students.
- G. **Candidate** – An individual seeking election to any Student Government position.
- H. **Contribution**- Any service, goods or sum of money donated to the candidate with the intent of promoting or aiding the candidate in his/her campaign.
- I. **Election Bulletin Board** – Bulletin board containing election information. The Election Commission shall maintain the board in the Senate Workroom.
- J. **Election Period** – Shall start Monday of petitions and end two (2) weeks after the last day of voting. (For special elections, the Election Commission shall define the election period no later than two (2) school days after regular voting.)
- K. **Electronic Media** – Any campaign materials transferred electronically including, but not limited to, e-mails, websites, and social networking sites.
- L. **Endorsement** – To formally support a given candidate or ticket.
- M. **Libel** – A method of defamation expressed by print, writing, pictures or signs; any false and unprivileged publication that is injurious to the reputation of another.
- N. **Majority Vote**- Minimum of fifty percent (50%) plus one (1) of the votes/votes
- O. **Material Fact**- One which constitutes the relevancy of eligibility of a candidate/ticket for a particular office.
- P. **Partisan** – Publicly stating approval or disapproval of a candidate/ticket.
- Q. **Professional Service**- Any service provided to a candidate/ticket by an individual or organization, which normally receives payment for this service.
- R. **School Day** – One (1) school day shall be considered as any weekday,

- Monday through Friday, in which at least one (1) class is officially scheduled.
- S. **Semesters** – Fall, Spring, and Summer, with attendance in any or all Summer terms being counted as no more than one (1) semester.
 - T. **Slander** – Oral defamation; the speaking of false or malicious words concerning another, whereby injury results to his reputation.
 - U. **Tangible Items** – Any campaign materials that are inanimate and may be seen or touched.
 - V. **Third Parties** – Individuals or organizations other than the candidate/ticket themselves.
 - W. **Third Party Advertising** – Solicited or unsolicited support for a candidate/ticket by an organization or individual other than the candidate/ticket themselves.
 - X. **Ticket** – A Student Body Presidential candidate and Student Body Vice-Presidential candidate seeking election as running mates.
 - Y. **Unauthorized by Candidate** – Anything without a candidates written approval.
 - Z. **Week** – Any calendar week containing at least one (1) school day (Monday – Friday).

Chapter 601 The Election Commission

601.1 Membership

The Election Commission's membership shall be composed of ten (10) students from the University of Central Florida.

- A. The Supervisor of Elections will have served as an Elections Commissioner at UCF for a minimum of one election period. The Senate may overturn this prerequisite by a 2/3 vote.
- B. The Supervisor of Elections and Assistant Supervisor of Elections shall be appointed, from within the Commission, by the Student Body President to serve a one year term in said positions.
- C. Commission members may not hold any other elected or appointed Student Government positions.
- D. Five (5) Elections Commissioners shall be appointed each year. If a vacancy occurs, the president may appoint a replacement to serve the remainder of the term.
- E. Commission members' terms of office shall run for two (2) consecutive Executive Administrations.
 - 1. Commissioner Seats #1-5 shall be appointed no later than the third senate session of the summer semester of every even year (e.g.,2010)
 - 2. Commissioner Seats #6-10 shall be appointed no later than the third senate session of the summer semester of every odd year (e.g., 2011)
 - 3. This pattern shall continue perpetually
- F. Commissioners shall hold office for a minimum of two (2) terms.

601.2 Duties of the Supervisor of Elections:

- A. Shall not be actively identified with any candidate or campaign for elective office, nor act in any partisan manner during membership on the Election Commission.
- B. Shall post on the SGA Bulletin Board, all election results no later than 12:00 p.m. on the afternoon following each election.
- C. Shall submit a memorandum to the Elections and Appointment Committee, listing problems, solutions, and/or possible changes to the Election Statutes by the end of each election period, as defined by Title VI.
- D. Shall maintain a notebook containing all pertinent information related to violations of the Election Statutes. This notebook shall include, but not be limited to: notices of violations; actions taken; Judicial Council decisions; and all material relevant to reaching these decisions. Each piece of documentation pertaining to violations shall be signed and dated, with the time noted by the Supervisor of Elections.
- E. Shall be responsible for submitting an oral report to the Student Senate at each Senate meeting throughout the election period as well as immediately prior to and immediately following the election period.
 - 1. In the event of the Supervisor of Election' absence, one Election Commissioner shall be designated to make an oral report before the Student Senate
 - 2. Failure to appear by the Supervisor of Elections or the designated Election Commissioner to the Senate two (2) times during an election period will result in the automatic dismissal of the Supervisor of Elections, unless overturned by a 2/3 vote of the Student Senate.
 - 3. Failure to appear by the Supervisor of Elections or the designated Election Commissioner at the Senate meeting following an election will result in the automatic dismissal of the Supervisor of Elections, unless overturned by a 2/3 vote of the Student Senate.
- F. Shall be responsible for submitting a memorandum to the Student Body President, if Commission members are not completing the duties assigned in 601.3.
- G. Shall designate one Elections Commissioner to update and maintain a link through the SGA website, listing each candidate running, whether incumbent or non-incumbent, and an optional area for each individual running to post qualifications, resume, platform, etc. All such information must be submitted by the last day of *Declaration of Candidacy* at 5:00 PM. Candidate information shall be made available immediately after submission and approval by the Elections Commission and shall remain available until the last day at 5:00 PM. All information posted on the website must first be approved by an Election Commissioner.
- H. Present to all Election Commissioners a summary of all statutorily required duties and responsibilities. All confirmed Elections Commissioners must receive this report upon being sworn into office.
- I. If the Supervisor of Elections is dismissed by the Student Senate or by the appellate process or resigns voluntarily during an election period, the

Assistant Supervisor of Elections shall assume the responsibilities of the Supervisor of Elections, and an Assistant Supervisor of Elections shall be elected from and by the Election Commission.

- J. Shall conduct and chair regular meetings with the Elections Commission to discuss the Election Statutes, procedures, and other pertinent business as needed.
- K. Shall be responsible for setting and posting the meeting times and locations, with the concurrence of a majority of the Election Commission. The time of the meeting must be posted in accordance with Sunshine Law.
- L. Shall have the power to expunge Election Commissioner absence(s) upon written petition. The written petition must be submitted to the Supervisor of Elections within two (2) weeks following the absence in question otherwise said absence will not be considered expunged. A majority vote of the Election Commission can overturn the decision of the Supervisor of Elections.

601.3 Duties of the Election Commissioners

The Supervisor of Elections shall supervise and direct the Election Commission. The Election Commissioners:

- A. Shall not be actively identified with any candidate or campaign for elective office, nor act in any partisan manner during membership on the Election Commission.
- B. May only establish polling places in the following locations unless otherwise approved by the Senate in Resolution form:
 - 1. In front of the Student Union. (South Side).
 - 2. At all regional campuses.
 - 3. In the lobby of the Recreation and Wellness Center.
- C. Shall make arrangements for voting materials for the elections. It shall arrange for other such things as required for the proper, efficient, impartial, and legal completion of the elections.
- D. Shall procure and compile a concise report of all requirements and regulations in reference to posting of tangible campaigning on the entire University of Central Florida Campus(es). The Election Commission shall also distribute this report at the time of Petition pick-up. Providing a copy of the Elections Statutes to each candidate does not suffice in fulfilling the obligation of distributing the above stated report to each candidate. The report must specify where the Election Statutes can be found.
- E. Shall work a minimum of ten hours, during the week in which Declaration of Candidacy occurs and the following week. Commissioners shall also work a minimum of twenty hours per week during weeks in which voting takes place.
 - 1. The Main Campus Election Commission office location shall be provided for under the direction and agreement between the Student Body President, Student Body Vice President, Speaker of the Senate, and the Senate President Pro Tempore, upon the approval of Senate.

Office hours shall be maintained by at least one (1) Commissioner from the hours of 9:00 a.m. to 5 p.m., Monday through Friday.

2. All regional campus questions concerning elections shall be redirected to the main campus.
- F. Shall be responsible for checking the campus every day for any campaign materials that may constitute a violation of Student Body Statutes or the Golden Rule during the period between the day before the start of Active Campaigning and the day after the completion of elections.
- G. Shall inform, via written notice, any candidate of campaign materials which are deemed improper by the Election Commission and shall make arrangement for the removal of such campaign materials. If the candidate fails to remove said campaign materials within 24 hours of notification, a violation shall be filed by the Election Commission.
- H. Shall notify all campus media of the results of the election (in memorandum form) within twenty-four (24) hours of the confirmation of each election's results.
- I. Shall conduct at least five (5) informational sessions, at varying times, including at least three (3) during Declaration of Candidacy and at least one (1) after the completion of Declaration of Candidacy, to explain the Election Statutes, relevant sections of the Golden Rule, and Title XI: Code of Ethics, and to answer questions concerning the elections, for all candidates/tickets. These informational sessions shall include information regarding what is and is not appropriate campaign material, as per Student Body Statutes and the Golden Rule. The Attorney General should be present if available.
- J. Shall send a copy of the Election Statutes to all campus media notifying them that these statutes will be used in the upcoming election, before the end of Declaration of Candidacy.
- K. Shall procure a canopy large enough to provide a protective covering for those voting in front of the Student Union.
- L. Shall procure posters, which will be displayed in each building in which classes are held, and shall advertise in all campus media information regarding elections. These advertisements shall begin with the first issue published by the campus media for the Spring semester, and on (1) week before petitions become available for the Fall semester. Information concerning the Petition of Candidacy Forms shall begin at least ten (10) days prior to all elections, and shall include the date, time, place of voting, offices to be elected, and when Declaration of Candidacy ends.
- M. Shall by 5:00 p.m. on the Thursday prior to the election, organize, publicize and take all responsibilities of establishing a Candidate Forum (open to all students), and determining where the forum will be held (in a large-capacity area).
- N. Shall, in the event of a Presidential runoff election, organize a date, time, and place to hold a debate exclusively between the two runoff tickets. This debate shall be scheduled by 5:00 p.m. on the day following the announcement of the election results, and shall be held by 5:00 p.m. on the first day of the runoff elections.

- O. Shall notify the candidates and all campus media the date, time and place of Candidate Forum by the first (1st) school day after the Declaration of Candidacy ends.
- P. Shall not specify rules or procedures in addition to the Election Statutes, unless the Senate has approved them in Resolution form.
- Q. Shall be responsible for advertising the Spring Election in the campus media three (3) weeks before the end of the Fall semester.
- R. Shall submit a letter of resignation to the Student Body President and the Supervisor of Elections, in case of voluntary resignation.
- S. Shall attend the regular meetings chaired by the Supervisor of Elections. Two un-expunged absences shall result in automatic dismissal from the Election Commission.

601.4 Duties of the Student Government Association Advisor

Shall check the qualifications of all candidates, and shall post the names of those qualified to hold office, on the Election Bulletin Board, within one (1) school day after the end of Declaration of Candidacy. There shall be two (2) additional school days in which those candidates/tickets that are not qualified may clear up questions of qualifications.

601.5 Removal of Election Commission Members

- A. The Elections and Appointments Committee shall meet and determine if an Election Commissioner may have violated the Election Statutes.
- B. If the Elections and Appointments Committee decides that an Election Commission Member(s) may have committed a major/minor violation of Election Statutes, it shall notify the Student Senate in writing by the next Senate meeting following the committee action.
- C. At the recommendation of the Elections and Appointment Committee, the Student Senate may:
 - 1. Issue a notice of non-compliance to each Elections Commissioner found in violation.
 - a. If this notice is submitted during the election period, the Elections Commissioner in violation has 36 hours to comply with the violated statute.
 - b. If the notice is submitted at any time prior to the actual election period, the protocol listed in Title IX: The Enforcement and Accountability Statutes shall be followed.
 - 2. Remove any member of the Elections Commission by 2/3 vote.
- D. All Election Commissioners must be made aware that they are liable to have partial or all monies withheld from their final paychecks based on the dismissal clause for violating the Student Government Election Statutes or the Constitution of the Student Body of the University of Central Florida at any time during their term as an Election Commissioner.
- E. In the case of the removal of an Election Commission member, an appeal by an Election Commissioner to the Judicial Council, shall be submitted, in the form of a typed letter and signed in ink, within forty-eight (48) hours of the

Student Senate's decision. The appeal shall be delivered to the Chief Justice.

Chapter 602 Election Funding

- 602.1 Sufficient funds shall be available for the election process from the Student Government Elections Account.
- 602.2 The Election Commission's wages shall be specified by Activity and Service Fee Budget. The Election Commissioners shall not be paid their final paychecks until all the duties have been determined fulfilled by the Student Body President.

Chapter 603 Candidates

- 603.1 All candidates for Student Government positions must meet the minimum requirements set forth in **Title X: Installation and Eligibility Requirements**.

603.2 Fall Elections

A. Candidates must file a Petition

1. Candidates for colleges must have fifty (50) signatures from students currently enrolled in their college. A candidate may only run in the college indicated by their primary major.
 2. Candidates for an undeclared position at the Main Campus must have twenty five (25) signatures from students with undecided majors. The signatures on the Petition form must be from students enrolled at the Main Campus.
 3. Candidates for positions as regional campus Senators must have at least twenty-five (25) signatures on the Petition Form. The signatures on the Petition Form must be from students enrolled at the regional campus (Eastern, Southern, or Western.)
 4. Candidates for Undergraduate Studies and the College of Graduate Studies at the Main Campus must have twenty-five (25) signatures from students within Undergraduate Studies or the College of Graduate Studies, respectively. The signatures on the Petition form must be from students enrolled at the Main Campus.
- B. Petitions may be obtained from the Senate Secretary no earlier than 9:00 a.m. on the first (1st) school day of the third (3rd) week of the Fall semester, and will be turned in at the time of the candidate's declaration of candidacy.
- C. Declaration of Candidacy will take place during the fourth (4th) week of the Fall semester. Declaration of Candidacy will run from 9:00 a.m. until 5:00 p.m. Monday through Wednesday. The Senate Secretary shall sign and date the form received. The candidate shall complete, sign and date the form.
1. To be considered complete, the Petition form must be submitted with the required number of signatures.
 2. To be considered valid, a signature shall consist of: The printed name, the signed name, and the last eight (8) digits of the student's UCF ISO number.

3. If, upon verification by the Election Commission, a candidate's Petition form is found to contain less than the required number of signatures, the candidate shall have until 5:00 p.m. on the day following the end of Declaration of Candidacy to complete the Petition form. Any Petition form not fully completed by 5:00 p.m. on the day following the end of Declaration of Candidacy shall be considered invalid.
- D. The Senate Secretary shall immediately post and send by facsimile to all regional campuses Student Government, the declaration and seat number of the candidates filing for office on the Election Board, located in the Senate Work Room, to be officially posted up at 5:00 p.m. Only the Senate Secretary shall update and maintain the Declaration of Candidacy Board with all Students who have submitted a Declaration of Candidacy form. Under no circumstances may a candidate change the seat for which they are running after the Senate Secretary has signed and dated the received paperwork and placed their name on the Declaration of Candidacy Board.
- E. Active campaigning shall begin immediately following the submission and approval of the candidates' Petition of Candidacy.
- F. Each candidate is required to attend one informational session hosted by the Election Commission. If they are unable to attend such a session, the candidate must make an appointment and meet individually with an Election Commissioner before the Thursday prior to the beginning of the voting period.

603.3 Spring Elections (Presidential)

- A. The ticket must file a Petition form with the signatures of five hundred (500) students currently enrolled at the University of Central Florida.
- B. Petitions may be obtained from the Student Government Senate Secretary no earlier than 9:00 a.m. on the first (1st) Monday of the seventh (7th) week of the Spring semester. The Petition will be turned in at the time of the candidate's declaration of candidacy.
- C. Declaration of Candidacy for Spring elections shall be during the eighth (8th) week of the Spring semester, and shall take place between 9:00 a.m. and 5:00 p.m. Monday through Thursday.
- D. The Student Government Senate Secretary shall sign and date the form received. The candidate/ticket shall complete, sign and date this form.
- E. The Student Government Senate Secretary shall immediately post the Declaration on the Election Bulletin Board and send by facsimile to the regional campuses Student Governments.
- F. Active Campaigning shall begin immediately following the tickets' Declaration of Candidacy.
- G. Each candidate is required to attend one informational session hosted by the Election Commission. If they are unable to attend such a session, the candidate must make an appointment and meet individually with an Election Commissioner before the Thursday prior to the beginning of the voting period.

Chapter 604 Election Procedures

604.1 Election Code of Ethics

- A. No candidate/ticket shall misrepresent any material fact in campaign material or in campaigning in any form.
- B. No candidate/ticket or individual shall knowingly provide false information before the Elections Commission.
- C. No candidate/ticket or individual shall misrepresent any campaign material as being the material of any candidate/ticket other than themselves.
- D. No candidate/ticket shall condone or authorize the destruction or theft of campaign material of another candidate.
- E. No candidate/ticket shall commit slander or libel.
- F. No candidate/ticket shall commit or attempt a bribe.
- G. No candidate shall alter their legal name provided by the University when placing such on the ballot.
- H. No candidate/ticket shall commit or attempt to commit extortion or blackmail
- I. No candidate/ticket shall use Student Government Property or Activity and Service Fee Funds to benefit that candidate/ticket's campaign.
- J. No candidate/ticket shall authorize, aid, advise, condone, or in any way induce another to act in violation of any provision of the Golden Rule, Student Body Constitution, or Student Body Statutes.

604.2 Active Campaigning

- A. Distributors of campaign materials are restricted in the following ways:
 - 1. No campaign material will be distributed in the residence halls by sliding said material under the door.
 - 2. No distribution of campaign material will be permitted in the residence halls before 11:00 a.m. or after 9:00 p.m.
 - 3. No campaign material will be distributed within:
 - a. The University designated Computer labs;
 - b. The Library or Bookstore (does not include John T. Washington Center breezeway);
 - c. Classrooms;
 - d. Inside the Student Union Building, including gated patio area;
 - e. Inside the Recreation and Wellness Center Building; and
 - f. The fifteen (15) foot boundary surrounding the Election Tent.
- B. Candidates may not devise a name which would associate themselves with another candidate that would reasonably lead the voter to conclude that the candidate is not who they purport to be, but is in fact another candidate.
- C. No candidate/ticket or third party supporting a candidate/ticket shall be allowed to campaign on the Student Union stage during an election period.
- D. Candidates that wish to distribute or display material on or in a building must first have secured the written permission of said building's manager and shall submit such permission to the Election Commission prior to the distribution or display of said material.

604.3 Election Times

- A. Fall Elections shall be held the sixth (6th) week of the semester and Spring Elections shall be held the eleventh (11th) week of the semester.
- B. Election times will commence at 8:00 a.m. on Monday and will continue through 5:00 p.m. Wednesday, noting that the election system will shut down every day between the hours of 12:00 a.m. and 5:00 a.m.
- C. Elections will run from 8:00 a.m. to 5:00 p.m. for the Student Union Tent.
- D. A runoff election will occur, the week following posting of the Election results, between the two (2) candidates/tickets receiving the most votes, providing no candidate or ticket received a majority of votes cast.
- E. In the event of a tie at the conclusion of a runoff election, those two candidates who competed in the runoff will proceed to another runoff to be held during the next Monday and Tuesday following the first runoff election.

604.4 All Special Elections will follow these same Election Statutes, unless otherwise stated herein.

- A. A Special Election will occur if the winning candidate/ticket is disqualified. If there is only one (1) candidate in a Special Election, no election will be necessary.
- B. Only qualified candidates/tickets that ran in the Primary Election, including write-in candidates/tickets, will be placed on the Special Election ballot.
- C. There will be no new write-in candidates/tickets for Special Elections.
- D. A Special Election will be held at least one (1) week following the end of the appellate process, but no more than two (2) weeks after the end of the appellate process.

604.5 All New Elections will follow these same Election Statutes, unless otherwise stated herein.

- A. A New Election will occur if the race is “invalidated” by the Judicial Council. If there is only one (1) candidate in the New Election, no election is necessary.
- B. Only qualified candidates/tickets who ran in the Primary Election, including write-in candidates/tickets, will be placed on the New Election Ballot.
- C. There will be no new write-in candidates for New Elections.
- D. A New Election will be held at least one (1) week following the end of the appellate process, but no more than two (2) weeks after the end of the appellate process.

604.6 Voting

- A. All students shall be eligible to vote for one (1) ticket during the Spring Election.
- B. All students shall be eligible to vote for the representative(s) of their College and, if eligible, Regional Campus representative, during the Fall Election.
- C. Any student with multiple majors shall only be eligible to vote under their primary major.

- D. At all voting places, there shall be detailed instructions on how to vote.
- E. Votes for any individual other than those sanctioned to be on the ballot either as a declared candidate or registered write-in shall be discarded and shall not count toward the total number of votes cast.
- F. No individual shall coerce or otherwise induce another while they are in the process of filling out their ballot by any physical or electronic means. This provision shall apply to neutral SGA polling stations as well as individual laptops and candidate stations established during the election. Candidates are free to deny use of their personal computers as they please, but if a voter has already opened their ballot, neither candidate nor proprietor of the computer may cease the voter's actions.
- G. No candidate may establish a voting station by computer or otherwise, in an establishment licensed to sell alcoholic beverages.

604.7 Write-in Candidates

- A. Write-in Candidates names will not be placed on ballots.
- B. All write-in Candidates must be registered students at the University and in the college for which the seat is contested and are subject to eligibility requirements as per Title X of the Student Body Statutes and the Golden Rule.
- C. Any individual who wishes to be a write-in candidate must file a write-in Declaration Form with the Senate Secretary by 5:00 PM on the final day of primary voting. Their eligibility shall be verified by 5:00 PM on the final day following primary voting. If a write-in is not eligible for any reason, the votes toward that candidate shall be discarded and shall not count toward the total number of votes cast.

604.8 Ballot Tabulation

- A. The Supervisor of Elections and the Student Government Advisor must be present at the tabulation of results.
- B. Each candidate/ticket, after the official ballot counting, may call for a recount of votes, at which time they may be present.
- C. No ballot shall be disqualified if the voter's intentions are determined "legal" and "clear" by the Election Commission.

604.9 Election Contingency Plan

- A. In case of a campus emergency which may impede the voting process, the Student Body President may, upon consultation with the Supervisor of Elections, suspend or delay an election and reschedule it within seven (7) days after the suspended or delayed election or as soon thereafter as practicable. In the event of an election suspension or delay, the new election times will be properly advertised and posted on the Election Bulletin Board.
- B. The Student Body President may, upon consultation with the Supervisor of Elections, suspend or delay an election and reschedule it within seven (7) school days after the suspended or delayed election or as soon

thereafter as practicable if the change incorporates part of the Student Body which would otherwise be excluded due to an unalterable event coinciding with the elections. Any such change may be made no later than four (4) school weeks prior to the elections and will be properly advertised and posted on the Election Bulletin Board.

604.10 Third Party Campaigning and Support

- A. The candidate/ticket is not responsible for unauthorized verbal, written or physical campaigning by third parties.
- B. Unless specifically stated in statutes, any individual or group, whether affiliated with the University or not, is able to campaign in support of any candidate/ticket for an election provided that the identity of the third party is made known either through media, the candidate/ticket, or the third party itself.
- C. Individuals that choose to campaign, support and/or endorse a candidate/ticket are subject to all guidelines in the Statutes and the UCF Golden Rule, including, but not limited to, slander and libel clauses.

Chapter 605 Violations

- 605.1 All candidates/tickets must be aware of any possible liability for violating the rules and regulations that govern the general, runoff, and referendum elections. These rules and regulations include, but are not limited to, the UCF Golden Rule, the Constitution of the Student Body of the University of Central Florida, the Student Body Statutes, and main and regional campus policies, including building policies.
- 605.2 Candidates/tickets must remove all campaign materials from the campus by 4:00 p.m. of the next school day following the general or runoff election.
- 605.3 Any student, faculty, or staff member at the University of Central Florida may file a violation against any candidate/ticket during the Fall or Spring elections.
- 605.4 Violation charges shall be filed by the individual in affidavit form, which shall include:
 - A. A description of events that took place which constitute a possible violation.
 - B. The name of the accused candidate/ticket. Only one candidate/ticket can be charged per each affidavit.
 - C. The filer's name and contact information, which can be used by the Election Commission to stay in contact with the person who filed the violation. This contact information shall only be used to ensure the individual is informed throughout the violation process.
 - D. Notarization.
- 605.5 Should the violation affidavit fail to provide the required information per Title VI, the affidavit shall be considered null and void and shall not be recognized by the Election Commission.

- 605.6 No violation charge shall be filed after 5:00 p.m. on the next school day after the election results are announced for the election to which the violation charge directly pertains. If the 5:00 p.m. deadline is not met, the process as set forth for a recall or contestment must be followed.
- 605.7 The filer of the violation affidavit shall submit said affidavit to the Senate Secretary. The Senate Secretary shall time stamp the affidavit and forward all materials to the Supervisor of Elections.
- 605.8 Should a filer wish to withdraw the affidavit, the filer must request to do so in writing to the Supervisor of Elections. The individual may not file a new affidavit regarding the same possible violation any earlier than 24 hours following the withdrawal of the initial affidavit. The affidavit may not be withdrawn once the Supervisor of Elections calls for a hearing to discuss the violation charges.
- 605.9 The Supervisor of Elections shall schedule a violation hearing, to be held within seven (7) school days but no earlier than six (6) school days from when the affidavit was submitted:
- A. The Supervisor of Elections shall set the hearing date and contact all members of the Election Commission by 5:00 p.m. on the following school day of when the affidavit was submitted, to notify them of the date and time of the violation hearing.
 - B. The Supervisor of Elections shall contact the filer of the affidavit and the accused candidate/ticket, by 5:00 p.m. on the following school day of when the affidavit was submitted, to notify them of the date and time of the violation hearing. At this time, the Supervisor of Elections shall also inform them of the process for submitting any and all materials that the filer and the candidate/ticket would like examined during the violation hearing.
 - C. The Supervisor of Elections shall distribute a copy of the affidavit to the accused candidate/ticket by 5:00 p.m. on the following school day of when the affidavit was submitted.
 - D. The Supervisor of Elections shall contact the Student Government Advisor to notify said advisor of the date and time of the violation hearing.
- 605.10 It is the responsibility of the filer and the accused candidate/ticket to procure and submit to the Supervisor of Election all materials, including additional evidence and a complete list of witnesses they wish to have examined by the Election Commission.
- A. The Supervisor of Elections shall allow at least a one (1) school day from when the accused candidate and filer were notified of the scheduled hearing for the accused candidate and filer to compile all materials, including additional evidence and a complete list of witnesses they wish to have examined, along with a statement that summarizes what each witness shall be testifying about.
 - B. All materials shall be submitted by 5:00 p.m. at least two (2) school days prior to the scheduled hearing. Any materials not submitted by this time shall

not be considered at the violation hearing.

- C. After all materials have been submitted to the Supervisor of Elections, the Supervisor of Elections shall hold copies of all materials for each Elections Commissioner to review, at least one (1) school day prior to the violation hearing.
- D. The Supervisor of Elections shall submit a memo containing all information that will be examined during the violation hearing to both the affidavit filer and accused candidate/ticket, at least one (1) school day prior to the violation hearing. The memo will inform both individuals of the process by which to review the submitted evidence.

605.11 Rights of the Accused:

Any candidate/ticket accused of a violation at any time during the election period is awarded the following rights:

- A. To be informed of all policies, procedures, and decisions made by the Election Commission or Judicial Council, concerning the violation hearing.
- B. To know the offenses and adverse witnesses and to review all evidence prior to the violation hearing.
- C. To have the assistance of a Judicial Advisor as per Title IV.
- D. To refrain from self-incrimination and to not be called upon as a witness in said individual's own hearing.
- E. To submit any tangible evidence and/or submit witnesses to be questioned during the violation hearing.
- F. To resign from candidacy at any time during the Election period, thus concluding all actions of the violation hearing.
- G. To cross-examine all witnesses that testify in the violation hearing. No evidence submitted by a witness may be considered at the Violation Hearing if the witness does not appear at the violation hearing for cross-examination by the accused candidate/ticket.
- H. To have at least one (1) school day prior to the violation hearing to review the evidence for the violation hearing.
- I. To ask for statutory interpretation by the Attorney General at any time.
- J. To appeal the ruling of the Election Commission to the Judicial Council as outlined in Title VI.

605.12 Upon just cause and in a written, signed, and notarized request to the Supervisor of Elections delivered before an election violation hearing, the accuser, accused, or any Election Commissioner shall have the right to request the recusal of any member of the Election Commission from any election violation hearing. The Elections Commission shall investigate the request and, upon finding merit, may or may not deem that particular Election Commissioner recused from the hearing, by a majority vote.

605.13 Election Commission Violation Hearing Procedure:

The violation hearing shall be conducted in the following order:

- A. Introduction of Violation Hearing: The Supervisor of Elections shall call the meeting to order and call for the Election Commission members who are in attendance at the violation hearing.
- B. Statement of the Filer: The individual that filed the violation charge may make a statement to the Election Commission regarding the violation and all evidence that the filer has submitted, as well as introduce the witnesses that will testify on behalf of the filer.
- C. Statement of the Accused Candidate/ticket: The accused may make a statement to the Election Commission regarding the violation and all evidence that the candidate/ticket has submitted, as well as introduce the witnesses that will testify on behalf of the accused candidate/ticket.
- D. Questioning of the Filer: The Election Commission may question the individual who filed the violation charge.
- E. Questioning of the Accused: The Election Commission may question the accused candidate/ticket.
- F. Questioning of the Filer's Witnesses and Evidence:
 1. The Supervisor of Elections shall call up each witness separately. Only witnesses listed in the materials submitted by the filer prior to the violation hearing will be called.
 2. The witness may be questioned by the filer of the violation. The witness may refrain from answering any question.
 3. After the filer is finished questioning, the accused candidate/ticket may question the witness. The witness may refrain from answering any question.
 4. After the accused candidate/ticket is finished questioning, the Election Commission may question the witness. The witness may refrain from answering any question.
 5. This procedure will continue until all witnesses submitted by the filer have been questioned.
 6. The filer may then present tangible evidence during the violation hearing. The accused candidate/ticket may question the filer about the evidence presented. The filer may refrain from answering any question.
 7. The Election Commission may then question the filer about the tangible evidence presented. The filer may refrain from answering any question.
- G. Question of Accused Candidate/Ticket's Witnesses and Evidence:
 1. The Supervisor of Elections shall call up each witness separately. Only witnesses listed in the materials submitted by the accused prior to the violation hearing will be called.
 2. The witness may be questioned by the accused candidate/ticket. The witness may refrain from answering any question.
 3. After the accused candidate/ticket is finished questioning, the filer may question the witness. The witness may refrain from answering any question.

4. After the filer is finished questioning, the Election Commission may question the witness. The witness may refrain from answering any questions.
 5. This procedure will continue until all witnesses submitted by the accused candidate/ticket have been questioned.
 6. The accused candidate/ticket may then present tangible evidence during the violation hearing. The filer may question the accused candidate/ticket about the evidence presented. The accused may refrain from answering any question.
 7. The Election Commission may then question the accused candidate/ticket about the tangible evidence presented. The accused may refrain from answering any question.
- H. Final Questioning: The Election Commission may ask questions about all information that was presented.
 - I. Closing Statement of the Filer: The filer may make a closing statement to the Election Commission.
 - J. Closing Statement of the Accused Candidate/ticket: The accused candidate/ticket may make a closing statement to the Election Commission.
 - K. Election Commission Deliberation: The Election Commission shall deliberate to determine if a violation occurred and, if so, determine the appropriate sanction and inform the individual who filed the violation and the accused candidate/ticket of the decision.
- 605.14 Quorum for a violation hearing shall be met with five (5) members of the Election Commission, one (1) of which shall be the Supervisor of Election or the Assistant Supervisor of Election, who shall act as chair.
- 605.15 The Election Commission shall use only the information presented at the violation hearing to determine if a violation occurred and issue the appropriate sanction to the accused candidate/ticket.
- 605.16 During deliberation, the Election Commission shall determine, by majority vote, whether the accused candidate/ticket violated the rules and regulations of the election.
- A. If the Election Commission determines that an accused candidate/ticket did not commit a violation, the hearing shall be concluded with no sanction issued to the accused candidate/ticket.
 - B. If the Election Commission determines that a violation of election rules and regulations has occurred, it will then determine the appropriate sanction.
- 605.17 If the Election Commission determines that a violation of election rules and regulations occurred, the Election Commission shall issue a sanction to the candidate/ticket that is found in violation.
- A. The Election Commission, by a two-thirds vote, shall determine whether the sanction shall be to disqualify the candidate/ticket from the election.
 - B. Should the Election Commission vote to disqualify the candidate/ticket from

the election, the candidate/ticket shall be considered disqualified from the election.

- C. Should the Election Commission vote not to disqualify the candidate/ticket from the election, the Election Commission shall determine the appropriate sanction. Upon the Election Commission, by majority vote, determining the appropriate sanction, the Supervisor of Elections shall issue a statement on the committee's decision and will keep record of the candidate/ticket's sanction.
- D. If a candidate/ticket is found in violation of the rules and regulations more than two (2) times during an election, the Election Commission shall deem the candidate/ticket disqualified from the election.

605.18 The Election Commission shall notify all parties involved, in writing, one (1) school day following the conclusion of the violation hearing.

605.19 Should a candidate/ticket be found in violation or receive a sanction from the Election Commission, the candidate/ticket may appeal the decision to the Judicial Council, as outlined by the appeals process in Title VI.

Chapter 606 Contestment

606.1 Any contestment of a campaign or an election by a candidate/ticket shall be submitted in the form of a typewritten letter and signed in ink. This letter of contestment shall be hand-delivered to the Senate Secretary, as well as a copy to the Chief Justice and the Supervisor of Elections, no later than 5:00 p.m. on the Wednesday following public posting of each election's results.

606.2 The Election Commission shall review all contestments and formulate a decision within one (1) week based on the case presented. This decision may be further appealed to the Judicial Council. If the appeal of any candidate/ticket is based upon direct action of the Election Commission, it shall be reviewed by the Judicial Council and bypass the Election Commission.

606.3 Notification of the election commission decision shall be presented to the candidate/ticket forty-eight (48) hours after the decision is made.

Chapter 607 Appeals

607.1 Judicial Authority:

- A. The Election Commission shall have full authority over all election violation hearings. The Judicial Council shall have authority to hear appeals based solely on the violation of a student's rights guaranteed by the Constitution of the Student Body of the University of Central Florida or Student Body Statutes.
- B. The Judicial Branch's authority shall be limited to rehearing a violation hearing, when deemed necessary, in cases where the Judicial Council finds a

student's rights were violated.

607.2 Filing and Posting an Appeal:

- A. An appeal shall only be filed with the Judicial Council by the student whose rights may have been violated. The appeal must be submitted in memorandum form.
- B. All appeals must be submitted by 5:00 p.m., two (2) school days following the violation hearing.
- C. The memorandum must state the parties involved (i.e., Election Commission vs. Candidate/ticket), the Statute describing the alleged student rights violation, and the violation. It must be time-stamped by the Senate Secretary upon submission and then delivered to the Chief Justice.
- D. Upon receiving the appeal memorandum, the Chief Justice shall have two (2) school days to make a decision on whether or not the Judicial Council will hear the appeal.
- E. Once the Chief Justice has made a decision on whether or not to hear the appeal, the Chief Justice shall post said decision and make it available to all Justices and involved parties.
- F. Upon receiving information from the Chief Justice, any involved parties must submit all evidence and a list of witnesses, who shall only testify in regard to the alleged violation of rights, at least forty-eight (48) hours prior to the start of the Appeal Hearing.
- G. The Chief Justice shall make all materials available to all Justices, the appealing party, and the Supervisor of Elections.

607.3 If the Judicial Council chooses to hear the appeal, the procedure for the appeal shall be dictated based on the Judicial Council's Internal Rules.

607.4 The Supervisor of Elections, or a designee appointed by the Supervisor of Elections who was present at the initial violation hearing, shall be present at the Judicial Hearing and may answer any questions regarding due process from the initial violation hearing.

607.5 Judicial Decision:

- A. The Judicial Council shall first determine if the student's rights were violated during the violation hearing.
- B. If the Judicial Council determines that the student's rights were not violated, the case shall be considered closed and the original outcome shall be considered final.
- C. If the Judicial Council determines that said student's rights were violated, the council must then decide on one of the following:
 - 1. To uphold the decision of the Election Commission based on the determination that the outcome of the hearing would not have been affected.
 - 2. To rehear the case. If reheard, the Judicial Council shall then determine the following:

- a) If the Judicial Council shall start the entire violation hearing from the beginning, which must happen within seven (7) school days.
 - b) If the Judicial Branch shall reconvene the process at the beginning of the step where the student-rights violation occurred, which must happen within seven (7) school days.
- D. Should the Judicial Council decide to rehear the case, the Chief Justice shall follow the violation hearing procedure as outlined in Title VI: The Elections Statutes.
1. Within this process, the Chief Justice shall take the role designated to the Supervisor of Election and shall contact the accused candidate/ticket and the person who filed the affidavit, in memorandum form, to inform them of the new hearing.
 2. Should the filer so choose, said filer may withdraw the violation affidavit at any time during the appeal process thus ending the violation rehearing process. Said withdrawal shall be made in writing to the Chief Justice.
 3. Should the affidavit be withdrawn, the charges shall be dropped and the accused candidate/ticket shall be considered not in violation, thus ending all violation and appeal procedures.
- E. Upon the Judicial Council's decision, the Chief Justice must forward a memorandum to the Supervisor of Elections stating its findings and the final decision in the matter, within two (2) school days.
- F. The decision of the Judicial Council is final.

Chapter 608 Recall

- 608.1 The holder of any elected office of Student Government may be removed from office by the students of the University of Central Florida by the following procedures.
- A. A petition shall be prepared, naming the person sought to be recalled and containing a "Statement of Grounds for Recall." Grounds for recall are limited to the following: malfeasance, misfeasance, neglect of duty, incompetence, permanent inability to perform official duties, or conviction of a felony. Definitions for malfeasance, misfeasance, neglect of duty, and conviction of a felony are provided in Title VII.
 - B. The petition shall be signed by at least five percent (5%) of the office-holder's constituents, based on the current term enrollment.
 - C. To be considered valid, a signature shall consist of: the date, the printed name, the signed name, and the last eight (8) digits of the student's UCF ISO number.
- 608.2 The petition shall be allowed up to twenty (20) days to be circulated.
- 608.3 After completion, the petition shall be filed with the Senate Secretary who shall, within (2) school days, submit such petition to the Election Commission, the Student Government Advisor, and the Elections and Appointments (E&A) Committee.

Within a period of no more than five (5) school days, the Student Government Advisor shall determine whether the petition contains the required valid signatures. No additional names may be added to the petition, and the petition shall not be used in any other proceeding.

- A. If it is determined that the petition does not contain the required signatures, the Election Commission shall report it to the executive and legislative branches of Student Government and file the petition, without taking further action and the matter will be closed.
- B. If it determined that the petition has the required signatures, then the Supervisor of Elections shall at once serve a certified copy of the petition to the office-holder named in the verified petition of recall.

608.4 The person designated in the petition may file their typewritten resignation, signed in ink, with the Attorney General within two (2) school days after the receipt of the petition copy. Upon receipt of the resignation letter, the Attorney General shall at once notify the governing body of the fact.

608.5 In the absence of a resignation, the Supervisor of Elections shall set the days for holding a Recall Election for the removal of the person designated in the petition. Any such election shall be held no less than ten (10) school days nor more than twenty (20) school days from the resignation deadline.

608.6 The ballot of the Recall Election shall conform to the following: “Shall ... be removed from the Office of ... by recall?” Immediately following the question, there shall be printed on the ballot the two (2) propositions in the order here set forth: “For the recall of ... Against the recall of ...”

608.7 If a majority of the votes cast on the question for removal of any member of the governing body is affirmative, the member whose removal is sought shall be deemed “removed from office,” upon announcement of the official canvass of that election.

Chapter 609 Referendum Election

- 609.1 The Student Body may call for a Referendum Election by properly filing a petition.
- A. The petition shall contain a statement of the specific issue for which the Referendum Election will be held, including the suggested ballot question.
 - B. The petition shall be signed by the number of students as per the Constitution of the Student Body of the University of Central Florida.
 - C. To be considered valid, a signature shall consist of: the printed name, the signed name, and the last eight (8) digits of the student’s UCF ISO number.
 - D. The petition shall be presented to the Senate Secretary who shall, submit the petition to the Student Government Advisor for verification.
 - 1. The Student Government Advisor shall, within five (5) school days, determine the validity of the signatures, and shall notify the Student Body President of the Results.
 - 2. Failure to comply within five (5) school days shall constitute

verification.

- E. If the petition is ruled “valid” by the Student Government Advisor, a Referendum Election will be held within three (3) school weeks. Funds shall be made available by the Student Body President from the Student Government General Account.
 - F. If it is determined that the petition does not contain the required signatures, after confirmation by the Student Government Advisor, the Election Commission shall notify the filing parties, without taking further action, file the petition: the matter will be “closed.” No additional names may be used in any other proceedings.
- 609.2 The Student Senate may call for a Referendum Election via a resolution with a two-thirds vote. The resolution shall include the ballot question. A Referendum Election will be held within three (3) school weeks of passage of the resolution on final reading in the Student Senate, or at any later time as otherwise specified in the resolution. The resolution may not specify that the Referendum election be held any later than the following general Fall or Spring Election.
- 609.3 The Student Body president may call for a Referendum Election with the concurrence of two-thirds of the Student Senate.
- A. The Student Body President shall present a memorandum to the Student Senate during the “Announcements from the Student Body President” portion of any regularly-scheduled Student Senate meeting. The memorandum shall include the ballot question and may also include details describing the necessity of the Referendum Election.
 - B. The Student Senate shall debate the memorandum under “Announcements from the Student Body President.” No motions to amend the memorandum can be made. The Student Senate must pass the memorandum by a two-thirds vote for a Referendum Election to be called.
 - C. Upon passage of the memorandum by the Student Senate, a Referendum Election will be held within three (3) school weeks, or at any later time as otherwise specified in the memorandum. The memorandum may not specify that the Referendum Election be held any later than the following general Fall or Spring election.
- 609.4 The results of a Referendum election shall serve as the official opinion of the Student Body, and:
- A. An official statement, containing the issue and the results, shall be acknowledged in writing by the Student Body President.
 - B. This official statement shall be sent to all concerned parties on the school day following the official announcement of the results of the Referendum Election.

Chapter 610 Swearing In

No student shall be sworn in whose election is being contested in the Election

Commission and/or Judicial Council.

Chapter 611 Forms

All forms used during the elections will be developed by the Election Commission and in compliance with the Election Statutes prior to the Declaration of Candidacy.

Chapter 612 Senate Session

The final Senate meeting of a Senate session shall occur at the Senate meeting immediately following the completion of all Senate elections.

Chapter 613 Revising the Election Statutes

Changes to the Election Statutes enacted after the beginning of the Declaration of Candidacy shall not affect the election in progress.

HISTORY:

BILL 02-26 (05/06/70) BILL 12-66 (10/10/80) BILL 16-76 (08/03/84) BILL 03-02 (10/02/70)
BILL 13-58 (09/03/81) BILL 18-01 (02/06/86) BILL 06-40 (03/13/74) BILL 13-66 (09/21/81)
BILL 18-17 (02/13/86) BILL 08-72 (10/22/76) BILL 14-22 (03/03/82) BILL 18-49 (07/24/86)
BILL 09-34 (06/28/77) BILL 14-23 (03/03/82) BILL 19-16 (01/15/87) BILL 10-19 (04/04/78)
BILL 14-40 (07/20/82) BILL 19-32 (02/12/87) BILL 10-58 (08/28/78) BILL 14-43 (07/07/82)
BILL 19-37 (03/26/87) BILL 11-20 (03/19/79) BILL 15-08 (01/27/83) BILL 19-47 (05/17/87)
BILL 11-35 (02/16/79) BILL 15-50 (04/19/83) BILL 19-67 (07/26/87) BILL 11-57 (03/15/79)
BILL 16-34 (01/20/84) BILL 20-21 (02/02/88) BILL 12-39 (04/02/80) BILL 16-35 (02/13/84)
BILL 20-42 (03/08/88) BILL 20-72 (06/29/88) BILL 21-20 (01/10/89) BILL 21-26 (01/10/89)
BILL 21-29 (01/17/89) BILL 21-30 (01/17/89) BILL 22-08 (11/28/89) BILL 22-13 (12/05/89)
BILL 21-18 (01/09/90) BILL 23-14 (01/24/91) BILL 23-49 (06/09/91) BILL 23-50 (06/09/91)
BILL 23-70 (08/25/91) BILL 24-16 (12/01/91) BILL 24-17 (12/01/91) BILL 25-06 (10/22/92)
BILL 25-46 (05/31/93) BILL 26-03 (11/18/93) BILL 26-34 (03/24/94) BILL 26-58 (06/12/94)
BILL 26-59 (06/12/94) BILL 26-68 (07/31/94) BILL 26-68 (07/31/94) BILL 27-23 (12/08/94)
BILL 27-35 (12/08/94) BILL 27-36 (12/08/94) BILL 27-37 (02/02/95) BILL 27-46 (02/09/95)
BILL 27-82 (06/18/95) BILL 28-19 (11/30/95) BILL 31-63 (09/16/99) BILL 31-40 (06/30/99)
BILL 32-08 (01/11/00) BILL 31-40 (08/03/99) BILL 32-11 (02/28/00) BILL 32-18 (02/25/00)
BILL 32-81 (09/12/00) BILL 33-12 (02/13/01) Judicial Decision (09/06/01) BILL 34-13 (09/15/01)
BILL 34-44 (05/31/02) BILL 33-76 (05/31/02) BILL 35-106 (09-04-03) BILL 37-27 (02/17/05)
BILL 38-03 (11/16/06) BILL 38-14 (11/17/05) BILL 38-16 (12/01/05) BILL 38-45 (04/06/06)
BILL 39-19 (02/12/07) BILL 39-59 (06/27/07) BILL 39-67 (07/26/07) BILL 39-83 (09/13/07)
BILL 40-14 (11/29/07) BILL 40-29 (01/31/08) BILL 40-30 (01/31/08) BILL 40-66 (06/05/08)
BILL 41-14 (12/11/08) BILL 41-18 (12/10/08) BILL 41-21 (02/09/09) BILL 41-24 (01/08/09)
BILL 41-26 (01/08/09) BILL 41-31 (02/09/09) BILL 41-48 (02/16/09) BILL 41-118 (08/07/09)
BILL 41-128 (09/07/09) BILL 42-44 (04/27/10) BILL 42-56 (04/27/10) BILL 42-87 (07/16/10)
BILL 42-90 (07/16/10) BILL 42-94 (09/17/10) BILL 43-04 (1/13/11) BILL 43-08 (1/27/11)
BILL 43-35 (03/03/11) BILL 43-83 (04/21/11)

