

UNIVERSITY OF NEBRASKA AT OMAHA

STUDENT GOVERNMENT

ELECTION RULES

Approved by the Rules Committee: December 3, 2009

Approved by the Student Senate: December 10, 2009

CHAPTER 1 – ELECTIONS

Welcome to the Student Government election process. This packet contains information on running for an elected position within Student Government at the University of Nebraska at Omaha (UNO). Members of Student Government are part of the official governing body representing the students of UNO, whose composition and duties are outlined by the UNO Student Government Constitution and By-Laws, and who act as a liaison between students and administration. Student Government proposes formal resolutions to the administration recommending changes in the operation of the campus, and allocates over a quarter of a million dollars of student fees every year. Student Government also acts as the official voice of the students whenever any sort of opinion or stance is needed on the students' behalf.

As an elected member of Student Government, attendance for Student Senate meetings held every other Thursday at 7:00pm is required. During the weeks that Student Senate meetings are not held, required Student Senate Committee meetings will be held. Those who are elected to a Student Senate position will be required to fulfill one (1) office hour per week.

I. Election Commission

The Election Commission was created through Student Senate legislation to better suit the needs of the students running in the election. There are nine (9) Election Commissioners, appointed by the Legislative and Public Relations Officer, who have been empowered to oversee, administer, and certify student elections. The jurisdiction over conflicts arising regarding student elections is the domain of the Election Commission and it is their duty to administer all elections in accordance with the UNO Student Government Election Rules through the delegated authority of the Student Court.

II. Authority

These rules and regulations have been created and will be upheld by the Election Commission, pursuant to the authority granted to them by Student Senate and the Student Court, under the Constitution and By-laws of the Student Government of the University of Nebraska at Omaha, hereby referred to as SG-UNO.

The Election Commission shall meet annually to review and/or revise these Election Rules based on observations from the completed elections, with changes sent to the Student Senate Rules Committee and the Student Senate by December 1, following the election. No rules may be revised within one (1) week after the elections have closed.

III. Offices

The Student Senate shall consist of a number of Student Senator seats determined in the SG-UNO Constitution. Two (2) Student Senators shall represent each of the five classes: Freshman, Sophomore, Junior, Senior, and Graduate. The remaining Student Senators shall represent the Colleges and Divisions of UNO and shall be apportioned, according to the SG-UNO Constitution, by the Election Commission based upon enrollment in each college and division.

IV. Eligibility

In order to be eligible for a Student Government elected position, all requirements must be met in accordance with the University of Nebraska Board of Regents Policies, UNO Student Rights and Responsibilities, and the Student Government Constitution and By-Laws. The Election Commission shall ascertain the eligibility of each candidate filing for office prior to the creation of electronic ballots. Eligibility of candidates will be checked against the UNO Registrar's records at the time of filing for office. The names of ineligible candidates may not appear on the ballot. Eligibility of write-in candidates will be verified prior to the installation of office.

Under all circumstances, however, University policy prohibits denial of University privileges to students on the basis of race, color, age, disability, religion, gender (including sexual harassment), national origin, marital status, Vietnam-era veteran status, political affiliation, sexual orientation, non-contagious medical conditions, intelligence, attractiveness, or any other unlawful reason.

To be eligible to run for and hold an elected or appointed position in Student Government, stipulations on all candidates are:

- a) Candidates must remain enrolled in at least six (6) credit hours.
- b) Candidates must maintain a minimum cumulative Grade Point Average of 2.5.
- c) Candidates must not be on disciplinary probation.
- d) The candidate must have paid UNO's University Program and Facility Fees.
- e) Members of Student Court cannot petition, campaign, or be elected to an additional Student Government office.
- f) Members of the Election Commission cannot petition, campaign, or be elected to an additional Student Government office.
- g) The Legislative and Public Relations Officer cannot petition, campaign, or be elected to an additional Student Government office in the same year that he or she has appointed Election Commissioners.

An additional stipulation on any candidate running for the office of Student Senator for their College is that the candidate must be a registered member of that College in the Student Information System (SIS) at the time of petitioning and during their entire term of office.

An additional stipulation on any candidate running for the office of Student Senator for a Class is that the candidate must have accrued enough credits to be a member of that class at the time of filing for office.

In addition, stipulations on candidates running for the Office of President/Regent or Vice President are:

- a) Candidate must be enrolled in at least six (6) credit hours at UNO.
(Credit hours exclude thesis, correspondence and independent study courses, and summer session credits)
- b) Have completed 24 semester hours of credit on the UNO campus during two years prior to the academic term.
- c) Not be convicted of a felony, unless all civil rights have been restored by the date set for filing for candidacy.
- d) If running for President/Regent, the candidate has not served more than two (2) terms as President/Regent.
- e) If running for Vice President, the candidate has not served more than two (2) terms as Vice President.

All candidates must attend an election orientation meeting held prior to elections in order to retain their name on the ballot. No exceptions other than emergency situations will be granted.

Any enrolled student at the UNO is eligible to vote for:

- a) A President/Regent and Vice President ticket.
- b) Two Student Senators for class representation based on their class.
- c) The allotted amount of Student Senator(s) for college/division representation based on their primary college/division.
- d) The support of a student newspaper from student funding (*The Gateway*).
- e) The support of a speakers program from student funding. (Maverick Productions)
- f) The support of salaries for student government officers from student funding.

V. Registering / Petitioning for Office

Candidates with intent to campaign for office must file an application for election to the Student Government Office. These forms shall be made available online by the SG-UNO Office Secretary or the Legislative and Public Relations Officer. Applications or petitions may not be submitted more than four (4) weeks prior to the first day of Elections. Filed petitions are to be open for public inspection and reproduction (at inquirer's cost) during regular business hours in the SG-UNO office.

A) President/Regent and Vice President

Students seeking to run on the adjoined ticket of President/Regent and Vice President must secure a (one per candidate) petition from the SG-UNO office and return the completed petition before filing for office. Each petition will consist of sixty (60) spaces for signatures and NUID numbers. The candidates must return the petition with at least fifty (50) valid student signatures and NUID numbers. The Election Commission will then be held responsible to verify the signatures as currently enrolled students with the help of the Registrar and the Director of Student Organizations and Leadership Programs.

B) Write-In Candidates

Any student who fails to file for elections by the prescribed deadline may not be listed on the ballot, but may run as a write-in candidate. Write-in votes must be identical to the name and spelling indicated in SIS. A minimum of five (5) write-in votes are required for a write-in candidate to be offered the position of Student Senator of their Class or College/Division. Any eligible student who is elected as a write-in candidate must file an application prior to accepting their position. Students who have petitioned for office may not be elected as a write in candidate for another office. Write-in candidates, like all others, must adhere to all Election Rules.

C) Agents

Agents are those authorized or instructed by a candidate to act on behalf of the candidate. Candidates will be responsible for the action of their agents. Candidates are responsible for briefing agents as to the Election Rules. Agents are required to register with the Election Commission by providing their signature and NUID number to a logbook located in the Student Government office. It is recommended that candidates keep a logbook of agents. Individuals acting independently of a candidate's authority or instruction are responsible for provisions of the Statement of Student Rights and Responsibilities and the Student Code of Conduct. Agents must be registered students of the University of Nebraska at Omaha.

D) Political Parties

Candidates and agents may form political parties to hone in and build on the strengths of each other. If a candidate chooses to join or form a political party, additional stipulations must be followed in addition to the rules for individual campaign practices. All political parties are required to register their party name and all of the members of the party with the Election Commission before party-involved campaigning may begin. Each political party may not have more candidates running for office than there are positions available for that office. Candidates may not be in more than one political party. No member of the Elections Commission or member of Student Court shall be affiliated with a political party. Political party names cannot include any candidate names.

CHAPTER 2 – RULES GOVERNING CANDIDATES

Candidates have the responsibility to create and support an educational environment. As potential representatives of the student body, candidates are encouraged to show good citizenship, both on and off campus. Candidates, and their agents, have the right of extensive latitude in making their opinions known. It is understood however, that by exercising this right, the rights of others may not be jeopardized. The public exploration and resolution of differing views can be successful only when groups and individuals discuss the issues in forums where the rights to disagree, speak freely, and be heard is preserved.

I. Expenses

- a) Candidates running on the adjoined ticket for the Offices of President/Regent and Vice President may expend up to, but no more than a total of \$500.00 in campaign expenditures which includes the fair market value of all campaign contributions during the regular SG-UNO Elections. If a Runoff Election is required, candidates for the office may expend an additional \$200.00 in campaign funds and contributions. Candidates for the Offices of President/Regent and Vice President must submit an itemized list of all contributions, expenditures related to seeking office, and agents. With this list, all receipts and statements of expenditures and contributions should be submitted. The deadline for submission is 12 noon on the last day of elections. These lists are available for public inspection. The fair market value of all non-purchased materials used by candidate, including those contributed, shall be disclosed in the report.
- b) Candidates for the a Student Senate office may expend up to, but not more than a total of \$100.00 in campaign expenditures which includes the fair market value of contributions related to seeking office. Candidates are responsible for keeping an account of expenditures, but do not need to provide evidence for it unless a grievance for over expenditures has been filed against them. Grievances for Student Senate campaign over expenditures must include all apparent expenditures by the candidate.
- c) Any discount received by a candidate for office must be taken into account, and fair market value of the good or service must be recorded in the list of campaign expenditures.
- d) No organization may raise more than \$100.00 for the purpose of supporting candidates for SG-UNO offices per election.

II. Literature

- a) Each candidate for Student Senate or for a President/Regent ticket is allowed to post one hundred (100) posters.
- b) Any printed posted material for the election that is identifiable with a candidate, shall count towards that candidate's poster total.
- c) A poster shall be defined as any posted literature or material specifically related to the elections no larger than twelve inches by seventeen inches (12" x 17").
- d) A banner is defined as anything larger than a poster and the maximum dimensions of three feet by eight feet (3' x 8').
- e) All literature, even if hung in the dormitories, must be approved with a stamp in the Student Organizations and Leadership Programs (S.O.L.P.) office prior to hanging.
- f) Candidates may only hang posters on designated bulletin boards (A list of approved boards is available in the S.O.L.P. office. All other boards are reserved for departmental use only and you must obtain departmental approval to post on these boards.)
- g) University policy prohibits any and all references to alcohol on posters or banners, and must contain text in English only.
- h) No posters may be posted in the Eppley Administration Building or in non-designated posting areas.
- i) At no time may posters or campaign literature be displayed in designated polling areas.
- j) No banner may be displayed from the center stairway railing at the South entrance of the student center.
- k) No banner may be displayed within fifty feet (50') of a designated polling area during the hours of election.
- l) Banners may be posted on a candidate's personal property outside the Student Center, but in no other building in the University.
- m) Each Student Senate candidate may post no more than three (3) posters on any floor of each University building.
- n) Candidates for President/Regent may place four (4) posters per floor of each University building.
- o) Each candidate for the position of President/Regent, adjoined to a Vice President, may display one banner at an approved location in the Milo Bail Student Center.
- p) Candidates for the office of Student Senate may not hang any literature larger than the aforementioned poster size.
- q) All distribution and placement of campaign literature on university residential housing must be approved by the appropriate property manager. (University residential housing of students at UNO, including but not limited to Maverick Village, University Village, operated by Century Campus Housing Management, and Scott Village/Residence Hall, operated by College Park Properties.)
- r) Literature may hang for up to thirty (30) days.
- s) Candidates are responsible for removing all posted material after elections have concluded.

III. Political Parties

Political parties are not allowed an expenditure budget. After a political party is registered with the Election Commission, candidates may include their party's name, logo, or insignia on their banners or posters. If members of a political party choose to "pool money" for a group expense, a document stating each member's equal contribution for the expenditure must be submitted to the Election Commission prior to purchase, and copies of the receipts must be included with all list of expenditures submitted. Every member of the party must be part of the expense and must sign the expense form acknowledging their participation. The amount contributed by a member to a group expense is considered part of that member's campaign expenditures. Group expenses on promotional items must have the political party name.

IV. Mass Email, Text Messaging, and Phone Calls

No mass emails, text messages, or phone calls containing campaign literature may be sent to the Student Body by a candidate petitioning for office or an agent of a candidate unless all recipients are personally known by the candidate or agent or if the recipient has given consent to receive the message. Sending an e-mail, text message, or phone call regarding the election to unknown members of the electorate, who have not given consent to receive the message, is not permitted.

V. Internet Resources

Campaigning on social networking websites, including but not limited to Facebook, Myspace, LinkedIn, Twitter, blogs or websites is allowed. Those changing their personal pages are encouraged to register as agents with the Election Commission in the Student Government Office. No negative, libelous, or slanderous statements can be made about opposing candidates.

VI. Sidewalk Chalking

Candidates and agents are allowed to sidewalk chalk only in the MBSC plaza if granted permission by the Election Commission. No negative, libelous, or slanderous statements can be made about opposing candidates.

VII. Electioneering in the Polling Areas

After the election has commenced, candidates or their agents may not campaign within fifty (50') feet of designated polling areas. In the case of Electronic Ballot Elections, designated polling areas will be defined as any University computer lab or computer based classroom. Campaigning within fifty (50') feet of computer kiosks and laptop users is allowed, however campaigning directly to those utilizing said computers is prohibited. Due to the high density of computer stations in the library, no campaigning inside of the library is allowed. Posters or other campaign literature existing in designated polling areas must be taken down at the commencement of the election and returned to the candidate and/or their agent. Candidates and agents may not intentionally abuse or misuse the computer facility so as to cause damage, program disturbances or harassment to other persons.

VIII. False Statements

No candidate and/or agent shall make false statements relating to himself/herself or any other candidate. It will be violation of the rules to provide the Election Commission with any false or misleading information. Violation may qualify as a Misfeasance of Office.

CHAPTER 3 – DISPUTES, DISCREPANCIES, AND GRIEVANCES

I. Grievance

Any person, having witnessed a candidate or the candidate's agent in violation of any of the Election Rules Governing Candidates, may file a grievance with the Election Commission on a form designated by and obtained from the Election Commission.

This form should include questions pertaining to:

- 1) Specific rule violated or misinterpreted (article and section);
- 2) Specifically when and where violated; and
- 3) Other witnesses.

All grievances must be filed no later than one (1) business day (a business day defined is Monday through Friday when University offices are open) after the polls have closed on the last day of the election.

II. Hearing

It shall be the right of any candidate to petition by filing a grievance with the Election Commission. Upon the submission of a grievance, the election for that office will be considered "in dispute." If the grievance addresses an action that would invalidate a candidate or ticket, a public hearing shall be held at which the incident shall be reviewed. The Election Commission may take steps, if deemed necessary, to place temporary sanctions on a candidate's campaign until the time of a hearing. The Election Commission shall schedule the hearing for some time convenient to the interested parties at a time when the University is in session no later than five (5) business days after the election polls close. The Election Commission will also be responsible for publicly announcing the time and place of the hearing in advance.

Once a candidate has signed a grievance and it has been filed, the Election Commission is responsible for notifying all candidates and individuals against whom a grievance has been filed, and those who have filed grievance as to the place and time of the hearing. The information should be sent by way of registered mail, email, or telephone contact and will include the times for hearings. A copy of the grievance must be provided as well. The notification should be made within 96 hours of the poll closing. Should a candidate file a grievance, the corresponding election result will be in dispute until proven otherwise. The person(s) filing grievances will be provided an opportunity to withdraw their grievance. Until a formal hearing occurs or the grievance is withdrawn, a candidate may not take office.

Procedure for Election Hearing:

- A. Meeting is called to order.
- B. The rule in question is cited and read by the Election Commissioner.
- C. The petitioner is heard.
- D. The defendant's case is heard.
- E. The petitioner's witnesses are heard.
- F. The defendant questions petitioner's witnesses.
- G. The Election Commission members question petitioner and petitioner's witness.
- H. The defendant's witnesses are heard.
- I. The petitioner questions defendant's witnesses.
- J. The Election Commission members question defendant and defendant's witness.
- K. Recess for deliberation (Deliberations are closed.)
 1. Members vote on the resolution of the case.
 2. If the case is found in favor of the petitioner, the members will vote on a prescribed sanction, if any.
- O. Formal decision is read by the Election Commission Chairperson with applicable sanction.
- P. Meeting adjourns.
- Q. Petitioner and defendant are provided a copy of ruling via certified mail.

Rulings of the Election Commission may be appealed to the Student Court if the appeal has merit as determined by the Chief Justice of the Student Court. Due process of the Election Commission according to the Election Commission's Internal Operating Procedures or the Student Government By-Laws must be violated for any appeal to have merit.

No member of Student Court shall be allowed to attend a hearing, unless they are present as a witness or to provide testimony. In the event that a member of Student Court is a witness or provides testimony, they are required to abstain from any appeal processes relating to the hearing.

III. Sanctions

Any violation of the policies of the University of Nebraska at Omaha or the University of Nebraska Board of Regents may be grounds for the invalidation of any candidate or ticket. If the applicable sanction for a filed grievance is not invalidation and at least one (1) member of the Election Commission has witnessed the violation, then the Election Commission may meet to decide on sanction(s) without a hearing.

The Election Commission may enforce, but is not limited to, the following sanctions:

- a) Provide a verbal warning of violation.
- b) Restrict candidate campaigning before elections are over.
- c) Write a written reprimand to the candidate or agent in violation of the rule.
- d) Be submitted by the Election Commission to the Student Court for hearing, if a sanction that involves a conflict of interest within the Election Commission.
- e) Invalidate the candidate.
- f) Invalidate the campaign ticket.
- g) Recommend disciplinary action found in the Statement of Student Rights and Responsibilities & the Student Code of Conduct through the Vice Chancellor of Academic & Student Affairs or the University Judicial Officer.

Additional situations that would require a hearing to determine a candidate's campaign's validity are:

- a) Fraudulent manipulation of vote count (e.g. voting as anyone other than oneself, collecting NUID numbers to vote multiple times);
- b) Extreme cases of libelous statement about opponent;
- c) Extreme propagation of falsehoods about oneself;
- d) Spending more than campaign expenditure limits permit;
- e) Distributing or promising money, currency, or coin of any nation;
- f) Promising of services or relinquishment of service relating to wages, money, currency, coin, or scholarship requirements will be promised by a candidate at any time.
- g) Failure to comply with sanctions.

Clear and convincing evidence must be provided in each case.

IV. Invalidation

In the event of a vacancy for a seat due to the invalidation of a campaign, the seat will be filled according to the SG-UNO Constitution and By-Laws. Any violation warranting invalidation of a campaign committed by a candidate for the office of President-Regent, Vice President, or any agent of their campaign ticket will result in the invalidation of the ticket as a whole. If the President-Regent & Vice President elect ticket or Student Senate candidate's campaign is invalidated, all votes for that ticket are declared invalid, and will not be considered in the calculation of votes. All votes cast for fictitious characters or for persons ineligible to hold office will be declared invalid, and will not be considered in the calculation of votes. Any duplicate votes cast by a voter will only be considered once in the tabulation of votes.

V. Failure to Comply

If a candidate does not comply with a sanction issued within two weeks, the Election Commission may declare a Misfeasance of Office, and based on the SG-UNO constitution, invalidate the Candidate's ability to hold office. Misfeasance of Office does extend to misconduct while campaigning prior to taking office, unless the filed Misfeasance of Office is a sanction, because intention to take office indicates the same standards of behavior required while in office.

VI. Special Elections

- a) A Special Election for an issue or office may be held by a 2/3 vote of the Student Senate or if deemed necessary by the Election Commission. Members of the Election Commission will be responsible to administer the Elections. The Student Senate will determine the length of the election.
- b) A Special Election, including a Run-off Election for the adjoined ticket of Student President-Regent and Vice President, will follow the same rules as the General Election.
- c) If the Secretary of the State of Nebraska invalidates an entire Election, the Election Commission will hold a new Election.
- d) The Election Commission is responsible for conducting a run-off Election for the Office of President/Regent and Vice President.

VII. Failure to take Office

Any candidate elected to a SG-UNO Office must personally notify the SG-UNO Office within seven (7) days of the public announcement of the Election results of their intentions to accept their office. Failure to do so will result in Forfeiture of Office. If the office is thus forfeited, the seat will be considered vacant and is subject to appointment by the Student Senate. The list of nominees for appointment should be limited to the remaining slate of candidates for that race.

CHAPTER 4 – TABULATION AND CERTIFICATION OF VOTES

The tabulation of the Election results must be certified within nine (9) days of the Election. If there is specific evidence of an inaccurate or incomplete count, then a signatory may refuse to sign. The adjoined ticket of the President/Regent and Vice President winner will be declared only if the candidates obtain a simple majority (simple majority is defined as 50 percent + 1) or at minimum a 10 percent margin over all other candidates. In the event of a tie for a Student Senate Seat the winner will be decided by winning a coin toss.

Any grievance resulting from the improper tabulation of votes is considered grounds for invalidating the Elections. The grievance must be filed within twenty-four (24) hours of the alleged inaccuracy or incomplete result being discovered. This grievance begins a process of invalidating either the entire Election, or a particular race, if the inaccuracy can be limited to such. The invalidation of an SG-UNO Election is subject to Nebraska State Law. If certification is denied, the appeal advances to the next level. If certification is approved at any level, then the appeal process will fall under

the guidelines of SPECIAL ELECTIONS, but all Election Rules will apply. All appeals should be submitted immediately and the final appeal decided within nine (9) days of the Election. All inaccurate or incomplete count grievances shall be typed and signed by the aggrieved party or parties.

The Following Procedures Apply to the Election Commission.

- a) Electronic Ballots will be sorted completely by the ITS Director, his/her assistants, and any software deemed necessary by ITS in the electronic elections. After Electronic Ballot Elections end, the sorted Electronic Ballots will be safely transported from ITS to Student Organizations and Leadership Programs where the results will be secured until results are confirmed. Preliminary results will only be released to members of the Election Commission and the Director of Student Organizations and Leadership Programs or his/her representative.
- b) The number of voters lined-out on the enrollment printout will then be counted at least twice. If the number is more than 6% off, a second count will be made by hand. This total will then be compared to the voter total provided by the ballot count.
- c) The electronic ballot results will then be transferred to a Preliminary Result Sheet (PRS). It will not include the names of write-in candidates unless they win a seat. The PRS will then be posted outside the S.O.L.P. office, as well as in the SG-UNO Office.

CHAPTER 5 – Election Setup and Poll Workers

I. Publicizing Elections

The Election Commission will take sufficient measures to adequately publicize available office, filing dates, polling places, and procedures for obtaining absentee ballots. The Election Commission will publicize elections at least two weeks prior to the last day for filing petitions. Election publicity should include but not be limited to the following:

- a) Placing posters at strategic locations in the Milo Bail Student Center and other locations across campus;
- b) Off-campus election publicity such as distribution of press releases and/or other pertinent information regarding the Elections to the Gateway, campus television Channel 26, campus radio stations KBUL and KVNO and other local media offices shall be accomplished through the LPR, and University Relations;
- c) Submitting any Election advertisements to be published in the Gateway purchased with SG-UNO funds appropriated by the Student Senate.

The LPR shall serve as Publicity Chairperson for the Elections.

II. Preparation

A) Preparation Procedures

1. The Election Commission will be responsible for setting up a timeline and Election Screens with Student Enrollment Services (SES) at least one month before Elections. Only those names of candidates that have filed by the deadline and are eligible to run will appear on the ballot. The names will appear in a rotational order on the ballots as provided by the candidate on the petition form. No ballots other than those for specified Student Government races and referendums will be prepared or distributed.
2. If Paper Ballots Are Needed
 - a. The Election Commission will be responsible for obtaining Optical Scan Ballots (OSB) for each voter at least two weeks before the Elections. The total number procured will be based upon historical trends of student voting. The commission will also be responsible for having a program available for reading the OSB through Campus Computing.
 - b. The Election Commission will then prepare an adequate number of paper ballots for each race. Paper ballots will be clearly and permanently marked as per race and referendum.

B) Security

The Election Commissioner, the Director of Student Organizations and Leadership Programs, and ITS will be held solely responsible for the security of the electronic ballots. A safe database for storing the electronic ballots shall be mutually agreed upon by the Election Commissioner, the Director of Student Organizations and Leadership Programs, and SES.

C) Sample Ballots

Sample electronic ballot availability and its corresponding website address will be released to the media at least six (6) days prior to the first day of Elections..

III. Voting Procedures

A. Qualifications of Voters: Safeguards Against Voting Twice.

Electronic ballot software must verify that each voter is a registered student at the University of Nebraska at Omaha during the semester in which they vote, and have not submitted a prior vote.

B. Voting.

Each voter may vote for the maximum number of seats available for each respective college and class race.