

# TITLE VI: THE ELECTION STATUTES

## Chapter 600 Definitions

600.1 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** – Candidate’s 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, or 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 Expenses** – The proven purchase or value of 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; or any service or good donated to the candidate with the intent of promoting or aiding the candidate in his/her campaign. This must include sales tax or any other secondary costs for all goods and services.
- F. **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.
- G. **Campus Media** – An university media with an audience in excess of two thousand (2000) students.
- H. **Candidate** – An individual seeking election to any Student Government position.
- I. **Contribution** – Any service, goods or sum of money donated to the candidate with the intent of promoting or aiding the candidate in their campaign.
- 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. **Fair Market Value** – Probable price at which a willing buyer will pay from a willing seller when both are unrelated, know the relevant facts, neither is under any compulsion to buy or sell, and all rights and benefit inherent in (or attributable to) the item may have been included in the transfer. Fair market value shall be determined by a quote and/or receipt submitted by the candidate for all campaign expenses.
- N. **Physical Assistance** – Includes but is not limited to finances, campaign materials, or personnel.
- O. **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.
- P. **Majority Vote** – Minimum of fifty percent (50%) plus one (1) of the vote/votes.

- Q. **Material Fact** – One which constitutes the relevancy of eligibility of a candidate/ticket for a particular office.
- R. **Partisan** – Publicly stating approval or disapproval of a candidate/ticket.
- S. **Preponderance of Evidence** – Means that evidence, considered as a whole, shows that the fact sought to be proved is more probable than not. This is the standard used in adjudicating all violations within the Election Commission Violation Hearing and Judicial Council Rehearing.
- T. **Professional Service** – Any service provided to a candidate/ticket by an individual or organization, which normally receives payment for this service.
- U. **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.
- V. **Semesters** – Fall, Spring, and Summer, with attendance in any or all summer terms being counted as no more than one (1) semester.
- W. **Slander** – Oral defamation; the speaking of false or malicious words concerning another, whereby injury results to a person’s reputation.
- X. **Tangible Items** – Any campaign materials that are inanimate and may be seen or touched.
- Y. **Third Parties** – Individuals or organizations other than the candidate/ticket themselves.
- Z. **Third Party Advertising** – Solicited or unsolicited support for a candidate/ticket by an organization or individual other than the candidate/ticket themselves.
- AA. **Ticket** – A Student Body Presidential candidate and Student Body Vice- Presidential candidate seeking election as running mates.
- BB. **Unauthorized by Candidate** – Anything without a candidate’s written approval.
- CC. **Week** – Any calendar week containing at least one (1) school day (Monday – Friday).

- 100.2 Willful and deliberate disregard of these Statutes and regulations shall be grounds for impeachment or removal from office.

## 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 Election 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 an Assistant Supervisor of Elections shall be appointed, from within the Commission, by the Student Body President to serve a term which ends the last week of Summer A.
- C. Commission members may not hold any other elected or appointed Student Government positions.
- D. Five (5) Election Commissioners shall be appointed each year. If a vacancy occurs, the president shall 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 last week of Summer A of every even year (e.g., 2012)

2. Commissioner Seats #6-10 shall be appointed no later than the last week of Summer A of every odd year (e.g., 2011)
3. This pattern shall continue perpetually.

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 a Student Government sponsored website 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 submit a memorandum to the Elections and Appointments Committee at the end of each non-election semester summarizing the Election Commission's work.
- E. Shall maintain a record containing all pertinent information related to violations of the Election Statutes. This record 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.
- F. 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 Elections' absence, an Assistant Supervisor of Elections shall be designated to make an oral report before the Student Senate
  2. Failure to appear by the Supervisor of Elections or either of the Assistant Supervisor of Elections 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 two-thirds (2/3) vote of the Student Senate.
  3. Failure to appear by the Supervisor of Elections or either of the Assistant Supervisor of Elections at the Senate meeting following an election will result in the automatic dismissal of the Supervisor of Elections, unless overturned by a two-thirds (2/3) vote of the Student Senate.
- G. Shall be responsible for submitting a memorandum to the Student Body President and the Elections & Appointments Committee Chair, if Election Commission members are not completing the duties assigned in Chapter 601.
- H. Present to all Election Commissioners a summary of all statutorily required duties and responsibilities. All confirmed Election Commissioners must receive this report upon being sworn into office.
- I. Shall conduct and chair regular meetings with the Election Commission to discuss the Election Statutes, procedures, and other pertinent business as needed.
- J. 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.
- K. 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.

- L. Shall schedule, lead, and verify that all Election Commissioners attend an Election Commission Orientation within ten (10) academic days of the start of Fall semester or of them being sworn in as an Election Commissioner, whichever comes first.
- M. Shall attend one (1) Elections and Appointments committee meeting within the first two (2) weeks of the fall, spring, and summer semesters.
- N. Shall attend all Elections & Appointments committee meetings during the election period.
- O. Shall attend two (2) additional Elections & Appointments committee meetings immediately following the completion of the election period.
- P. Shall attend Elections & Appointments committee meetings upon the request of the Election & Appointments Committee Chair.
  1. The Elections & Appointments Committee Chair must provide a minimum of one (1) weeks' notice to the Supervisor of Elections prior to the requested committee meeting attendance.

#### 601.3 Duties of the Assistant Supervisor of Elections

- A. Take accurate minutes of business conducted in all Election Commission meetings.
- B. Assume the Duties of the Supervisor of Elections in the absence of, or upon request of the Supervisor of Elections.
- C. Work with the appropriate Executive Branch designee for website coordination to update and maintain a link through the SG 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 Election Commission and shall remain available until 5:00 PM on the day following the election period. All information posted on the website must first be approved by an Election Commissioner.
- D. If the Supervisor of Elections is dismissed by the Student Senate, the appellate process, or resigns voluntarily during an election period, the Assistant Supervisor of Elections shall assume the responsibilities of the Supervisor of Elections which will be determined by the Student Body President, and a new Assistant Supervisor of Elections shall be appointed by the Student Body President.
- E. Complete any additional duties and responsibilities as deemed appropriate by the Supervisor of Elections.

#### 601.4 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. Shall 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. The hallway outside of the Pegasus Ballroom
  3. Memory Mall
  4. At all other University of Central Florida Campuses

- C. Shall make arrangements for voting materials for the elections. The Election Commissioners 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 active campaigning on any University of Central Florida Campus and make this report available alongside the online petition. 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 certify the date and time reported on Declaration of Candidacy forms once received.
- F. Shall work a minimum of ten (10) hours, during the week in which Declaration of Candidacy occurs and the following week. Election Commissioners shall also work a minimum of ten (10) 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, Senate President, and the Senate President Pro Tempore, upon the approval of Senate.
  - 2. All regional campus questions concerning elections shall be redirected to the main campus.
- G. Shall be responsible for checking the campus every day for any campaign materials that may constitute a violation of Student Body Statutes, the Golden Rule, or University Policies and Procedures from the day before the beginning of Active Campaigning until 5:00 P.M. the day following an election period.
- H. 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.
- I. 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.
- J. 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. The five (5) informational sessions' dates and times must be posted on the SG website and in the SG office no later than ten (10) school days prior to the first informational session. Furthermore, these dates must be announced during the Senate meeting prior to the first informational session. Additional informational sessions may be scheduled and posted on the SG website as needed.
- K. 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.
- L. Shall procure a canopy large enough to provide a protective covering for those voting at outdoor Election Commission voting locations.

- M. 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 be made available during the last week of the semester preceding the Election. Information concerning the Petition of Candidacy Forms shall include the date, time, place of voting, offices to be elected, and when the Declaration of Candidacy ends.
- N. Shall organize, publicize, and take all responsibilities of establishing a Candidate Forum (open to all students). Additionally, the Supervisor shall determine where the forum will be held and hold the Candidate Forum by the end of class hours, as determined by the University Registrar, by the Thursday prior to the voting period.
- O. 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.
- P. 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.
- Q. Shall not specify rules or procedures in addition to the Election Statutes, unless the Senate has approved them in Resolution form.
- R. Shall be responsible for advertising the Election in the campus media three (3) weeks before the end of the previous semester.
- S. Shall submit a letter of resignation to the Student Body President and the Supervisor of Elections, in case of voluntary resignation.
- T. Shall attend the regular meetings chaired by the Supervisor of Elections. Two un-expunged absences shall result in automatic dismissal from the Election Commission.
- U. Shall attend one (1) Election & Appointments committee meeting during the fall and spring semesters.
- V. Shall attend Elections & Appointments committee meetings during the election period upon the request of the Elections & Appointments Chair.
  - 1. The Elections & Appointments Chair must provide a minimum of one (1) week notice to the Election Commissioner prior to the requested meeting.

#### 601.5 Duties of the Student Government Advisor

- A. Shall check the qualifications of all candidates and shall post the names of those qualified to hold office, on a Student Government sponsored website, 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.

#### 601.6 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 Election Commissioner found in violation.

- a. If this notice is submitted during the election period, the Election Commissioner in violation has 48 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 Election Commission by 2/3 vote.
- D. 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.

## 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 Senate Candidates
- A. A candidate may only declare candidacy for one (1) elected office during each election period.
  - B. Candidates must submit a Candidate Application Packet
    1. Candidate Application Packets will become available online and in person in the SG office by 9:00 a.m. on the first (1<sup>st</sup>) school day of the first week of the spring semester and will be due by 5:00 p.m. on the last school day of the stated Declaration of Candidacy period to the Supervisor of Elections and Student Government Advisor.
  - C. Declaration of Candidacy for spring elections shall be during the fourth (4<sup>th</sup>) academic week prior to the election and shall take place between 9:00 a.m. and 5:00 p.m. Monday through Friday.
  - D. To be placed on the ballot, and be eligible for active campaigning, candidates must complete the following by closing of the Declaration of Candidacy:
  - E. The Candidate Application Packet, as mentioned above, which shall include:
    1. Personal information to verify the candidate's eligibility.
    2. Student Record Waiver and an Acknowledgment of Privacy Rights.
    3. Eligibility Requirements and Senator Expectations.
    4. Candidate Information Meeting dates and times.
    5. A Campaigning Overview.
    6. A written statement expressing the candidate's intent to run.
    7. An optional platform outlining the candidate's goals and ambitions for the Senate Session.
    8. Petition signatures, as outlined above.
    9. Any other information deemed pertinent by the Supervisor of Elections.
    10. Attend one (1) informational session led by the Election Commission outlining the following:
    11. Senatorial expectations and responsibilities.
    12. Election rules and best practices for campaigning. Any other information deemed necessary by the Election Commission.

13. If a candidate is unable to attend a session, the candidate must make an appointment and meet individually with an Election Commissioner before the Thursday prior to the beginning of active campaigning.
- F. The Senate Graduate Assistant shall assign candidates to their respective college upon verification of the completion of the above tasks.
- G. The Senate Graduate Assistant shall immediately post the name and respective college of the approved candidate on the SG website.
- H. Active Campaigning shall begin no earlier than 9:00 am on the first school day of the fifth week of the spring semester.
- I. The candidates who receive the highest number of votes from their constituents will fill the seats for their college.
  1. In the event that the number of candidates running for a college (including write-ins) is less-than or equal-to the total number of available seats for that college, all eligible candidates who receive at least one (1) vote will be assigned a senate seat.
  2. In the event of a tie-vote for the last available seat in a college, a runoff between the tied candidates will occur according to the approved statutory procedures.
  3. At the completion of the Election Times defined in statutes and the finalization of the Ballot Tabulation for all seats in a college, the Senate Graduate Assistant shall assign seats to the winning candidates alphabetically by last name. The winner of any runoff election will be assigned to the final seat of their college after the tabulation of runoff election votes.
- J. Any candidate whose name is on the ballot will not be allowed to be voted on as a write-in.
- K. Only one vote per candidate (including write-ins) will be counted per ballot.

### 603.3 Presidential Candidates

- A. A Presidential ticket must file a Petition form with the signatures of one hundred (100) students currently enrolled at the University of Central Florida.
  1. To be considered valid, a signature shall consist of: The typed name and the last eight (8) digits of the student's UCF ISO number.
  2. It shall be the duty of the Election Commission to verify that all submitted UCF ISO numbers correspond appropriately with the listed name on the candidate's petition.
  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 first school 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 first school day following the end of Declaration of Candidacy shall be considered invalid.
- B. Petitions may be obtained from the Student Government Senate Graduate Assistant no earlier than 9:00 a.m. on the first (1st) school day 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 fourth (4<sup>th</sup>) academic week prior to the election and shall take place between 9:00 a.m. and 5:00 p.m. Monday through Friday.
- D. The Student Government Senate Graduate Assistant shall sign and verify the date the form was received. The candidate/ticket shall complete, sign and date this form.



- E. The Student Government Senate Graduate Assistant shall immediately post the Declaration on a Student Government sponsored website.
- 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 Election 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 official 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 and Statues.

### 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 tangible 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.

- E. Only items that are for the sole purpose of education may be distributed during Active Campaigning. Such items include but are not limited to: brochures, pamphlets, stickers, and palm cards. A final proof of each such item must be approved by the Election Commission prior to distribution.
- F. At no point can a candidate, group of candidates, ticket, or third party (with the exception of the Election Commission) provide food, drinks, or prizes to voters. Such items shall be considered bribes. This rule applies both on and off university-controlled property.

Apparel may be distributed during the period of Active Campaigning prior to the start of the statutorily defined Election Times. Final proofs of such items must be approved by the Election Commission prior to their distribution.

#### 604.3 Election Times

- A. Elections shall be held the week before spring break, or the 10<sup>th</sup> week of the semester, whichever comes first.
- 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. In the event of a tie in an election, a runoff election will occur, the academic week following the posting of the Election Results, among the candidates/tickets receiving the most votes.
  - 1. In the event of a tie at the conclusion of a presidential runoff election, the Senate shall, at their next regularly scheduled session, elect one of the tied tickets as President and Vice-President. The Senate may only elect a President and Vice President from the same ticket.
  - 2. In the event of a tie at the conclusion of senatorial runoff election, the senate shall, at their next regularly scheduled session, elect one of the tied candidates to their respective seat.

#### 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) Presidential ticket during the spring election, as well as the representative(s) of their College or School as apportioned.
- B. Any student with multiple majors shall only be eligible to vote under their primary major.
- C. On all ballots shall be detailed instructions for voting created by the Election Commission.
- D. 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.
- E. 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 SG polling stations as well as individual laptops and candidate stations established during the election.
- F. 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/ticket may establish a voting station by computer or otherwise in any establishment licensed to dispense alcoholic beverages which is primarily devoted to the purpose of consumption on the premises.

#### 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.
  1. Any individual who wishes to be a write-in candidate must file a write-in Declaration Form with the Senate Graduate Assistant 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 may be present at the tabulation of results.
- C. Each candidate/ticket, after the official ballot counting, may call for a recount of votes, at which time they may be present.
- D. 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 necessitates a delay in the normal election period, the Student Body President may, upon consultation with the Supervisor of Elections, suspend or delay an election period and must reschedule it within ten (10) academic days following the resumption of normal campus operations, 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 a Student Government sponsored website.

- B. The Student Body President may, upon consultation with the Supervisor of Elections, suspend or delay an election and reschedule it within ten (10) academic 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 three (3) school weeks prior to the elections and will be properly advertised and posted on a Student Government sponsored website.

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.
- G. 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 Campaign Expense and Physical Assistance Reporting**

- 605.1 In all Presidential Student Government elections, weekly individual campaign expense statements and physical assistance statements shall be accompanied by a sample (or images) of all campaign materials.
- 605.2 Expense Statements shall include fair market value of purchased, the quantity of the item bought and pictures of the item, and document any gifts or discounts received.
- 605.3 Expense statements and physical assistance statements shall be submitted weekly to the Supervisor of Elections via email or approved Student Government website no later than 11:59 p.m. each Sunday of the campaign period.
- 605.4 In the event of a runoff election, the expense statements and physical assistance statements shall be submitted no later than 11:59 p.m. on the Sunday before the runoff election voting.
- 605.5 The total value of all reported materials and expenditures included in the final expense statement may not exceed \$2,500.00 for Presidential Elections. In the event of a runoff election, the presidential ticket shall get an extra \$450.00 added to their cap.
- 605.6 Physical Assistance Statements shall disclose all donations. Individuals are not required to be listed out by name and UCF Registered Student Organizations (RSO's) are not required to be listed by name, however, organizations not associated with the University of Central Florida must be listed by name.
- 605.7 No physical assistance shall be accepted directly or indirectly from any Political Action Committees, or similar organizations with political motivations, non-profit organizations including but not limited to 501(C) and 527 organizations, nor any Non-UCF students, staff, and/or faculty representing the interests of those organizations.

- 605.8 Final Expense Statements and Physical Assistance Statements shall be matched to financial records kept by the Supervisor of Elections to verify accuracy. All inquiries into the validity of any candidates Campaign Expense Statements or Physical Assistance Statements may be made to the Supervisor of Elections. Once the Supervisor of Elections has verified the accuracy of the statements, the Supervisor of Elections shall provide a signed statement which attests to the validity of the total physical assistance given and total campaign expenses, and that all physical assistance and campaign expenditures were collected in accordance with this statute.

## Chapter 606 Violations

- 606.1 Tier I violations shall be:
- A. Distributing campaign materials in the residence halls by sliding said material under the door.
  - B. Distributing tangible campaign material in the residence halls before 11:00 a.m. or after 9:00 p.m.
  - C. Campaigning on the Student Union stage during an election period.
- 606.2 Tier II violations shall be:
- A. Altering their official name provided by the University when placing such on the ballot.
  - B. Active Campaigning within: University designated computer labs, libraries, bookstores, classrooms, inside the Student Union Building including the gated patio area, inside the Recreation and Wellness Center Building, and within the fifteen (15) foot boundary surrounding the Election Tent unless for an Election Commission approved event or an approved RSO meeting.
  - C. Distributing or displaying campaign material on or in a building without first securing the written permission of said building's manager and submitting such permission to the Election Commission prior to the distribution of said material.
  - D. Failing to remove all campaign materials from the campus by 4:00 p.m. of the next school day following the general or runoff election.
  - E. Using the past and/or present SG logo on campaign items.
  - F. Failing to turn in an individual campaign expense statement for campaign materials to the Supervisor of Elections by 11:59 p.m. of each Sunday of the campaign for Presidential Candidates.
  - G. Failing to turn in a physical assistance statement for any physical assistance received to the Supervisor of Elections by 11:59 p.m. of each Sunday of the campaign for Presidential Candidates.
  - H. Distributing apparel before the commencement of Active Campaigning or after the statutorily defined Election Time begins.
- 606.3 Tier III violations shall be:
- A. Distributing any apparel or campaign material not approved by the Election Commission.
  - B. Using Student Government Property or Activity and Service Fee Funds to benefit that candidate/ticket's campaign.
  - C. Misrepresenting any campaign material as being the material of any candidate/ticket.
  - D. Devising a name which would associate themselves with another candidate that would reasonably lead the voter to conclude that the candidate is not a candidate speaking for them self but is in fact another candidate.

- E. Providing food, drinks, or prizes to influence the action of another to vote, not vote, or vote for or against a particular candidate/ticket. This rule applies both on and off university-controlled property.
- F. Failing to turn in final physical assistance statements to the Supervisor of Elections before 11:59 p.m. on the day before the elections for presidential candidates. In the event of a runoff election final expense statements shall be submitted before 11:59 on the day before the runoff election voting.
  - 1. Failing to remove all electronic media connected to a ticket at least twenty-four (24) hours before that same ticket declares candidacy in another election.

606.4 Tier IV violations shall be:

- A. Coercing or otherwise inducing another student while said student is in the process of filling out a ballot by any physical or electronic means.
- B. Knowingly providing false information before the Election Commission.
- C. Misrepresenting any material fact in campaign material or while campaigning in any form.
- D. Active campaigning before the specifically designated time for Active Campaigning.
- E. Committing slander or libel against another candidate/ticket.
- F. Committing or attempting a bribe.
- G. Committing or attempting to commit extortion or blackmail.
- H. Attempting to perpetrate a fraudulent election. This shall include but is not limited to tampering with election machinery and voting software, voting more than once, attempting to vote with another person's student identification card, or selecting candidates and submitting a ballot on a student's behalf.
- I. Threatening or acting violently against any member of a campaign ticket.
- J. Knowingly bring false or malicious charges against another candidate/ticket.
- K. Condoning or authorizing the removal, vandalism, destruction, or theft of campaign material of another candidate.
- L. Defacing or damaging poll sites or University election related material.
- M. Establishing a voting station by computer or otherwise, in an establishment licensed to sell alcoholic beverages.
- N. Exceeding the campaign expense cap of \$2,500 for Spring elections. In the event of a runoff election exceeding the campaign expense cap of \$2,950 for spring elections.
- O. Presidential Candidates failing to turn in final expense statements to the Supervisor of Elections within forty-eight hours of the established deadline of the Sunday before the Spring elections at 11:59 p.m. In the event of a runoff election final expense statements shall be turned in within 48 hours of the established deadline of the Sunday before the runoff elections voting at 11:59 p.m.
- P. Presidential Candidates failing to turn in Physical Assistance statements to the Supervisor of Elections within forty-eight hours of the established deadline of the Sunday before the spring elections at 11:59 p.m. In the event of a runoff election physical assistance statements shall be turned in within 48 hours of the established deadline of the Sunday before the runoff elections voting at 11:59 p.m.
- Q. Any Physical Assistance accepted directly or indirectly from any Political Action Committees or similar organizations with political motivations, non-profit organizations including but not limited to 501(C) and 527 organizations, nor any non-UCF affiliated person(s) associated with those organizations.

- R. Failure to comply with any sanctions within 24 hours of being set by the Election Commission.
- 606.5 Tier I sanctions could be, but are not limited to:
- A. Campaign Limitations of up to 1 day
  - B. Electronic Media Limitations of up to 1 day
- 606.6 Tier II sanctions could be, but are not limited to:
- A. Campaign Limitations of up to 3 days
  - B. Electronic Media Limitations of up to 3 days
  - C. Finance Limitations of up to \$150.00
- 606.7 Tier 3 sanctions could be, but are not limited to:
- A. Campaign Limitations of up to 5 days
  - B. Electronic Media Limitations of up to 5 days
  - C. Finance Limitations of up to \$350.00
- 606.8 Tier IV sanctions could be, but are not limited to:
- A. Campaign Limitations of up to 10 days
  - B. Electronic Media Limitations of up to 10 days
  - C. Finance Limitations of up to \$700.00
  - D. Disqualification
- 606.9 If a candidate is found in violation of multiple tiers, the punishment will be the sum of the sanctions of each tier violated.
- 606.10 Ignorance of these tiers and corresponding consequences shall not be an acceptable defense in response to any offense in any election, either by the candidate themselves or by individuals campaigning on behalf of a candidate.
- 606.11 To prevent recidivism, or repeat offenses, a second violation of the same tier will be punished subsequent to the following tier.
- 606.12 All candidates/tickets must be aware that they are liable for actions in violation of any provisions of the Golden Rule, Student Body Constitution, or Student Body Statutes by an induced or condoned person because of authorization, assistance, or advisement from said candidate/ticket.
- 606.13 Any student, faculty, or staff member at the University of Central Florida may file a violation against any candidate/ticket during an election period.
- 606.14 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.

- 606.15 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.
- 606.16 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.
- 606.17 The filer of the violation affidavit shall submit said affidavit to the Senate Graduate Assistant. The Senate Graduate Assistant shall timestamp the affidavit and forward all materials to the Supervisor of Elections.
- 606.18 Should a filer wish to withdraw the affidavit, the filer may do so at any time prior to the Election Commission Violation Hearing. The filer must request to withdraw the affidavit in writing to the Supervisor of Elections. The letter must be typewritten and signed in ink. The individual may not file a new affidavit regarding the same possible violation following the withdrawal of the initial affidavit. Upon receipt of the written request to withdraw the affidavit, the Supervisor shall inform the accused candidate/ticket within one (1) business day and immediately cancel or adjourn any scheduled election violation hearing(s) related to the withdrawn affidavit.
- 606.19 The Supervisor of Elections shall schedule a violation hearing, to be held within five (5) school days but no earlier than three (3) 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 accused 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.
- The Supervisor of Elections shall contact the Student Government Advisor to notify said advisor of the date and time of the violation hearing.
- 606.20 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 one (1) school day 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 Election 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.

606.21 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, the filer of the affidavit, and adverse witnesses and to review all evidence prior to the violation hearing.
- C. To have the assistance of a Judicial Advisor, or in the absence of a Judicial Advisor the Attorney General, 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 and the filer of the affidavit. 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 Judicial Advisor or Attorney General at any time.
- J. To appeal the ruling of the Election Commission to the Judicial Council as outlined in Title VI.

606.22 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 Election Commission shall investigate the request and, upon finding merit, shall deem that particular Election Commissioner recused from the hearing, by a majority vote.

606.23 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 accused candidate/ticket may question the witness. The witness is required to answer all questions except those that may incriminate the witness in another violation.
  - 3. After the accused candidate/ticket is finished questioning, the Election Commission may question the witness. The witness may refrain from answering any question.
  - 4. This procedure will continue until all witnesses submitted by the filer have been questioned.
  - 5. 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.
  - 6. 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 is required to answer all questions except those that may incriminate the witness in another violation.
  - 3. After the accused candidate/ticket is finished questioning, the Election Commission may question the witness. The witness may refrain from answering any questions.
  - 4. This procedure will continue until all witnesses submitted by the accused candidate/ticket have been questioned.
  - 5. The accused candidate/ticket may then present tangible evidence during the violation hearing.
  - 6. 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.

- 606.25 Quorum for a violation hearing shall be set at fifty percent (50%) plus one (1) of the current membership 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.
- 606.26 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.
- 606.27 During deliberation, the Election Commission shall determine, by majority vote, whether the accused candidate/ticket violated the rules and regulations of the election.
- A. The standard that must be met to determine if an accused candidate/ticket is in violation shall be by “preponderance of evidence.”
  - B. 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.
  - C. If the Election Commission determines that a violation of election rules and regulations has occurred, it will then determine the appropriate sanction.
- 606.28 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. If a candidate/ticket is found in violation of the rules and regulations for either more than three (3) Tier I violations, more than two (2) Tier II violations, more than one (1) Tier III violations or more than zero (0) Tier IV violations during an election, the Election Commission may, by a two-thirds vote, determine whether the sanction shall be to disqualify the candidate/ticket from the election.
  - B. Should the Election Commission vote not to disqualify the candidate/ticket from the election, the Election Commission shall determine an appropriate alternative sanction by majority vote. Upon the determination of an appropriate sanction by majority vote of the election commission, the Supervisor of Elections shall issue a statement on the committee’s decision and will keep record of the candidate/ticket’s sanction.
  - C. Should the Election Commission vote to disqualify the candidate/ticket from the election, the candidate/ticket shall be considered disqualified from the election.
  - D. Should the Election Commission determine, by a 2/3 vote, that a minor violation resulted in a severe advantage or disadvantage to a candidate/ticket, the Election Commission, by a 2/3 vote, shall determine whether the sanction shall be to disqualify the candidate/ticket from the election.
- 606.29 The Election Commission shall notify all parties involved, in writing, one (1) school day following the conclusion of the violation hearing.
- 606.30 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 607 Contest**

- 607.1 Any contest of a campaign or an election by a candidate/ticket shall be submitted in the form of a typed letter and signed. This letter of contest shall be delivered to the Senate Graduate Assistant or Senate Advisor, as well as a copy to the Chief Justice and the

Supervisor of Elections, no later than 5:00 p.m. one academic week following public posting of each election's results.

- 607.2 The Election Commission shall review all contests and formulate a decision within one (1) academic 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.
- 607.3 Notification of the Election Commission decision shall be presented to the candidate/ticket forty-eight (48) hours after the decision is made.

## **Chapter 608 Appeals**

- 608.1 Judicial Authority:
- A. The Election Commission shall have full authority over all election violation hearings. The Judicial Council shall have authority to hear appeals.
  - B. The Judicial Branch's authority shall be limited to rehearing a violation hearing.
- 608.2 Filing and Posting an Appeal
- A. An appeal shall only be filed with the Judicial Council by the candidate/ticket found guilty of an election violation by the Election Commission.
  - B. The appeal must be submitted in memorandum form.
  - C. All appeals must be submitted by 5:00 p.m., two (2) school days following the violation hearing.
  - D. The memorandum must state the parties involved (i.e., Election Commission vs. Candidate/ticket), the Statute describing the alleged violation, and the alleged election violation. It must be time-stamped by the Senate Graduate Assistant upon submission and then delivered to the Chief Justice.
  - E. All involved parties must submit all evidence and a list of witnesses, who shall only testify in regard to the alleged election violation, at least forty-eight (48) hours prior to the start of the Appeal Hearing.
  - F. The Chief Justice shall make all materials available to all Justices, the appealing party, and the Supervisor of Elections.

If a candidate/ticket has appealed a disqualification, the disqualification will not go into effect until the result of the appeal has been decided by the Judicial Council.

- 608.3 The procedure for the appeal shall be dictated based on the Judicial Council's Internal Rules.
- 608.4 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 the initial violation hearing.
- 608.5 Judicial Council Rehearing:
- A. The Judicial Council shall start the entire violation hearing from the beginning, which must happen within seven (7) school days.
  - B. 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 of the violation affidavit 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.
- C. 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.
  - D. The decision of the Judicial Council is final.

### Chapter 609 Recall

- 609.1 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.
- 609.2 The petition shall be allowed up to twenty (20) days to be circulated.
- 609.3 After completion, the petition shall be filed with the Senate Graduate Assistant 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.
  - C. 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 officeholder named in the verified petition of recall.
- 609.4 The person designated in the petition may file their typed, signed resignation, 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.
- 609.5 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.

- 609.6 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 ...”
- 609.7 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 610 Referendum Election**

- 610.1 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 Graduate Assistant 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.
- 610.2 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 Election.
- 610.3 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 election.

610.4 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.

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 611 Swearing In**

611.1 No student shall be sworn in whose election is being contested in the Election Commission and/or Judicial Council.

### **Chapter 612 Forms**

612.1 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 613 Senate Session**

613.1 The final Senate meeting of a Senate session shall be the Senate meeting one academic week following the completion of the scheduled Senate runoff election period.

### **Chapter 614 Revising the Election Statutes**

614.1 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 (05/06/1970) BILL 12-66 (10/10/1980) BILL 16-76 (08/03/1984) BILL 03-02 (10/02/1970)  
 BILL 13-58 (09/03/1981) BILL 18-01 (02/06/1986) BILL 06-40 (03/13/1974) BILL 13-66 (09/21/1981)  
 BILL 18-17 (02/13/1986) BILL 08-72 (10/22/1976) BILL 14-22 (03/03/1982) BILL 18-49 (07/24/1986)  
 BILL 09-34 (06/28/1977) BILL 14-23 (03/03/1982) BILL 19-16 (01/15/1987) BILL 10-19 (04/04/1978)  
 BILL 14-40 (07/20/1982) BILL 19-32 (02/12/1987) BILL 10-58 (08/28/1978) BILL 14-43 (07/07/1982)  
 BILL 19-37 (03/26/1987) BILL 11-20 (03/19/1979) BILL 15-08 (01/27/1983) BILL 19-47 (05/17/1987)  
 BILL 11-35 (02/16/1979) BILL 15-50 (04/19/1983) BILL 19-67 (07/26/1987) BILL 11-57 (03/15/1979)  
 BILL 16-34 (01/20/1984) BILL 20-21 (02/02/1988) BILL 12-39 (04/02/1980) BILL 16-35 (02/13/1984)  
 BILL 20-42 (03/08/1988) BILL 20-72 (06/29/1988) BILL 21-20 (01/10/1989) BILL 21-26 (01/10/1989)  
 BILL 21-29 (01/17/1989) BILL 21-30 (01/17/1989) BILL 22-08 (11/28/1989) BILL 22-13 (12/05/1989)  
 BILL 21-18 (01/09/1990) BILL 23-14 (01/24/1991) BILL 23-49 (06/09/1991) BILL 23-50 (06/09/1991)  
 BILL 23-70 (08/25/1991) BILL 24-16 (12/01/1991) BILL 24-17 (12/01/1991) BILL 25-06 (10/22/1992)  
 BILL 25-46 (05/31/1993) BILL 26-03 (11/18/1993) BILL 26-34 (03/24/1994) BILL 26-58 (06/12/1994)  
 BILL 26-59 (06/12/1994) BILL 26-68 (07/31/1994) BILL 26-68 (07/31/1994) BILL 27-23 (12/08/1994)

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