

-Rules of Procedure-

Elections Rules Commission



UNIVERSITY OF SOUTH FLORIDA
STUDENT GOVERNMENT

1. Elections Rules Commission

1.1. Authority and Jurisdiction

- 1.1.1. The Rules of Procedure, herein after referred to as ROPs, of the Elections Rules Commission, herein after referred to as the ERC, shall not conflict with the Student Government Constitution.
- 1.1.2. The Rules of Procedure of the Elections Rules Commission shall not conflict with the Student Government Statutes. It may, however, further define any section of statutes that deals with the operation of the Elections Rules Commission.
- 1.1.3. The Authority of this document shall be vested within the governing documents of Student Government and with the consent of (a) the Senate Committee on Rules and (b) the Senate Committee on Judiciary and Ethics.
- 1.1.4. This document shall revert to Chapter 700 of SG Statutes for all definitions and terms.

1.2. Role of the ERC

- 1.2.1. The ERC is an unbiased official entity of Student Government created to oversee the execution and logistics of all Student Government elections. This commission is comprised of a Supervisor of Elections, an Associate Supervisor of Elections, two (2) Deputy Supervisors of Elections, and Assistant Deputies.
 - 1.2.1.1. Only the Supervisor of Elections, the Associate Supervisor of Elections, and the Deputy Supervisors of Elections are eligible for remuneration.

1.2.2. Role of the Supervisor of Elections

- 1.2.2.1. Manage and oversee the daily operations of the Election Rules Commission.
- 1.2.2.2. Ensure all Election Rules Commission positions are filled throughout the election.
- 1.2.2.3. Inform candidates of the election rules and regulations through a Candidates Meeting.
- 1.2.2.4. Certify candidates and approve their signed paperwork.
- 1.2.2.5. Distribute all necessary information to candidates in the election.
- 1.2.2.6. Set deadlines for candidates not outlined in the governing documents.
- 1.2.2.7. Inform candidates of any violations they may have been assessed.
- 1.2.2.8. Vote on any issue in the event of a tie during an Election Rules Commission meeting.
- 1.2.2.9. Announce locations and operating hours of all official polling stations at least five (5) business days in advance of any election.
- 1.2.2.10. Announce the cancellation of an election due to the university closing or problems with the voting system.

- 1.2.2.11. Announce the results of the General Election and Run-Off Election.
- 1.2.2.12. Certify the results of the election.
- 1.2.2.13. Sit on a Senate created Ad-Hoc Committee, following the General Election, to suggest ways to improve the election process.
- 1.2.2.14. Attend all Election Rules Commission sponsored events including the Election Rules Commission debates and the annual Presidential Inauguration Ceremony.

1.2.3. Role of Associate Supervisor of Elections

- 1.2.3.1. Assist the Supervisor of Elections in managing and coordinating the day-to-day activities of the ERC.
- 1.2.3.2. Assist the Supervisor of Elections in any manner possible that would ensure the proper execution of the role of the ERC.
- 1.2.3.3. Ensure candidates comply with the governing documents.
- 1.2.3.4. Accept grievances filed by students against Candidates.
- 1.2.3.5. Vote on the assessment of violations to a candidate.
- 1.2.3.6. Testify in cases brought to the Supreme Court.
- 1.2.3.7. Temporarily assume any Election Rules Commission position in the event that the person cannot fulfill their duties.
- 1.2.3.8. Act on behalf of the Supervisor of Elections when the Supervisor is not present.
- 1.2.3.9. The Associate Supervisor of Elections restrictions:
 - 1.2.3.9.1. May not certify elections.
 - 1.2.3.9.2. May not hire any person to the ERC.
 - 1.2.3.9.3. May not fire any person from the ERC.
 - 1.2.3.9.4. May not set deadlines for candidates not outlined in governing documents

1.2.4. Role of Deputy Supervisors of Elections

- 1.2.4.1. Ensure candidates comply with the governing documents
- 1.2.4.2. Accept grievances filed against candidates
- 1.2.4.3. Vote on the assessment of violations to a candidate
- 1.2.4.4. Testify in cases brought to the Supreme Court

1.2.5. Role of Assistant Deputies

- 1.2.5.1. Ensure candidates comply with the governing documents
- 1.2.5.2. Accept grievances filed against candidates
- 1.2.5.3. Assist ERC officers in any manner possible that would ensure the proper execution of the role of the ERC.

2. Candidacy Procedures

- 2.1. To apply for candidacy, candidates must submit the following required forms in order to be put on the ballot:
 - 2.1.1. The official application packet
 - 2.1.2. Declaration of Intent
 - 2.1.3. Buckley Waiver
- 2.2. Applicants will be required to attend at least one (1) Candidate Meeting. A schedule of the meeting dates and times will be made available by the Elections Rules Commission in the elections packet.
- 2.3. Applicants shall not appear on the ballot unless all required paperwork has been received by the Elections Rules Commission and they have been certified to meet all candidacy requirements.
- 2.4. All aforementioned documents must be submitted to the ERC by the specified deadline as outlined by the ERC.
- 2.5. Candidates may request changes to submitted documents by submitting a Change Request Form to the Elections Rules Commission.
- 2.6. Candidates may withdraw from the election by submitting a Withdrawal form to the Elections Rules Commission, at no penalty to them. Candidates that withdraw from the election may not reapply after the application period has ended.
- 2.7. Any additional candidacy procedures are outlined in Title VII.

3. Campaigning

- 3.1. Official Campaigning shall begin two (2) weeks prior to voting and will end on the final day of voting.
 - 3.1.1. Students may not actively or passively campaign prior to the onset of Official Campaigning; however, they may solicit the assistance of campaign staff and organizers.
- 3.2. The Elections Rules Commission shall make public a list of all Official Polling locations at least 48 hours prior to the onset of Official Campaigning.
- 3.3. Students may not actively or passively campaign within 50 yards (150 feet) in any direction of an Official Polling location
- 3.4. Use of Student Government property (i.e. Computers, golf carts, office equipment, office supplies, etc.) is prohibited.

- 3.5. Campaigning within the confines of the Student Government Suite, Agency, or Bureau is prohibited.
- 3.6. Use of figureheads such as Judy Genshaft, Rocky the Bull, NCAA Division I athletes or any other entity paid/unpaid or trademarked by the University are prohibited.
- 3.7. All signage requests shall be directed to the Center for Student Involvement (CSI). The rules and regulations adopted by CSI, Physical Plant, and any other University entity shall govern all campaign signage.
- 3.8. Campaign chalking is prohibited within 10 yards (30 feet) in any direction of an Official Polling location. Campaign chalking shall also be limited or prohibited in certain areas in accordance with University Policies and the specific policies of individual colleges and buildings.
- 3.9. Any campaign materials such as t-shirts, a-frame signs, flyers, etc. must have the www.sg.usf.edu/vote website link printed on them.
 - 3.9.1. Promotional material exceptions will be left to the discretion of the ERC.

4. Campaign Budget Statements

- 4.1. Each candidate shall submit an initial Campaign Budget Statement prior to the onset of campaigning. This statement shall include all campaign contributions and any encumbered expenditures with all receipts attached.
- 4.2. Candidates shall be required to submit amended expense forms to the Election Rules Commission when making purchases during the weeks of campaigning, amending their campaign budgets, or upon receiving additional campaign contributions within two (2) business days of the purchase, amendments, or contribution.
- 4.3. The Elections Rules Commission shall provide the appropriate individual(s) with a copy of the initial budget statements and any amendments thereafter, to be posted to the SG website, within five (5) business days of their submission.

5. Violation Assessment

- 5.1. Violations shall be assessed in congruence with Title VII of SG Statutes and ERC Rules of Procedure. The jurisdiction of the Elections Rules Commission, for the purpose of issuing violations in elections, shall not exceed the violation of the SG constitution, SG statutes, and ERC ROP's. Violations of municipal, state, and federal law shall be determined by the judiciary of the respective government.
- 5.2. The Elections Rules Commission may assess violations in accordance with statutes and ERC ROP's. The accumulation of a total of one (1) major violation or three (3) minor violations will result in the disqualification of the candidate.

- 5.3. Any student, staff, or faculty may submit a grievance outlining any violations regarding Title VII and these ROP's.
- 5.3.1. Persons filing grievances against a Candidate must submit all supporting evidence with the grievance and once a grievance is filed no new evidence may be added. Grievances filed without any evidence will be dismissed without consideration or review.
 - 5.3.2. Violations may be assessed for technical and procedural violations of Title VII and ROP's only by the Elections Rules Commission.
- 5.4. If the Elections Rules Commission accepts a grievance filed by a student, staff or faculty, the Elections Rules Commission will notify the Candidate of their potential violation within a timely manner.
- 5.4.1. The notification shall include a copy of the grievance filed including all supporting evidence.
 - 5.4.2. After the notification is sent to the candidate in question, the candidate will have, at minimum, twenty four, 24, hours to prepare a written or oral statement refuting the alleged charges with any applicable evidence. The Supervisor of Elections may schedule the grievance meeting any time after the 24 hours to hear arguments.
 - 5.4.3. The person who filed the grievance will be given five (5) minutes to present their statement to the Elections Rules Commission.
 - 5.4.4. Candidates or a member of the Campaign ticket will be given 5 minutes to present their statement to the Elections Rules Commission.
 - 5.4.5. Failure to refute any alleged charges will not impede the Elections Rules Commission from assessing the violation(s).
 - 5.4.6. The Elections Rules Commission will discuss the statements from both parties, review evidence, and vote on whether or not to assess a major/minor violation to the Candidate.
 - 5.4.7. An official decision on violation assessment by the Elections Rules Commission shall be made public no later than two (2) business days from the adjournment of the meeting.
- 5.5. In the event that the Elections Rules Commission suspects a violation may have occurred they shall follow the investigation procedure as follows:
- 5.5.1. The candidate or campaign ticket who is believed to have committed a violation shall be notified in a timely manner.

- 5.5.2. The Elections Rules Commission will meet to discuss the evidence and hear testimony in regards to the issue.
- 5.5.2.1. Those called forth to testify before the Commission will be notified via email at least twenty-four (24) hours prior to the investigation meeting.
 - 5.5.2.2. Should the individual be unable to attend the meeting, a written statement of their testimony may be submitted to the Commission.
 - 5.5.2.3. Should the individual in question fail to respond in any way the Commission will carry on with their investigation.
- 5.5.3. The Commission will then discuss its findings and deliberate on the outcome of the investigation and whether or not a major/minor violation shall be assessed.
- 5.5.4. The outcome of the investigation shall be made public no later than two (2) business days after a decision has been reached by the Commission.
- 5.6. No grievances may be filed with the Elections Rules Commission after the official certification of the results of this election and/or the run-off election.
- 5.7. The following shall outline the major and minor violations applicable in this election. The Elections Rules Commission reserves the right to amend the classification of an offense when warranted.

5.7.1. Major violations include:

- 5.7.1.1. Any threat or act of violence against any member of a campaign ticket
- 5.7.1.2. Any attempt to commit extortion or blackmail
- 5.7.1.3. Slander or libel against another candidate or campaign
- 5.7.1.4. Knowingly providing false information to SGATO, the Elections Rules Commission, or Supreme Court
- 5.7.1.5. Withholding any financial records or changes to the campaign budget
- 5.7.1.6. Any attempt to commit a bribe
- 5.7.1.7. Destruction or theft of another campaign's materials (including posted signs, chalking, etc.)
- 5.7.1.8. Attempting to cast more than one vote or tamper with voting software
- 5.7.1.9. Attempting to set up/utilize mobile polling stations
- 5.7.1.10. Any violations that are not specifically outlined can be left up to the Elections Rules Commission to be considered a major violation.
- 5.7.1.11. Taking advantage of the official capacity of their position (if an employee of the University) for their own personal campaign or campaign ticket.

5.7.2. Minor violations include:

- 5.7.2.1. Using A&S funded materials to further their campaign (with the exception of anything printed in SG computer labs)
- 5.7.2.2. Condoning or authorizing the destruction of another campaign's materials

- 5.7.2.3. Sliding material under doors of residence halls
- 5.7.2.4. Posting signs in unauthorized locations (Marshall Center may impose fines/disciplinary measures of their own)
- 5.7.2.5. Chalking in unauthorized locations (Marshall Center may impose fines/disciplinary measures of their own.
- 5.7.2.6. Chalking within 10 yards of an official polling location during election days
- 5.7.2.7. Active Campaigning within 50 yards (150 feet) of an official polling location
- 5.7.2.8. Active or Passive campaigning in any Student Government Agency or Bureau
- 5.7.2.9. Early Campaigning
- 5.7.2.10. Using a celebrity or University figure on campaign materials, (such as Rocky or President Genshaft, or any NCAA Division I athlete).
- 5.7.2.11. Using Student Government resources (golf carts, copier, etc.)
- 5.7.2.12. Any violations that aren't specifically outlined can be left up to the Elections Rules Commission to be considered a minor violation.
- 5.7.2.13. Any minor violation may be promoted to a major violation if the Elections Rules Commission feels the situation warrants it.
- 5.7.2.14. Placing campaign materials on vehicles parked on-campus

6. Elections Rules Commission Meeting Procedures

- 6.1. The Supervisor of Elections shall determine the time, day, place, of Elections Rules Commission meetings and provide an agenda at least 24 hours in advance of meetings.
- 6.2. In order for any official decision to be rendered, quorum shall be 50% +1 of voting members.
- 6.3. Voting rights shall be exclusive to the paid employees of the Elections Rules Commission
- 6.4. Speaking rights shall be exclusive to members of the Elections Rules Commission.
 - 6.4.1. A guest speaker may address the Election Rules Commission during their appointed times as set in the agenda.
 - 6.4.2. A non-member of the Elections Rules Commission may address the Commission beyond such times by permission of the Supervisor of Elections.
- 6.5. Meetings shall be conducted in the accordance with Robert's Rules of Order at the chair's discretion.

7. Midterm Election Timeline

- 7.1. The Midterm Election shall be held beginning Tuesday, October 8th at 8am, continuously, until its close on Wednesday, October 9th at 8pm.

- 7.2. If a Run-off Election is necessary it shall be held beginning Tuesday, October 15th at 8am, continuously, until its close on Wednesday, October 16th at 8pm.

8. Referendum Procedures

- 8.1. Any student has the right to call for a University-Wide initiative/referendum election provided that a petition signed by at least 20% of the number of students that voted in the most recent general election is submitted as outlined by statutes.
- 8.2. Before a Student Body referendum is accepted by the ERC, a student sponsor must sign an Official Declaration of Intent to sponsor a Student Body Referendum.

9. Amendments

- 9.1. Amendments to this document may be presented by the Elections Rules Commission and shall require the joint approval of the Senate Committee on Rules and the Senate Committee on Judiciary and Ethics.
- 9.2. Unless these ROPs are amended or new ROPs are submitted these ROPs shall remain in effect.