



2016-2017 Elections Code

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CHAPTER 1 - ELECTIONS COMMISSION & ELECTIONS CODE

1-1.

ELECTIONS COMMISSIONER AND DEPUTY ELECTIONS COMMISSIONER

1-1.01

The Elections Commissioner and the Deputy Elections Commissioner shall be appointed by the ASUA President-elect following the general election and shall be approved by the ASUA Senate pursuant to the ASUA Constitution and Bylaws. The Commissioner shall appoint their Commission staff.

1-1.02

The Elections Commissioner and Deputy Elections Commissioner shall be required to post and be present during their office hours to answer any questions and perform any duties necessary to fulfill their job requirements.

1-1.03

The Elections Commissioner and the Deputy Elections Commissioner, as well as the Elections Commission, shall not be affiliated, endorse, and/or oppose any candidate.

1-1.04

Any candidate may request an advisory opinion from the Elections Commissioner on any provision of the Elections Code. This opinion must be in writing and issued within twenty-four (24) hours of the candidate's request. The opinion is binding on the Commission and the Candidates, but not on the ASUA Supreme Court.

1-1.05

The Elections Commissioner shall oversee elections for all ASUA elected offices and any Special Elections that may be held during the year.

1-1.06

The Elections Commissioner shall issue final interpretation of this Code unless the decision is appealed pursuant to this Code.

1-1.07

The Elections Commissioner may delegate any authority to their Commission staff.

1-1.08

The Elections Commissioner shall have the discretion as to levy a violation and subsequent penalties including but not limited to: warnings, loss of campaign rights, and/or disqualification.

1-1.09

Approved by Senate 10/12/16

The Elections Commissioner shall devise a process that specifically pertains to Recall, Initiative, and Referendum as initiated under the ASUA Constitution. All procedures shall be approved by the ASUA Senate.

1-1.10

A complaint against a candidate does not have to be submitted in order for the Elections Commissioner to levy a violation. In addition, should the Elections Commission report an incident to the Elections Commissioner, the Elections Commissioner shall also have the right to levy a violation. The Elections Commissioner must, however, properly document an incident where a violation was levied without an official complaint form. The candidate has the right to appeal, pursuant to procedures outlined in this code.

1-2.

ELECTIONS COMMISSION & STAFF

1-2.01

No Elections Commission staff member may be affiliated with, nor endorse and/or oppose any candidate's campaign. A violation shall result in the immediate removal of the offending member of the Elections Commission.

1-2.02

The Elections Commissioner and Deputy Elections Commissioner shall appoint the Elections Commission staff. The Elections Commissioner and Deputy Elections Commissioner have the right to hold an interview process in order to appoint the Elections Commission staff.

1-2.03

The Elections Commission staff shall be required to assist the Elections Commissioner and Deputy Elections Commissioner with any duties or events necessary to the Elections procedure. Failure to attend meetings or events without reason or warning may result in dismissal from the Elections Commission.

1-3.

COMPLAINT PROCESS AGAINST THE ELECTIONS COMMISSION

1-3.01

Complaints against the Elections Commission staff, Deputy Elections Commissioner, and/or Elections Commissioner must be received in writing and submitted to the respective ASUA Executive overseeing Elections through the ASUA front desk during regular business hours.

1-3.02

Notice of a complaint and the time, date, and location of any subsequent hearings shall be given to all relevant parties within twenty-four (24) hours of the receipt of such a complaint. The name and contact information of the ASUA Clerk of the Court will be provided.

1-4.

IMPLIED POWERS OF THE ELECTIONS COMMISSION

1-4.01

The Elections Commission shall retain the right to take all necessary steps to ensure the smooth operation of the ASUA Elections, unless such steps are restricted by this code or outlined through specific procedures for the Elections process.

1-4.02

The Elections Commission may refer to the Arizona Revised Statutes (ARS) for all matters concerning conduct of elections not specifically provided for in this Code, ASUA Constitution, and/or Bylaws.

1-4.03

The Elections Commissioner will issue all initial decisions regarding Elections Code violations in accordance with the rules and procedures in this code.

1-4.04

Violations of this Code may result in penalties including, but not limited to: warnings, loss of campaign rights, and/or disqualification, at the discretion of the Elections Commissioner.

1-5.

ELECTIONS CODE

1-5.01

This Elections Code as pursuant to the ASUA Constitution shall govern all ASUA Elections.

1-5.02

This document shall serve as the ASUA Elections Code until a revised code is approved by the ASUA Senate.

1-5.03

This document shall supersede all previous elections codes and all other election-related rules, including the ASUA Bylaws.

1-5.04

This document shall supersede any ASUA Supreme Court precedent only if such precedent is no longer valid due to modified code stipulations.

1-5.05

The Elections Code shall be revised in accordance with the ASUA Constitution.

1-5.06

Approved by Senate 10/12/16

The Elections Commissioner shall select a committee consisting of the Commissioner, the Deputy Elections Commissioner, a member of the ASUA Executive Branch, a member of the ASUA Legislative Branch, and any other relevant members to the process at the discretion of the President or Commissioner, which shall be responsible for overseeing and recommending revisions to the Elections Code, to be ultimately voted upon for official use by the ASUA Legislative Branch.

1-5.07

Recall, Initiative, and Referendum that are initiated under the confines of the ASUA Constitution shall be administered by this Code and as established by the Elections Commissioner when applicable.

CHAPTER 2 – ELECTIONS PROCEDURE

2-1.

DATES OF ELECTIONS

2-1.01

The Primary and General Election dates shall be set by the Elections Commissioner with the approval of the Senate. Pursuant to the ASUA Constitution, these dates shall be approved no later than the end of the semester prior to the election. The Elections dates shall be published and posted in the Elections cubicle, The Daily Wildcat, the area outside of ASUA and in the ASUA involvement newsletter.

2-1.02

The Elections Commission is required to hold a primary when there are more than two (2) candidates for an executive position, or forty (40) candidates for the twenty (20) senate seats. In the event of a low candidate turnout, the Elections Commissioner may decide that a Primary Election may not occur. Notification on the status of the Primary Election will occur within twenty-four (24) hours of the Candidate Packet deadline.

2-1.03

Pursuant to the ASUA Constitution, Special Election dates shall be set by the Elections Commissioner with the approval of the Senate. The dates shall be published and posted in the Elections cubicle.

2-2.

OFFICIAL BALLOTS FOR PRIMARY ELECTION

2-2.01

Official ballots shall be available through the University of Arizona via a university approved online voting system, but can also be administered through other methods deemed necessary by the Elections Commissioner as to accommodate all voters when the online option is unavailable.

2-2.02

Candidates' names shall appear on the ballot according to random selection and as carried out by means under the discretion of the Elections Commissioner.

2-2.03

In the Primary Election, voters may cast one (1) vote for each Executive Officer (President, Executive Vice President, and Administrative Vice President) and up to four (4) total votes for Senatorial offices. Voters shall vote for up to three (3) at large senators and one (1) senator from within the voter's respective college. Ballots containing more than the maximum number of votes for an office shall be voided for that office.

2-3.

OFFICIAL BALLOTS FOR GENERAL ELECTION

2-3.01

Official ballots shall be available through the University of Arizona via a university approved online voting system, but can also be administered by through other methods deemed necessary by the Elections Commissioner as to accommodate all voters when the online option is unavailable.

2-3.02

Candidates' names shall appear on the ballot according to random selection and as carried out by means under the discretion of the Elections Commissioner.

2-3.03

Two (2) candidates for each Executive office, six (6) at large senatorial candidates, and thirty four (34) candidates for college- specific senatorial office receiving the highest number of votes from the Primary Election shall advance to the General Election ballot. In case of a tie for a particular office, all candidates shall advance to the General Election ballot. If no Primary Election occurred, all candidates for that particular office shall advance to the General Election ballot. Ballots containing more than the maximum number of votes for an office shall be voided for that office.

2-3.04

Space(s) for write-in candidates shall be made available pursuant to Section 4-6 of this Code.

2-3.05

Any links used to access the official ballot or attempts to alter the appearance of the official ballot must be approved by the Elections Commissioner.

2-4. TABULATION

2-4.01

Tabulation of official ballots for all elections will be done electronically through the use of University of Arizona University Information Technology Systems (UITS) - Administrative Computing software. The ASUA Senate must approve all persons present at the tabulation.

2-4.02

To be tabulated as a valid vote for a Write-In Candidate, the first and last name of the candidate and the office being sought shall be entered in the correct position and written with every reasonable effort to ensure each write-in vote is properly interpreted at the discretion of the Elections Commissioner.

2-4.03

In the event the tabulation results in a tie, a runoff election shall be held the day following the last Election Day in which regularly scheduled classes are held between the candidates that tied.

2-5.

CERTIFICATION & RATIFICATION OF RESULTS

2-5.01

The results of any election will be certified on the final night of that election by the Elections Commissioner and the ASUA Executive overseeing Elections, and will be ratified by the ASUA Senate within two weeks.

2-5.02

Should there be a vacancy for a college-specific seat after the General Election Results Show has concluded, this vacancy shall be filled pursuant to the ASUA Senate Bylaws. The election to fill this college-specific vacancy shall not be college-specific, and instead will be an election for an At Large senate position.

2-6.

REFERENDUM PROCEDURE

2-6.01

Referendums must abide by the current ASUA Elections Code.

2-6.02

Referendums shall not appear on the Primary Elections ballot, only the General Elections ballot.

2-6.03

Referendums shall have three (3) weeks to get the amount of signatures required, which shall be at least five percent of the general electorate.

2-6.04

A referendum shall pass if it gains a majority of votes cast in the General Election.

2-6.05

The referendum expense limit shall be \$500.

2.6.06

Referendums must provide an expense report, including all personal and third party receipts and contributions on the date assigned by the Elections Commissioner, which will coincide with all General Elections Candidates.

CHAPTER 3: QUALIFICATION OF VOTERS

3-1.

QUALIFICATION OF VOTERS

3-1.01

Any and all currently enrolled and registered University of Arizona students shall be considered qualified voters.

3-1.02

To be allowed to vote, a qualified voter must have paid all fees and tuition by the election date.

3-1.03

Qualified voters shall cast their vote using the University of Arizona's UAccess and by other methods deemed necessary by the Elections Commissioner as to accommodate all voters.

3-1.04

For senatorial candidates, qualified voters will vote for one (1) candidate running within their respective college and up to three (3) votes for at large senatorial candidates. Qualified voters with more than one declared major shall select one (1) college of which they are a part of and vote for one (1) candidate running within that college. Ballots containing more than the maximum number of votes for an office shall be voided for that office.

CHAPTER 4: CANDIDACY & CANDIDATE INFORMATION

4-1.

CANDIDATE ELIGIBILITY & QUALIFICATIONS

4-1.01

A student desiring to become a candidate shall meet the requirements as set forth by this Code.

4-1.02

A student desiring to become a candidate must be either an undergraduate student who has completed at least seven (7) units or a graduate student who has completed at least three (3) units at the University of Arizona, in the semester prior to the election.

4-1.03

Approved by Senate 10/12/16

In addition, undergraduate students desiring to become a candidate must currently be enrolled in at least seven (7) units and graduate students desiring to become a candidate must currently be enrolled in at least three (3) units at the University of Arizona.

4-1.04

The above applies to all students with the exception of first time and first-semester re-enrolled students, and first semester freshmen who need only satisfy the good academic standing and curricular eligibility requirements, as established by the University of Arizona.

4-1.05

A candidate must currently be in good academic standing as defined by the University of Arizona co-curricular eligibility requirements (2.0 minimum cumulative G.P.A. for undergraduate students and 3.0 minimum cumulative G.P.A. for graduate students).

4-1.06

A candidate is responsible for verifying their own academic status and must have the required units at the Candidate Form deadline.

4-1.07

At the Candidate Form deadline, the Elections Commissioner shall verify candidate eligibility and if at that time, a candidate is deemed not in compliance, the candidate shall be deemed ineligible from the election process.

4-2.

PROSPECTIVE CANDIDACY

4-2.01

During the Pre-Candidacy period, communication is limited exclusively to verbal and email correspondence. Direct listserv correspondence to any and all ASUA listservs is prohibited.

4-2.02

All verbal communication by potential candidates during the “Pre-Candidacy period” regarding any matter of the ASUA Elections must be done individually.

4-2.03

During the Pre-Candidacy period, candidates are prohibited from asking for support or endorsement from campus organizations.

4-2.04

Pre-Candidates are prohibited from creating, using, or distributing campaign materials until the Campaign Period officially begins on the date specified by the Elections Commissioner.

4-2.05

Approved by Senate 10/12/16

This includes but is not limited to: slogans, printed materials, posters, chalk, shirts, Facebook, Twitter, or any other social networking tools, etc.

4-2.06

Candidates violating rules and regulations set forth in this code may be penalized upon candidacy.

4-3

CANDIDATE REGISTRATION

4-3.01

A student desiring to become a Primary Election or Special Election candidate must complete a Candidate Form by the deadline set forth by the Elections Commission. Write-In Candidates must abide by the Write-In process set forth in this code.

4-3.02

An official Candidate Form contains a candidate consent form, academic eligibility form, and a full copy of the elections code. All prospective candidates must be provided with at least these materials and must return all completed materials by the specified form deadline.

4-3.03

The deadline for Candidate Form submission will be extended by a week by the Elections Commissioner if there are fewer candidates than the number of open elected seats. The extension will apply only to the offices that have fewer candidates than the number of open elected seats.

4-4.

EXECUTIVE NOMINATING PETITIONS

4-4.01

Availability and due dates of executive nominating petitions shall be set by the Elections Commissioner no later than the end of the semester prior to the election. These dates shall be made available by the Elections Commission upon approval of the Elections Dates by the ASUA Senate.

4-4.02

Only those executive nominating petitions issued by the Elections Commission are valid. The Elections Commission shall issue additional nominating petitions upon request.

4-4.03

Only those names that appear in the provided spaces on the executive nomination petitions issued to the Candidate are valid.

4-4.04

Executive nominating petitions shall not be circulated in a classroom.

4-4.05

Executive nominating petitions shall not be circulated in the ASUA offices, Center for Student Involvement and Leadership or at any ASUA sponsored event, excluding Elections Commission sponsored events.

4-4.06

Executive nominating petitions shall contain related Election Code sections located on the back of the petition, and shall require the original signature of the candidate being nominated as well as the circulator in the event the circulator is someone other than the candidate as a statement of understanding of the mentioned Election Code sections.

4-4.07

Candidates seeking senatorial positions are not required to participate in the nominating petition process.

4-5.

SIGNATURE REQUIREMENTS

4-5.01

Any qualified voter is considered eligible to sign nominating petitions.

4-5.02

A qualified voter may sign only one (1) nominating petition for each Executive office. If a qualified voter signs more than the maximum number of nominating petitions allotted for a respective position, their name shall be struck out entirely on each nominating petition for that specific race.

4-5.03

In a Special Election, a qualified voter may sign only one (1) petition per number of elected positions open. If a qualified voter signs more than the one (1) nominating petition, their name shall be struck out entirely on each nominating petition for that specific race.

4-5.04

To qualify to become a Primary Election candidate for the office of ASUA President, any eligible student shall submit the signatures of at least six hundred (600) qualified voters.

4-5.05

To qualify to become a Primary Election Candidate for the office of ASUA Executive Vice President or ASUA Administrative Vice President, any eligible student shall submit the signatures of at least three hundred and fifty (350) qualified voters.

4-5.06

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For any executive positions open during a special election, potential Candidates shall submit the signatures of at least one hundred and fifty (150) qualified voters.

4.507

Reproduction of signatures and use of Student ID or CatCard information for fraudulent purposes on a nominating petition will result in disqualification.

4-6

WRITE-IN CANDIDATES

4-6.01

Any student who fails to submit a correctly completed Candidate Form prior to the specified deadline will have the opportunity to become a candidate in the general election by becoming a write-in candidate during the primary election and receiving the necessary amount of votes as outlined in this code.

4-6.02

A space for Write-In Candidates for each office shall be provided on the Primary Election Ballot. Should a Write-In Candidate advance to the General Election pursuant to Section 4-5.04 of this code, the candidate must submit all relevant materials to the Elections Commissioner within 48 hours after the start of the Primary Elections Results Show. These materials include all materials provided in the Candidate Form. Should a Primary Election not take place due to circumstances outlined in this code, a space for Write-In Candidates shall be provided on the General Election Ballot. In this instance, all relevant materials must be submitted within 48 hours after of the General Election. Failure to comply shall result in ineligibility for candidacy.

4-6.03

A space shall be provided for senatorial Write-In Candidates on the Primary Election Ballot for each available senatorial seat. If in this space there is no college specification pertinent to the candidate provided, the write-in vote shall be considered a vote for an at-large senate seat.

4-6.04

To qualify for the General Election and be placed on the ballot, a Primary Elections Write-In Candidate must receive no fewer than six hundred (600) votes for a Write-In Candidate for ASUA President; no fewer than four hundred (400) votes for a Write-In Candidate for ASUA Executive Vice President or Administrative Vice President, and no fewer than one hundred and fifty (150) votes for a Write-In Candidate for ASUA Senate. The Candidate must also receive enough votes to place within the top two (2) Candidates if he or she is running for an Executive Office or the top twenty (20) Candidates if he or she is running for an ASUA Senate office.

4-6.05

Write-In Candidates must adhere to all standards and provisions set forth for all candidates as outlined in this code. This includes, but is not limited to expense limits for office sought and the ability to campaign only after the campaign period has begun. Failure to do so shall result in diminished campaign abilities as determined by the Elections Commissioner. This includes but is not limited to issuance of strikes and reduction in expense limits.

4-6.06

Write-In Candidate names shall not appear on the ballot, the only information pertaining to Write-In status found on the ballot shall be directions for voters, which will read:

If voting for a Write-In Candidate please type their first and last name in the space provided.

4-6.07

The Elections Commissioner shall be responsible for making every reasonable effort to ensure each write-in vote is properly interpreted and tabulated.

4-7

DOUBLE MAJOR, UNDECLARED MAJOR, AND “PRE-” MAJOR CANDIDATES & VOTERS

4-7.01

All double major/undeclared major candidates wishing to run for a specific college must abide by the rules and regulations set forth in the ASUA Constitution regarding college-specific senatorial seats.

4-7.02

Aspiring senatorial candidates with more than one declared major, with more than one semester as a declared major and three (3) or more units of relevant coursework completed in all majors carried, must select one college to run for.

4-7.03

Qualified voters with more than one declared major, with more than one semester in all majors carried, may vote for all colleges for which the qualified voter is a part of when selecting a vote for a college-specific senatorial seat(s). Any qualified voter may still vote for up to three (3) At-Large senatorial candidates.

4-7.04

Candidates with an undeclared major or less than one semester taken in a declared major must either run as at-large senate candidates or as a representative of the College of Letters, Arts, and Sciences, in which undeclared majors are included.

4-7.05

Qualified voters with an undeclared major or less than one semester taken in a declared major wishing to vote for college-specific senate candidates must either vote only for at-large senate candidates and or for a college-specific candidate of the College of Letters, Arts, and Sciences, in which undeclared majors are included.

4-7.06

Pre- Majors such as Pre-Business and Pre-Pharmacy Majors, are not eligible for candidacy for the college-specific seat in their respective college.

4-7.07

Qualified voters in a Pre- Major may cast a vote for their respective aspired college, as well as three (3) at-large candidate votes.

CHAPTER 5 – CAMPAIGN PROCEDURE

5-1.

CANDIDATE MEETINGS

5-1.01

All candidates must attend mandatory candidate meetings. Candidates may not send a representative in their place. Candidates not present will be disqualified unless they are able to provide compelling circumstances to the Elections Commissioner.

5-1.02

Prior to the campaign period beginning, there will be at least one official meeting with the candidates. This meeting will cover campaign procedure, policies, and appropriate conduct for the Election.

5-1.03

The Elections Commissioner has the right to call candidate meetings, as long as they give candidates at least twenty-four (24) hours' notice before such a meeting.

5-1.04

Candidates shall be held responsible for any and all information presented and/or distributed at candidate meetings or by memorandum.

5-2.

CANDIDATE MEMOS

5-2.01

Candidates are responsible for checking their email account for memos, sanctions, and other notifications, which the Elections Commission is to issue by noon each business day, including the first day of campaigning. Any notices will be effective at 5:00 PM on that day.

5-2.02

Candidates may request a hard copy of any relevant documents issued by the Elections Commission.

5-3.

CAMPAIGN CONDUCT

5-3.01

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Verbal or physical harassment or intimidation of other candidates or adherents will not be tolerated. Such behavior will result in a strike or automatic disqualification and referral to the Dean of Students office for a potential code of conduct violation pursuant of letter F (Prohibited Conduct) of the Student Code of Conduct.

5-3.02

Defamation prohibited. No Candidate shall knowingly or in reckless disregard of the truth make false statements about another candidate. Examples of prohibited statements (both written and oral) include, but are not limited to, false statements about another candidate's:

- (1) physical, emotional, or mental well-being;
- (2) nationality, race, religion, sexual orientation, or gender identity;
- (3) engagement in criminal conduct or other conduct prohibited under this Code or the Student Code of Conduct;
- (4) academic, extracurricular, or professional accomplishments (or the lack thereof).

A candidate who violates this section is subject to immediate disqualification.

5-3.03

Campaigning shall not begin before the dates as established by the Elections Commissioner.

5-3.04

Campaigning at on-campus housing shall be in accordance with their current policy and this Code. Failure to have proper authority to campaign at on-campus housing creates a safety issue, is considered trespassing, and will result in police notification.

5-3.05

Off-campus campaigning is permitted provided the candidate or persons campaigning have the documented permission of the owner, operator, manager, or resident of the location, with the exception of any establishment that is age-restrictive at any time as long as the documentation has been approved by the Elections Commissioner.

5-3.05

No campaigning is allowed at any time in the ASUA or CSIL offices.

5-3.06

No ASUA resources may be used for the purpose of influencing the election for and/or against any particular candidate.

5-3.07

No campaigning is allowed at any ASUA sponsored events not including Elections Commission sponsored events.

5-3.08

Campaigning in a classroom is strictly prohibited during class instruction.

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5-3.09

Door-to-door solicitation by candidates and/or members of their campaign staff is prohibited. This includes, but is not limited to: the use of laptops, tablets or cellular phones.

5-3.10

Candidates or members of their campaign staff cannot utilize electronic devices in their possession for the purpose of soliciting votes.

5-3.11

Campaign materials shall not be placed under doors in on-campus housing.

5-3.12

During the dates of the Primary and General Elections, candidates shall not campaign within a seventy-five (75) feet radius of a polling station.

5-3.13

Currently elected ASUA officials who are not running for a position may support or endorse a candidate. Currently elected ASUA officials may use their titles in ASUA to leverage support. Social media may be used by currently elected ASUA officials to leverage support. Currently elected officials shall not, under any circumstances, serve as a campaign manager for any candidate. Any currently elected ASUA official who chooses to support a candidate may not serve on the elections commission and may not participate as a moderator at any elections events or announcements.

5-3.14

Candidates may collaborate and support other Candidates. Candidates may not run on a Slate.

5-3.15

In order for an organization and or candidate to publicly and officially announce endorsement, the candidate must submit an endorsement form for approval and wait to announce until confirmation from endorser has been given. Candidates will be notified of endorsement status upon confirmation.

5-3.16

Candidates will be notified of polling station locations 24 hours before the start of Primary and General Elections.

5-3.17

There shall be no campaigning by any candidate and/or their staff in any University of Arizona libraries, computer labs, or study rooms.

5-4.

COMPLAINT PROCESS AGAINST A CANDIDATE

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5-4.01

Any complaints against a candidate shall be on an official complaint form provided online by the Elections Commission and submitted to the ASUA Elections Commission no more than forty-eight (48) hours, after the alleged violation has occurred, not including weekends and/or official University of Arizona holidays. Complaints will be reviewed during normal office hours.

5-4.02

The party filing a complaint bears the burden of producing facts sufficient to support a conclusion that there is a reasonable probability the allegations in the complaint are true. A complaint is further subject to the following conditions:

- (a) *Complaint requirements.* A complaint must be accompanied by:
 - i) At least one (1) sworn Testimony; and
 - ii) At least one (1) item of evidence listed in subsection (b) supporting the allegations in the complaint.
- b) *Supporting evidence.* Any of the following types of evidence satisfy the condition provided in subsection (a)(ii):
 - i) Unaltered copies of date-stamped emails that include the sender and recipient's email addresses;
 - ii) Unaltered photos, videos, and similar forms of media;
 - iii) Official documents including reports, diagrams, maps, documents, and contracts; and
 - iv) Unaltered, date-stamped screenshots of social media posts.
- c) *Prohibited evidence.* Although text messages can be used as evidence in the course of investigating an allegation of a violation under this Code, text messages in any form do not satisfy subsection (a)(ii).

5-4.03

Upon receipt of an official complaint, notice shall be given to all relevant parties within twenty-four (24) hours. The evaluation period for complaints submitted after business hours will not begin until the next business day. The Elections Commission and/or other ASUA official will provide the contact information of the ASUA Clerk of the Court to the relevant parties.

5-4.04

Complaints will be treated with confidentiality pursuant to University policy, state and federal law. While the subject and nature of the complaint must be made available to the candidate receiving the complaint, the candidate or individual submitting the complaint must have the option to remain anonymous.

5-4.05

Any candidate, after having filed an official complaint, will be able to make an inquiry twenty-four (24) hours after as to the Commissioner's disposition of their complaint. The official complaint form will inform the filer of this right.

5-4.06

If, after having made an inquiry as to the Commissioner's disposition of the candidate's complaint, the candidate has a good faith claim that the Commissioner's disposition was made outside the scope of this code, the candidate

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has a right to appeal, pursuant to Chapter 6-1.02 through 6-1.05. The filing of an appeal by a candidate may result in a waiver that candidate's anonymity.

- (a) A candidate appealing a disposition by the Commissioner will have twenty-four (24) hours, not including weekends and official University of Arizona holidays, after having received an answer to their inquiry to file an appeal to the Elections Commission. After such time, the candidate has waived any right to appeal.
- (b) A candidate's appeal pursuant to Chapter 6 of this code will be limited to the candidate's interest and will not be construed to effect a candidate unless and until the appeal finds that action against a candidate is necessary.
- (c) A candidate will not instruct, suggest, direct, or otherwise be the cause of another candidate to initiate an appeal process. Such action will constitute a violation and may be grounds for dismissal of the appeal.
- (d) The official complaint form will inform a candidate of the right to appeal a decision by the Elections Commissioner and refer the voter to this provision.

CHAPTER 6 - APPEAL PROCESS

6-1.01

A candidate has the right to appeal a decision of the Elections Commissioner in writing to the Elections Commission within (24) hours. After twenty-four (24) hours, not including weekends and official University of Arizona holidays, the candidate loses this right.

6-1.02

The Elections Commission shall render a decision within twenty-four (24) hours after review of the appeal.

6-1.03

A secondary appeal can be made to the ASUA Supreme Court after a ruling by the Elections Commission has been made by filing a complaint with the ASUA Clerk of the Court and shall be matters of public record. The contact information of the Clerk of the Court will be provided for and available in the ASUA offices. This secondary appeal must be sent in writing within twenty-four (24) hours after the Elections Commission has rendered a decision, not including weekends and official University of Arizona holidays, or the candidate loses this right. Failure to file a secondary appeal with the ASUA Supreme Court shall render the decision of the Elections Commission final.

6-1.04

The Supreme Court shall conduct formal procedures, referring to any and all relevant state and federal laws and rules for all matters not specifically provided for in this Code or the ASUA Constitution.

6-1.05

Approved by Senate 10/12/16

During the appeal period, the candidate shall comply with the decisions of the Elections Commissioner, Elections Commission, and/or the Supreme Court until a decision has been made. However, the final decision of disqualification or interpretation of the Code is reserved for the Supreme Court.

6-1.06

For a complete outline of the appeal process, this Code defers to the ASUA Supreme Court Rules.

CHAPTER 7 – CAMPAIGN FINANCES

7-1.

EXPENSE LIMITS

7-1.01

Candidates for ASUA President shall not exceed a campaign-spending limit of \$800.

7-1.02

Candidates for ASUA Executive Vice President and Administrative Vice President shall not exceed a campaign-spending limit of \$500.

7-1.03

Candidates for ASUA Senate shall not exceed a campaign-spending limit of \$400.

7-1.04

Special Election candidates shall not exceed a campaign-spending limit of 75% of their respective office's general elections budget.

7-1.05

Candidates for any office shall not share expenses with any other candidate.

7-2.

ACCOUNTING OF EXPENSES

7-2.01

Any and all campaign material and advertisements purchased by either a candidate and/or their staff for the purpose of campaigning shall be included in the expense limit and reported on the Expense Report.

7-2.02

Candidates shall be responsible for providing receipts or documents as approved by the Elections Commissioner for all campaign materials purchased for the purpose of campaigning.

Approved by Senate 10/12/16

7-2.03

Any and all taxes, fees, and/or charges assessed for campaign materials shall be included in the expense limit and reported on the Expense Report.

7-2.04

Candidates shall report on the Expense Report how and from where non-purchased goods and services (goods and services in possession prior to the election) were obtained and shall include such goods and services in the expense limit, regardless of date or time obtained. These goods and services must be valued at fair market value.

7-2.05

No candidate is allowed to obtain a discount and/or donation for materials, resources, tools, or services utilized in a campaign unless that same discount and/or donation is available to all candidates. All materials that are obtained at a discount and/or donation not available to all candidates must be declared at fair market value as defined by this Code.

7-2.06

Expense reports are due two hours prior to the primary elections results show. Failure to turn this information in, may result in disqualification pending the Commissioner's discretion.

7-2.07

Expense reports are due two hours prior to the general elections results show. Failure to turn this information in, may result in disqualification pending the Commissioner's discretion.

7-2.08

In the event a candidate exceeds the spending limit, he or she may be subject to disqualification pending the Election Commissioner's discretion.

7-3. CONTRIBUTIONS

7-3.01

Each candidate may solicit or accept campaign contributions not to exceed \$200 per contributor, which shall be included in the expense limit and reported on the Expense Report.

7-3.02

Any individual, officially recognized University of Arizona club or organization, or other entity may directly or indirectly contribute to as many candidates as desired, so long as the contribution does not exceed \$200 per candidate.

7-3.03

Any officially recognized University of Arizona club or organization that contributes to a candidate shall not rely solely on ASUA funding, be directly affiliated with ASUA, or have those funds allocated on behalf of the University of Arizona.

7-3.04

Any and all materials and/or services provided by an officially recognized University of Arizona club or organization for the purpose of endorsing candidates shall be included in the Expense Report as a contribution and shall not exceed the total allowed per this Code.

7-3.05

It shall be the responsibility of a candidate to include in the expense limit and Report as contributions any funds contributed for the sole purpose of an ASUA election by a contributor.

7-4.

REPORTING OF EXPENSES

7-4.01

All Primary and Special Election candidates are required to submit the Expense Report with all receipts or documents as approved by the Elections Commissioner listing expenses and contributions two hours prior to the primary elections results show. Write-In Candidates must submit relevant materials within forty-eight (48) hours after the Primary Election, as pursuant to this code. Candidates that fail to do so, that have moved onto the General Election, may be subject to disqualification.

7-4.02

All General Election candidates are required to submit the Expense Report with all receipts or documents as approved by the Elections Commissioner listing expenses and contributions throughout the election period, no later than two hours prior to the General elections results show. Candidates that fail to do so, and have been elected, may be subject to disqualification.

7-4.03

All candidates must include a sworn statement attesting to the accuracy of the Expense Report. The candidate will be held accountable for all declared and undeclared campaign expenses.

7-4.04

The Elections Commissioner may request a candidate's updated Expense Report with receipts or documents as approved by the Elections Commissioner at any time during the election period. The updated Expense Report with receipts and/or documents as approved by the Elections Commissioner, shall be submitted to the Elections Commissioner within twenty-four (24) hours of the request.

7-5.

CANDIDATE DISCLAIMER FORM

7-5.01

Approved by Senate 10/12/16

Candidates are required to sign a candidate disclaimer form at the Mandatory Candidates' Meeting. The text will be as follows: I _____, candidate for the office of _____, have been provided with the 2011 Arizona Elections Code and have read the Code thoroughly. I understand all of the laws and regulations set forth in the Code and will abide by them throughout the campaign. I also fully understand the penalties for violations of set laws and regulations contained in the Code. I will train my staff in the Code and will be entirely responsible for their actions. I also realize that if I am elected, and violations are discovered post factor, I can be removed from office. I am also aware that any information that I, or my campaign, submit to the commission in the course of my campaign shall become public record. I was present at the Mandatory Candidates' Meeting on _____ and I agree that I am responsible for the information set forth in the meeting. I am signing this of my own free will and accept to abide by what I am signing.

CHAPTER 8 – CANDIDATE CAMPAIGN MATERIALS

8-1. DISPLAYS

8-1.01

All displays, electronic resources, and other campaign materials shall be approved by the Elections Commissioner, Deputy Elections Commissioner, or one of two designated members of the Elections Commission.

8-1.02

Only one candidate's name may appear on any piece of campaign material as defined by this Code.

8-1.03

Posters shall not exceed 11" x 17".

8-1.04

There shall be no more than one (1) poster per candidate per approved bulletin board.

8-1.05

There shall be no more than one (1) poster per candidate per classroom.

8-1.06

Posters on any University of Arizona property shall be placed only on approved bulletin boards as defined by the Elections Commissioner. Candidates will be notified of subsequent changes.

8-1.07

Posters placed at on-campus housing must be approved in accordance with each house's current policy and this Code.

8-1.08

No poster shall obstruct another poster including non-campaign related materials.

Approved by Senate 10/12/16

8-1.09

Non-campaign related materials shall not be removed unless the date of the event has passed.

8-1.10

No posters shall be relocated or removed by anyone besides that candidate or a member of their campaign staff of whom the poster belongs to.

8-1.11

No posters shall be placed on light or power poles, traffic signal poles, traffic signs, bus stop shelters, benches, trees, trashcans, the Sunlink streetcar or other properties not designated within this Code.

8-1.12

No posters shall be placed at any University of Arizona computer lab.

8-1.13

Placards shall not exceed 24" x 36".

8-1.14

Placards shall remain in motion while being utilized, unless that placard is affixed to a candidate's property and that a candidate or their campaign staff is within the vicinity of the motionless placard.

8-1.15

Each candidate is permitted to utilize one (1) banner in accordance with the banner approval process as established by the Elections Commissioner.

8-1.16

Banners shall not exceed 36" x 144".

8-1.17

Banners are allowed to be placed on any property with the consent of the owner. A candidate or member of their campaign staff wishing to use a banner on any University of Arizona property, on or off campus, will require documented permission from Event Planning and or the University of Arizona, as well as the approval of the Elections Commissioner.

8-1.18

Candidates must have approval of each type of display used in the campaign before utilized.

8-2.

ELECTRONIC RESOURCES

8-2.01

Approved by Senate 10/12/16

Electronic resources utilized for the purpose of campaigning by a candidate and/or a member of their campaign staff are subject to the scrutiny of the Elections Commissioner and bound by the rules and regulations of this Code.

8-2.02

Electronic resources hosted or maintained by the University of Arizona or on University of Arizona property shall be in compliance with University of Arizona policy.

8-2.03

Any and all website, web pages, and/or profiles on online networking sites including but not limited to Facebook, Instagram, Twitter, UA Campus Snapchat Story, Vine and Youtube videos utilized for the purpose of campaigning by a candidate and/or member of their campaign staff shall be approved by the Elections Commissioner prior to use. Any changes made to the aforementioned after initial approval does not require subsequent approval; however, the changes are subject to the rules and regulations of this Code.

8-2.04

Social Media messages, email, text messages, and instant messages are allowed unless a student has requested to the Deputy Elections Commissioner not be contacted.

8-2.05

A “Do Not Contact List” (see definition) shall be maintained by the Deputy Elections Commissioner. All candidates will be informed of students that have subscribed to this list.

8-2.06

Mass emails can only be sent through a personal email account. Any personal email account to be used for this purpose must be registered with the Elections Commissioner. The use of University classlists and listservs are strictly prohibited. A link to the “Do Not Contact List” shall be required at the bottom of these mass emails, through the use of a disclaimer written by the Elections Commissioner. The link must be visible at all times and cannot be a part of the disappearing footer or signature portion of the email.

8-2.07

Candidates shall not use their University of Arizona email account. Emails must be sent via personal email account registered with the Elections Commissioner.

8-2.08

All mass emails, sent from a candidate to qualified voters with the intention of campaigning and or advocating for a vote in their favor must “Cc” the ASUA Elections email.

8.2.09

A candidate may not register more than one email address for campaign purposes

8-3.

OTHER CANDIDATE CAMPAIGN MATERIALS

Approved by Senate 10/12/16

8-3.01

Leafleting of vehicles on or off campus is not permitted.

8-3.02

All physical mailing of campaign material must be addressed to a specific individual, including at least the recipient's first name, and/or to specific clubs or organizations including at least the club or organization name, with postage paid.

8-3.03

No campaign materials are allowed within seventy-five (75) feet of an official polling station as established by the Elections Commission.

8-3.04

No campaign materials shall be placed at any University of Arizona OSCR or computer lab.

8-3.05

There shall be no recognition of vendor sponsoring of campaign materials, except for vendors utilized by the Elections Commission

8-3.06

There shall be no use of the University of Arizona logos- such as the Block "A" Wilbur & Wilma or the official ASUA logo. These logos shall be prohibited on candidate campaign materials. The only exception is the specified ASUA candidate logo which shall be attached to all flyers, banners, placards, and posters. This provision shall not be construed to prohibit a candidate from displaying campaign videos that include images of University of Arizona buildings or University of Arizona students unaffiliated with the candidate's campaign provided that a candidate does not do so for the purpose of displaying logos prohibited under this Section.

8-3.07

Candidates shall print the ASUA candidate logo on all displays including flyers, banners, placards, and posters.

8-3.08

No campaign materials shall be posted or distributed until the official campaign period has begun.

8-3.09

No chalking is allowed.

8-4.

CANDIDATE CAMPAIGN MATERIAL REMOVAL RESPONSIBILITY

8-4.01

Approved by Senate 10/12/16

Candidates failing to advance to the General Election shall remove all campaign materials within forty-eight (48) hours after the results are announced. This includes electronic resources such as Facebook Groups.

8-4.02

All General Election candidates shall remove all campaign materials within 48 hours after the General Election designated polling times conclude. The only exception to this is electronic resources such as Facebook Groups, which must be removed within 72 hours after the General Election designated polling times conclude.

8-5.

DESTRUCTION OF CAMPAIGN & NON-CAMPAIGN MATERIALS

8-5.01

Malicious tampering of campaign and non-campaign material by any candidate and/or a member of their campaign staff as determined by the Elections Commissioner shall result in a warning, reduction of spending limit, loss of rights as a candidate, and/or disqualification.

8-6

POLLING STATIONS

8-6.01

University of Arizona organizations and clubs may request polling stations if approved by the Elections Commissioner. Approved polling stations shall display a badge confirming approval of the Elections Commissioner.

8-6.02

Each polling station shall only be run by members of the elections commission pending availability of commission staff to be present, as determined by the Commissioner. No candidates or candidate staff shall be within 75 feet of a polling station.

8-6.03

Each polling station shall be a neutral voting site.

8-6.04

Polling stations may be requested at on-campus residence halls by residence hall community directors.

CHAPTER 9- ENFORCEMENT PROCESS

9-1.

ENFORCEMENT PROCESS

Approved by Senate 10/12/16

9-1.01

Any action taken by a candidate that violates policy set forth in this code and that is not correctable in a 24 Hour window shall result in the candidate being issued a strike.

9-1.02

A correctional action shall be defined as any action correctable within a 24-hour window. Failure to correct this violation within the 24-hour period shall result in a strike. Each correctable action shall be treated separately in the case of a complaint pertaining to a single violation involving multiple correctable action.

9-1.03

Once an action has been corrected, any subsequent violation pertaining to that same action will result in an immediate strike being issued.

9-1.03

Three strikes shall result in disqualification.

9-1.04

The Elections Commissioner must enforce the elections process only in the form of the three strike system, which may directly result in disqualification. Discretionary penalties may only be issued by the Commissioner in the event a situation is not specifically outlined by this code, and such penalties must follow the aforementioned system of enforcement.

9-1.05

The Elections Commissioner shall have the discretion to determine whether the warning or correction system of enforcement is being abused by a candidate. To address this concern, the commissioner shall have the discretion to wave a warning or opportunity for correction to directly issue a strike.

CHAPTER 10- DISQUALIFICATION OF ELECTED OFFICIAL

10-1.

DISQUALIFICATION OF A CANDIDATE

10-1.01

If a candidate has received enough votes to win an elected position (President, Executive and Administrative Vice President, or Senator) and is disqualified within 10 business days of the General Election Results Show, the candidate is barred from running in a special election set at a later date will occur for said position.

10-1.02

Established rules for a Special Election as mentioned in this code shall govern the Special Election.

CHAPTER 11 – GLOSSARY

11-1.01

ASUA resource(s) shall be defined as any and all materials, physical or otherwise that are currently being used in the day-to-day operations of ASUA and its members. This includes, but is not limited to, the office space itself.

11-1.02

ASUA sponsored events shall be defined as any event implemented by ASUA, or sponsored by ASUA through funds, marketing, or branding.

11-1.03

At-Large Candidate(s) shall be defined as candidates that are running for an at-large senate seat, not tied to or representing any specific college.

11-1.04

Campaigning shall be defined as, but not limited to any public action or communication including leafleting, posting campaign material, verbal communication, scheduling of engagements, emails, conversations, using electronic resources and/or other activities interpreted in this Code, initiated by a candidate or a member of their campaign staff with the intention of soliciting votes.

11-1.05

Campaign material shall be defined as any paraphernalia attached to a candidate's name or that is distributed, produced, or posted with the intention of soliciting votes including but not limited to computers owned by a candidate or their campaign staff, posters, signs, leaflets, t-shirts, buttons, handbills, on-line profiles, groups, notes, and applications on networks like Facebook and MySpace or on personal websites.

11-1.06

Candidate Form shall be defined as the folder given to aspiring candidates prior to the candidate packet deadline that includes items such as petition sheets and a candidate eligibility form.

11-1.07

Cc shall be defined as the "carbon copy" function within email that sends an exact copy of the email to the specified recipient such as ASUA Elections.

11-1.08

Classroom shall be defined as a room of class instruction, lecture, or ongoing education by a faculty or staff member of the University of Arizona. This includes auditoriums.

11-1.09

Class Instruction shall be defined as any scheduled or unscheduled lecture, lab, discussion or academic event held on University of Arizona campus or property.

11-1.10

Approved by Senate 10/12/16

Display shall be defined as posters, placards, banners, and/or any other printed material used to influence an election.

11-1.11

Disqualify/disqualification shall be defined as temporary suspension from ASUA Elections, pending the final decision/ruling of the ASUA Supreme Court on the matter.

11-1.12

Do Not Contact List shall be defined as a list of students who no longer want to be contacted by candidates which include text messages and social media. The Do Not Contact List shall be maintained by the Elections Commission and will be continuously be made available to all candidates. Contacting members of this list more than 12 hours after their addition to the list will result in a strike.

11-1.13

Door-to-door solicitation shall be defined as a canvass of on-campus housing, libraries and school offices for the purpose of obtaining signatures and/or campaigning using your laptops, tablets, and/or cellphones.

11-1.14

Duration refers to the election period that begins on the first day of campaigning and continues through the closing of the polls for the General Election.

11-1.15

Election Commission and/or staff shall be defined as the Elections Commissioner and their appointed assistant(s).

11-1.16

The election period begins on the first day candidate packets are available and will continue though twenty-four (24) hours past the closing of the poll for the General Election.

11-1.17

Elections Results Day shall be defined as the day after Primary or General Elections voting closes in which the results of the Primary or General Elections are Announced.

11-1.18

Electronic resources shall be defined as online sources and tools including, but not limited to emails, websites, web pages, instant messaging services, text messages and profiles on online social media including but not limited to Facebook and MySpace.

11-1.19

Endorsement shall be defined as to express support or approval of, publicly and definitely.

11-1.20

Fair market value shall be defined as the cost of an item based on the average of three price estimates including tax, fees, and/or other charges under the discretion of the Elections Commissioner.

11-1.21

Fraudulent purposes shall be defined as deliberate deception for unfair or unlawful gain.

11-1.22

General Elections shall be defined as the period in which voting opens for General Election to when voting closes on the next day.

11-1.23

General Election(s) Results Show shall be defined as the day after the General Election is over where the results of the election are publically announced at an event held by ASUA elections.

11-1.24

Gross shall be defined as deviation of established policy or practice.

11-1.25

Kiosks shall be defined as a small structure, often times with a light, with one or more open sides used as a newsstand.

11-1.26

Leafletting shall be defined as distributing large amounts of campaign material to one establishment (i.e. leaving a large amount of handbills in a department office or dropping handbills from the top of the Student Union).

11-1.27

Listserv shall be defined as any grouping of email addresses created for the use of a single message to be sent out to all addresses at once. This includes, but is not limited to, those employed by the University of Arizona.

11-1.28

Low candidate turnout shall be defined as having two (2) or fewer candidates for each Executive office and twenty (20) or fewer candidates for Senate.

11-1.29

The Mall shall be defined as the lawn and sidewalk areas bordered by Park Avenue east of Old Main and Campbell Avenue between east and westbound University Boulevard.

11-1.30

Malicious tampering shall be defined as modification with ill intent.

11-1.31

Mass Email shall be defined as an email message addressed to more than one person.

11-1.32

May shall be defined as permissive.

11-1.33

Negligent shall be defined as a carelessly easy manner or not taking prudent care.

11-1.34

Neutral Voting Site shall be defined as a polling location that is operated by a member of the elections commission staff, and cannot have candidates or candidate staff within 75 feet of its physical location.

11-1.35

Obstruct shall be defined as the covering of any poster.

11-1.36

Official complaint form shall be defined as the official complaint forms provided by the ASUA Front Desk which were provided to by ASUA Elections.

11-1.37

On-campus shall be defined as any property owned, operated, or recognized by the University as University affiliated property. This includes Greek houses within and outside of the Speedway-Campbell-Sixth Street-Euclid border. This also includes the Eller College of Management and the university Rec Center.

11-1.38

Personal Email Account shall be defined as any email account other than a university email account ending in “arizona.edu.”

11-1.39

A **polling station** shall be defined as any voting location officially sponsored or approved by the Elections Commission.

11-1.40

Pre-candidacy is the period beginning at the end of the previous year’s General Election Results Show and ending on the first day the designated campaign period begins.

11-1.41

Pre- Majors shall be defined as students at the University of Arizona not yet taking/enrolled in upper division courses within a college that requires application/classification as an established major without pre-requisite classes.

11-1.42

Primary Elections shall be defined as the period in which voting opens for the Primary Election to when voting closes on the next day.

11-1.43

Approved by Senate 10/12/16

Primary Elections Results Show shall be defined as the day after the Primary Election is over where the results of the election are publically announced at an event held by ASUA elections.

11-1.44

Public shall be defined as any area under the jurisdiction of the City of Tucson and/or Pima County.

11-1.45

Shall is defined as mandatory.

11-1.46

Slate shall be defined as two or more candidates campaigning on the same ticket or otherwise creating the outward appearance of running on the same platform.

11-1.47

Social Media shall be defined as forms of electronic communication (as websites for social networking and microblogging) through which users create online community to share information, ideas, personal messages and other content (as videos).

11-1.48

Staff/Campaign Staff shall be defined as all persons distributing or promoting physical campaign material for a candidate.

11-1.49

University building shall be defined as any building owned by the University of Arizona and/or operated by University of Arizona staff, faculty, or employees.

11-1.50

University of Arizona email account shall be defined as any email used that is provided by the University of Arizona and or ends in “@email.arizona.edu.”

11-1.51

Unsolicited shall be defined as a message where the recipient is not clearly defined and therefore, the message was unsought by the recipient. This includes messages sent to a candidate’s social network group or listserv approved by their president or designee.

11-1.52

Violation shall be defined as an infringement of the rules.

11-1.53

Will shall be defined as conditions permitting.