

Title VI

Election Regulations

Chapter 1

Statement of Purpose and Definitions

Section 100. Purpose

The purpose of this Act is to establish the Student Government General Election Laws for the University of North Carolina at Chapel Hill.

Section 101. Definitions

The following definitions shall apply:

- A. Declaration of Candidacy is defined as the official document submitted by a student declaring their intent to run for office. This document must be submitted during the mandatory candidates' meeting.
- B. Declared Candidate is defined as a student who has submitted their Declaration of Candidacy and is pending certification by the Board of Elections.
- C. Certified Candidate is defined as a student who has been certified by the Board of Elections to appear on the ballot.
- D. Campaign is defined as the actions taken by a candidate, whether certified or not, or candidate supporter in order to assist in their goal of obtaining office. This includes dorm-storming, pit-sitting, a-frames, fliers, posters, and any other activity deemed relevant by the Board of Elections and Student Supreme Court.
- E. Candidate Supporter is defined as any student who assists a candidate in their campaign endeavors. This can be in official capacity, such as a campaign manager, or unofficial capacity.
- F. Referendum is defined as either:
 1. A student fee referendum that creates, increases, or decreases student fees;
 2. An amendment to the Constitution of The Code of Permanent Laws of the Student Government of the University of North Carolina at Chapel Hill; or
 3. A ballot initiative.
- G. Referendum Campaign is defined as the actions taken in order to assist in their goal of passing or defeating a referendum. This includes dorm-storming, pit-sitting, a-frames, fliers, posters, and any other activity deemed relevant by the Board of Elections and Student Supreme Court.
- H. Referendum Contact is defined as the individual designated to represent a referendum to the Board of Elections. Each referendum must have a referendum contact in order to be placed on the ballot.
- I. Referendum Worker is defined as any student who partakes in referendum campaign activities in favor or opposing of a referendum. This can be in official or unofficial capacity.
- J. Ballot Petition is defined as a petition document that a declared candidate, referendum contact, or their respective supporters, fills with signatures in order for a candidate or referendum to appear on an election ballot.
- K. Regular Elections are the elections to fill campus-wide offices and Student Congress seats, including the fall elections held within the week before the Homecoming Game for Homecoming Court Elections and spring elections.
- L. Special Elections are the elections held to fill vacancies in campus-wide offices and Student Congress arising more than forty-five days before a regular election and/or to approve referendum not held during regular elections.
- M. Re-Elections are elections held in the event that the results of a previous election are voided by the Board of Elections or the Student Supreme Court.
- N. Run-off elections are elections held when a specific candidate, which requires a majority of the cast certified votes, fails to receive such votes in a regular, special, or re-election.
- O. Campaign Materials are defined as all materials purchased or used by a candidate, referendum, or their respective supporters, for the purpose of campaigning.

- P. Campaign Expenditures are defined as all expenditures, physical or in cyberspace, of a candidate, referendum, or their respective supporters, for the purpose of campaigning.
- Q. Discreet Campaigning are defined as any campaign activities that includes only:
1. A candidate and his/her candidate supporters; or,
 2. A referendum contact and referendum workers.
- R. Private campaigning is defined as campaigning that occurs within a group of five (5) or fewer people not facilitated by the use of campaign expenditures. The printing of "Petition to Appear on a Ballot" shall be exempt from this rule.
- S. Electronic Campaigning is defined as the use of electronic resources for the purpose of campaigning, including, but not limited to, emails, social networks, internet advertisements, websites, and listservs.
- T. Constituency is defined as the pool of eligible voters for each respective office.
1. The constituency for the President of the Student Body is all duly registered fee paying students.
 2. The constituency for the President of the Carolina Athletic Association is all duly registered fee-paying students.
 3. The constituency for the President of the Graduate and Professional Student Federation is all duly registered fee-paying graduate and professional students.
 4. The constituency for the President of the Residence Hall Association is all duly registered fee-paying students of the Residence Hall Association.
 5. The constituency for Officers of the Rising Senior Class is all duly registered fee paying juniors or continuing seniors.
 6. The constituency for Members of Student Congress is all duly registered fee-paying residents from the district of respective candidates.
 7. The constituency for the Homecoming Court is all duly registered fee-paying students.
 8. The constituency for a referendum is all duly registered fee paying students.

Chapter 2

Election Cycle

Section 200. Spring General Election

- A. The Spring General Election shall be held on the second Tuesday of February to elect the following offices:
 1. The President of the Student Body;
 2. The President of the Carolina Athletic Association;
 3. The President of the Graduate and Professional Student Federation;
 4. The President of the Residence Hall Association;
 5. Officers of the Rising Senior Class; and,
 6. Members of the Student Congress.
- B. The following shall be the timeline of the Spring General Election:
 1. The Board of elections shall conduct a “Declaration of Candidacy” Meeting twenty-one (21) days before the Spring General Election. This meeting shall be mandatory for all students who declare candidacy.
 2. Ballot Petitions must be submitted to the Board of Elections no later than 5:00 p.m. fourteen (14) days before the Spring General Election.
 3. The Board of Elections shall release the list of Certified Candidates no later than forty-eight (48) hours after the Ballot Petitions are due. This occurs twelve days before the Spring General Election.
 4. Declared Candidates and Campaigns that have petitions out of order shall have twenty-four (24) hours after the release of the list of Certified Candidates to correct their petitions and re-submit them to the Board of Elections. This occurs eleven (11) days before the Spring General Election.
 5. The Board of Elections shall release a final list of Certified Candidates ten (10) days before the Spring General Election.
 6. If needed, a Run-Off Election shall occur seven (7) days after the certification of the results of the Spring General Election.

Section 201. Fall General Election

- A. The Fall General Election shall be held on the Friday before the Homecoming Football Game to elect the members of the Homecoming Court.
- B. The following shall be the timeline of the Fall General Election:
 1. The Board of Elections shall conduct a “Declaration of Candidacy” meeting fourteen (14) days before the Fall General Election. This meeting shall be mandatory for all students who declare candidacy.
 2. Ballot Petitions must be submitted to the Board of Elections no later than 5:00 p.m. five (5) days before the Fall General Election.
 3. The Board of Elections shall release the list of Certified Candidates no later than forty-eight (48) hours after the Ballot Petitions are due. This occurs seven (7) days before the Fall General Election.
 4. Declared Candidates and Campaigns that have petitions out of order shall have twenty-four (24) hours after the release of the list of Certified Candidates to correct their petitions and re-submit them to the Board of Elections. This occurs six (6) days before the Fall General Election.
 5. The Board of Elections shall release a final list of Certified Candidates five (5) days before the Fall General Election.
 6. The Fall General Election shall be held on the Friday before the Homecoming Football Game.
 7. If needed, a Run-Off Election shall occur seven (7) days after the Fall General Election.

Section 202. Special Elections

- A. Special Elections shall be held to fill vacancies in the Student Congress arising more than forty-five (45) days before the Spring or Fall General Elections or approve referendum not held during the Spring or Fall General Elections.
- B. Special Elections shall be held during the Fall and Spring semesters on a day when classes are in session.
- C. For vacancies in Student Congress, the Chair of the Ethics Committee of the Student Congress shall report vacant Student Congress seats to the Chair of the Board of Elections within two (2) school days of the vacancy. The Board of Elections shall set the date for Special Elections to fill the vacant seat(s) in accordance with the Constitution, Article I, Section 1(E).
- D. For the approval of referendum, the Board of Elections shall be responsible for seeing that all referendum are held on the date as provisioned by the Student Congress.
- E. Special Elections for Student Body Recalls, as outlined in the Constitution, Article V, Section 2 shall be held no fewer than six (6) and no more than fifteen (15) days after the petition for such review has been certified by the Board of Elections and is received by the Student Body President.
- F. Special Elections for Student Body-initiated referendum, as outlined in the Constitution, Article V, Section 3, shall be held no fewer than six (6) and no more than fifteen (15) days after the petition for such review has been certified by the Board of Elections and is received by the Student Body President.
- G. Special Elections for Student Body Reviews, as outlined in the Constitution, Article V, Section 4, shall be held no fewer than six (6) and no more than fifteen (15) days after the petition for such review has been certified by the Board of Elections and is received by the Student Body President.
- H. The following shall be the timeline of Special Election(s):
 1. The Board of Elections shall conduct a “Declaration of Candidacy” Meeting fourteen (14) days before the Special Election. This meeting shall be mandatory for all students who declare candidacy.
 2. Ballot Petitions must be submitted to the Board of Elections no later than 5:00 p.m. seven (7) days before the Special Election.
 3. The Board of Elections shall release the list of Certified Candidates no later than forty-eight (48) hours after the Ballot Petitions are due. This occurs five (5) days before the Special Election.
 4. Declared Candidates and Campaigns which have petitions ruled out of order shall have twenty-four (24) hours after the release of the list of Certified Candidates to correct their petitions and re-submit them to the Board of Elections. This occurs six (6) days before the Special Elections.
 5. The Board of Elections shall release a final list of Certified Candidates four (4) days before the Special Elections.
 6. If needed, a Run-Off Election shall occur seven (7) days after the Special Election.

Chapter 3

Student Government Participation

Section 300. Student Government Participation in Elections

- A. Student Government Offices. For the duration of the campaign for any elected position, no campaign materials may be displayed or stored in the offices of Student Government, including but not limited to the offices of the Executive and Legislative branches and the offices of the Honor Court and the Student Attorney General.
- B. Student Government Involvement in Campaigns.
 1. The following Student Government members shall not participate in a campaign for any elected position, make public endorsement for any candidate, nor shall they make any statement for or against a referenda campaign or candidate:
 - i. Student Attorney General;
 - ii. Graduate and Professional Attorney General;
 - iii. Chair of the Undergraduate and Graduate Honor Courts;
 - iv. Members of the Student Supreme Court;
 - v. Student Solicitor General;
 - vi. Members of the Board of Elections; and,
 - vii. Members of the Student Legal Counsel (except in the case of legal hearings, pre-trials, trials, and legal papers).

When participating in student body elections or endorsing a particular candidate, it must be made clear that the official is speaking only on behalf of themselves and not for Student Government or any subsidiary thereof.

Chapter 4

Candidate Campaigns

Section 400. Candidate and Campaign Responsibilities

- A. Candidates, campaigns, and their campaign staffs are expected to know and obey the laws contained in Title VI. Violations of campaign laws are to be filed as election complaints to the BOE. Any student who has knowledge of an election law violation has a responsibility to file an election complaint to the BOE.
- B. Candidates retain the right to all actions not explicitly prohibited or reasonably prohibited by Title VI.

Section 401. General Responsibilities

- A. Qualifications for Office. A candidate for office must meet the following requirements or be determined ineligible to hold, and/or run for, the office:
 - 1. He/she must be duly registered fee-paying students in good standing at the University of North Carolina at Chapel Hill.
 - 2. He/she shall not be on probation for violation of the Honor Code or Campus Code of Conduct, nor shall they be on probation after conviction by a Student Court for an offense against the Student Body, nor may any student run for Student Congress if he/she has filed for graduation.
 - 3. He/she shall be a constituent of the office for which they are candidates on the first day of the fall semester after the election is held.
 - 4. Incumbents facing recall shall have the right to be a candidate in the recall election.
 - 5. No person shall be a candidate for more than one office simultaneously.
 - 6. It shall be the duty of the Board of Elections with the support of the Division of Student Affairs to determine the standing of all candidates qualified for election by petition or write-in.
 - 7. Only those students of the University of North Carolina at Chapel Hill who are living in member residence halls of the Residence Hall Association may be eligible to run for the office of Residence Hall Association President.
- B. All campaign materials which are produced by a particular candidate or his/her staff must have the candidate's name on it in the following manner: "sponsored by the [name] for [office] campaign."
- C. Operation of Polling Sites Prohibited. Only the Board of Elections may operate a polling site. A polling site shall be defined as a (group of) computer(s) connected to the Internet, or a conventional ballot box with legible ballots available for casting, that has been advertised as a place to vote.

Section 402. Technology

- A. Web pages. The following rules shall apply to candidate websites:
 - 1. URL(s) of candidate's web page(s) must be specified in the financial statement submitted by the campaign;
 - 2. No campaign-related material may be posted on the web until after a candidate has declared his/her Intent to Run to the Board of Elections.
 - 3. No university-owned computers may be set to default a candidate's webpage, social network group, or other campaign-related documents.
 - 4. Social networking groups shall contain the same endorsement as any other campaign material, as defined in Title VI Chapter 4 Section 401B.
- B. E-mail.
 - 1. Unsolicited e-mailing to mailing lists shall be permissible for campaigning, unless otherwise prohibited by the Board of Elections, once a candidate has been certified by the Board of Elections. The subject line of said e-mails must read: "Vote for [candidate] for [office]" and the first line in the memo or text must read: "REPLY TO [E-mail address of sender] and may not be given a "high" or

“URGENT” priority designation. Messages sent via any website (including social networking websites, blogs, bulletin boards, etc.) shall be considered e-mail.

2. E-mail lists and social media/networking websites reserved for the use of Student Government officials or any party acting on behalf of Student Government may not be used to advance the candidacy of any individual or support the passage or failure of a referendum.

C. Telephone services.

1. Mass use of voicemail is permissible for purposes of campaigning, once the candidate or campaign has been certified by the Board of Elections. The first words left in the message must be “THIS MESSAGE IS IN SUPPORT OF [candidate] FOR [Office]. REPLY TO [Phone number of sender].” The message shall be no longer than 30 seconds.
2. Mass SMS/MMS messages shall not be sent until a candidate becomes certified.

Section 403. Pre-Declaration

- A. Potential candidates and campaigns shall be subject to the laws governing elections and all restrictions herein.
- B. No campaign or candidate shall publicly campaign before the official Declaration of Intent to Run for Office. No candidate or campaign shall declare their Intent to Run for Office before the mandatory Candidates’ Meetings established in 200B(1) for the Spring General Elections, 201B(1) for the Fall General Elections and 202H(1) for Special Elections.
- C. Candidates may campaign on a discreet and private basis.
- D. Electronic campaigning shall be allowed on a discreet and private basis only.

Section 404. Campaigning for Declared Candidates

- A. Upon declaring the Intent to Run for Office, candidates and candidate supporters may privately and discreetly campaign for the purpose of obtaining proper signatures for the Petition to Appear on the Ballot. Additionally, a candidate may display his/her web pages online upon declaring the Intent to Run for Office.
- B. Any student who is eligible and wants to become a candidate for any office and desires to have his/her name appear on the ballot and receive student financing of their campaign may do so, provided that he/she submits the required ballot petition, and follows the schedule stipulated in Chapter 2.
- C. The number of constituents’ signatures required to file a valid petition shall be as follows:
 1. At least one thousand two hundred fifty (1250) unique signatures for the President of the Student Body.
 2. At least seven hundred fifty (750) unique signatures for the President of the Carolina Athletic Association.
 3. At least hundred (100) unique signatures for the President of the Graduate and Professional Student Federation.
 4. At least two hundred and fifty (250) unique signatures for the President of the Residence Hall Association.
 5. At least two hundred and fifty (250) unique signatures for the Officers of the Rising Senior Class.
 6. At least twenty (20) unique signatures for Members of Student Congress.
- D. No student shall sign more than one petition for each office, nor shall he/she sign a petition for an office of which he/she is not a constituent. For Student Congress elections, students may sign as many petitions as there are seats on the ballot for that district. Violation of this clause shall constitute a violation of the Instrument of Student Judicial Governance and may be reported to the Student Attorney General for investigation; duplicate signatures shall be considered void. Candidates and their campaign workers shall inform the students of this stipulation.
- E. Each signature on the petition must be accompanied by a name, PID, the address (for undergraduates), department (for graduates) and class of the person signing the petition. These items must be filled out by the person signing the petition.
- F. Onyen verified electronic signatures can be used to fulfill the signature requirement in Section 404 Subsection C.

- G. No candidate, campaign, nor any campaign worker, shall publicly campaign for said candidate, publicly seek to further the interests of said candidacy or campaign, or use campaign materials prior to one's candidacy or campaign being certified by the Board of Elections.
1. Exception. Web-based campaign materials may be used immediately upon a written declaration of candidacy at the Mandatory Candidates Meeting.

Section 405. Campaigning for Certified Candidates and Certified Campaigns

- A. A Certified Candidate or Certified Campaign may publically, privately, and discreetly campaign once it has been certified by the Board of Elections.
- B. Candidates' Responsibility for Campaign Workers. All candidates shall be responsible for the actions of their campaign workers whether or not the candidate has knowledge of such actions. If a violation(s) occurs without the knowledge of the candidate, the candidate must take the following actions upon discovery or notification of such violation(s):
1. The candidate must try to nullify or correct the action causing the violation if possible;
 2. The candidate must remove the worker from campaign work; and,
 3. The candidate must report the violation to the Chair of the Board of Elections within twenty-four (24) hours of the candidate's notification of the violation.
- C. Defacement of Campaign Materials. No person shall deface, destroy, alter or otherwise change any candidate's campaign materials before the election. No material of any candidate, unless in legally restricted areas, may be removed without the permission of the candidate. Materials in legally restricted areas may only be removed by members of and persons authorized by the Board of Elections. All campaign materials shall be considered the personal property of the campaign.
- D. Misrepresentation of an Election Issue. No person shall deliberately misrepresent any issue to be voted on by the Student Body in an election conducted under the auspices of this Act. Falsely defaming another campaign, including intentionally presenting falsities regarding the platform of another campaign, shall constitute misrepresentation of an election issue. Any misrepresentation resulting from intended satire shall not constitute such violation.
- E. Restricted Areas. The following shall not be used on behalf of any candidate or referendum:
1. The Cubes (The Pit and behind the Campus Y);
 2. The interior of the Student Union and Student Union Annex;
 3. The interior of the University Student Stores
 4. The exterior of all campus buildings (whether by poster, projection, or other method);
 5. The interior of all academic buildings;
 6. The interior of all campus libraries;
 7. The interior of all dining halls; and,
 8. Within fifty (50) feet of a University-operated computer facility;
- F. No candidate or referenda campaign can campaign by changing the wallpapers and/or homepages of University-owned computers.
- G. The Use of Incentives. No person or student organization may offer incentives of cash value to the solicitors of signatures for a petition or to the signers of a petition for the purpose of placing a candidate or referendum on the ballot. Coupons or vouchers redeemable for a good shall be considered to possess a cash value equal to the market price of that good. No student or student organization may use an incentive to persuade a student to vote.
- H. The Presence of Students on a Campaign. All students are bound by the Student Code, and thereby bound by these regulations. The presence of any students within activities undertaken by unregulated organizations, such as University Institutions or Departments, shall require that said activity be regulated by the Board of Elections, and all laws passed by Student Congress.

Section 406. Post-Election

- A. All candidates running for office, including write-in candidates shall submit financial statements, on a format to be specified by the Chair of the Board of Elections no later than five (5) p.m. the day after the regular, special, or run-off elections. The Chair of the Board of Elections may grant an extension of this time limit,

not to exceed twenty-four (24) hours in length, to any candidate who requests such extension before the original deadline. The candidate must demonstrate to the Chair's satisfaction that he/she cannot, for a valid reason, submit their statement within the specified time limit. A financial statement must be submitted even if there are no campaign expenditures.

1. Exception: If a candidate loses their election and does not wish to be reimbursed for their campaign expenditures, he/she need not submit a financial statement so long as he/she notifies the Board of Election that he/she wishes to do so.
- B. The Board of Elections may request any candidate to produce additional financial evidence clarifying or justifying his/her statements.
 - C. No election shall be certified until all winning candidates for that office have turned in their financial statements and had them verified or have been disqualified for failure to submit a financial statement.

Chapter 5

Referenda Campaigns

Section 500. The Referendum Contact

- A. All parties involved with for or against a referendum campaign must register a referendum contact with the Board of Elections. A registered UNC Chapel Hill student must be named the referendum contact in order for a referendum to appear on the ballot. Should there be multiple parties in favor of a referendum and unwilling to work together, the Board of Elections shall determine which party shall be the official referendum contact. All other parties shall have their own, separate contacts.
- B. The referendum contact shall be held legally responsible in the case of any lawsuits arising from campaign violations.
- C. The referendum contact for each party shall be responsible for filing a financial statement after the election.

Section 501. Materials

All referendum campaign materials must visibly state “Sponsored by [referendum campaign name]” on the front of the item. This statement shall also be included in all electronic communications.

Section 502. Technology

- A. The following rules shall apply to websites in favor or against referendum.
 1. URL(s) of referendum web page(s) must be specified in the financial statement submitted by the referendum contact.
 2. No campaign material may be posted on the web until after a referendum contact has been registered with the Board of Elections. Only private/secret/invitation-only websites may be utilized to communicate with referendum workers involved with the referendum campaign.
 3. No university-owned computers may be set to default a referendum’s web page, social network group, or other campaign-related documents.
 4. Social networking groups shall contain the same endorsement as any other campaign material, as defined in Title VI Chapter 5, Section 501.
- B. E-mail
 1. Unsolicited e-mailing to mailing lists shall be permissible for campaigning, unless otherwise prohibited by the Board of Elections, once a referendum is placed on the ballot by the Board of Elections and a referendum contact has been declared. The subject line of said e-mails must read: “Vote for/against [referendum name]” and the first line in the memo or text must read: “REPLY TO [E-mail address of sender]” and may not be given a “high” or “URGENT” priority designation. Messages sent via any website (including social networking websites, blogs, bulletin boards, etc.) shall be considered e-mail.
 2. E-mail lists and social media/networking websites reserved for the use of Student Government officials or any party acting on behalf of Student Government may not be used to support the passage or failure of a referendum.
- C. Telephone services
 1. Mass use of voicemail is permissible for purposes of campaigning, once the candidate or campaign has been placed on the ballot by the Board of Elections. The first words left in the message must be “THIS MESSAGE IS IN SUPPORT OF [Name of referendum]. REPLY TO [Phone number of sender].” The message shall be no longer than 30 seconds.
 2. Mass SMS/MMS messages shall not be sent until a referendum has been placed on the ballot.

Section 503. Campaigning before being placed on the Ballot

- A. Referenda campaigns wishing to have a referendum placed on the ballot must:

1. Have the referendum placed on the ballot by Student Congress, as outlined in Title II; or,
 2. Collect a ballot petition with signatures from no less than 10% of the student body, as outlined in the Constitution.
- B. Referenda campaigns must declare their intent to place a referendum on the ballot to the Board of Elections prior to collecting signatures.
 - C. Referenda campaigns may collect signatures for a referendum at any time during the academic year, as a referendum may appear on any ballot, including special elections.
 - D. Each signature on a ballot petition must be accompanied by a name, PID, residence (for undergraduates), department (for graduates), and class, to be filled out by the individual signing the petition.
 - E. Only verified electronic signatures can be used to fulfill the signature requirement in Section 503 Subsection D.
 - F. No referendum campaign or referendum worker shall publicly campaign for said referendum, publicly seek to further the interests of said referendum, or use campaign materials prior to the referendum being placed on the ballot by the Board of Elections. However, Web-based campaign materials may be used immediately upon informing the Board of Elections of the intent to place a referendum on the ballot.

Section 504. Campaigning Once on the Ballot

- A. A referendum campaign may publicly, privately, and discreetly campaign once being placed on the ballot by the Board of Elections.
- B. Referendum Contact's Responsibility for Workers. All referendum contacts shall be responsible for the actions of their referendum workers whether or not the contact has knowledge of such actions. If a violation(s) occurs without the knowledge of the contact, the contact must take the following actions upon discovery or notification of such violation(s):
 1. The contact must try to nullify or correct the action causing the violation (if possible);
 2. The contact must remove the worker from campaign work;
 3. The contact must report the violation to the Chair of the Board of Elections within twenty-four (24) hours of the contact's notification of the violation.
 4. Any further violations by that contact's workers may result in the removal of said referendum from the ballot or other punishments deemed appropriate by the Board of Elections.
- C. Defacement of Campaign Materials. No person shall deface, destroy, alter or otherwise change any candidate's campaign materials before the election. No material of any candidate, unless in legally restricted areas, may be removed without the permission of the candidate. Materials in legally restricted areas may only be removed by members of and persons authorized by the Board of Elections. All campaign materials shall be considered the personal property of the campaign.
- D. Misrepresentation of an Election Issue. No person shall deliberately misrepresent any issue to be voted on by the Student Body in an election conducted under the auspices of this Act. Falsely defaming another campaign, including intentionally presenting falsities regarding the platform of another campaign, shall constitute misrepresentation of an election issue. Any misrepresentation resulting from intended satire shall not constitute such violation.
- E. Restricted Areas.
 1. The following shall not be used on behalf of any referendum:
 - i. The Cubes (The Pit and behind the Campus Y);
 - ii. The interior of the Student Union and Student Union Annex;
 - iii. The interior of the University Student Stores;
 - iv. The exterior of all campus buildings (whether by poster, projection, or other method);
 - v. The interior of all academic buildings;
 - vi. The interior of all campus libraries;
 - vii. The interior of all dining halls; and,
 - viii. Within fifty (50) feet of a University-operated computer facility.
- F. No candidate or referenda campaign can campaign by changing the wallpapers and/or homepages of University-owned computers.

- G. The Use of Incentives. No referendum worker may offer incentives of cash value to the solicitors of signatures for a petition or to the signers of a petition for the purpose of placing a candidate or referendum on the ballot. No student or student organization may use an incentive to persuade a student to vote. Coupons or vouchers redeemable for a good shall be considered to possess a cash value equal to the market price of that good.
- H. The Presence of Students on a Campaign. All students are bound by the Student Code, and thereby bound by these regulations. The presence of any students within activities undertaken by unregulated organizations, such as University Institutions or Departments, shall require that said activity be regulated by the Board of Elections, and all laws passed by Student Congress.

Section 505. Post-election

- A. All referendum contacts shall submit a financial statement, on a format to be specified by the Chair of the Board of Elections no later than five (5) p.m. the day after the regular, special, or run-off elections. The Chair of the Board of Elections may grant an extension of this time limit, not to exceed twenty-four (24) hours in length, to any contact who requests such extension before the original deadline. The contact must demonstrate to the Chair's satisfaction that he/she cannot, for a valid reason, submit their statement within the specified time limit. A financial statement must be submitted even if there are no campaign expenditures.
- B. Finance
 - 1. All referenda campaigns are limited to spending \$200. Should a referendum campaign exceed this cap, the Board of Elections shall have the power to invalidate the election results. These campaign expenditures shall not be reimbursed by Student Government.
 - 2. The referendum contact must sign a sworn statement that they have not utilized student fee money in their campaign. The contact shall be required to turn over any financial documents requested by the Board of Elections.
 - 3. Referendum workers campaigning for or against a referendum must do so strictly on a volunteer (unpaid) basis.
- C. If a referendum contact of the prevailing referenda position fails to submit a financial statement within the specified amount of time, including extensions if granted, the results from the referendum election shall be invalidated by the Board of Elections.
- D. Any referendum contact who knowingly falsifies a financial statement or list of referendum workers shall have the referendum election results invalidated by the Board of Elections.

Chapter 6

Campaign Financing

Section 600. Campaign Spending Limits

- A. The following are the maximum amounts that may be spent by the candidates, their campaign workers or other people on behalf of the candidates, for the following Student Government offices, including gratuities or services. A candidate will be disqualified for exceeding his or her maximum spending limit.
 - 1. Student Body President - \$250.00
 - 2. Carolina Athletic Association President - \$150.00
 - 3. Residence Hall Association President - \$150.00
 - 4. Graduate and Professional Schools Federation President - \$150.00
 - 5. Senior Class Officers - \$75.00
 - 6. Student Congress Members - \$15.00
- B. If a candidate is involved in a run-off election, the following spending limits shall apply to the run-off stage of the election:
 - 1. Student Body President - \$85.00
 - 2. Carolina Athletic Association President - \$50.00
 - 3. Residence Hall Association President - \$50.00
 - 4. Graduate and Professional School Federation President - \$50.00
 - 5. Senior Class Officers - \$25.00
 - 6. Student Congress Members - \$5.00
- C. Running Mates. Running mates may not jointly spend money.
- D. Write-In Candidates. The spending restrictions listed in this section shall also apply to all write-in candidates.

Section 601. Campaign Expenditures

- A. Expenditures for Materials. All funds spent for campaign materials, whether used or not, shall be considered campaign expenses. Failure to use campaign materials shall not be cause to exclude the cost of such materials from the candidate's financial report.
- B. Gratuitous Services. Time spent by campaign workers campaigning for or on behalf of a candidate under the auspices of this Act shall be considered campaign expenses, but only in the amount of money expended for services rendered. Volunteered services by duly registered fee-paying students of UNC-Chapel Hill shall not be considered campaign expenditures. All other services for or on behalf of any candidate under the auspices of this Act shall be deemed campaign expenditures.
- C. Evaluation of Goods and Services. If goods and services are given gratuitously or excessively below normal cost, the candidate shall submit to the Board of Elections a receipt for the goods or services provided but assess such expenditures, in regards to spending limits, at fair market value. The said assessment shall be subject to revision by the Board of Elections and deliberate erroneous assessments may be subject to penalty.
- D. Exceptions.
 - 1. Endorsements publicized by Student Organizations. A candidate shall not be penalized in the instance that said candidacy is endorsed and that endorsement is publicized by recognized student organizations.
 - 2. Any materials or funds expended for or on behalf of a candidate shall not be considered a campaign expense if used without the knowledge of the candidate or their campaign.
 - 3. If the candidate obtains knowledge of a gratuity, service, or material that did not have his/her prior consent, the gratuity, service or material must be returned or officially declined within twenty-four (24) hours of his/her discovery of the expenditure or it will be deemed a campaign expenditure.

4. Officially Declining a Campaign Expenditure. To decline a campaign expenditure a candidate must, to the satisfaction of the Chair of the Board of Elections, make a strong effort to remove or nullify an expenditure that did not have his/her prior consent. The candidate shall be entitled to all possible assistance from the Board of Elections in his/her effort. If the candidate makes such an effort and cannot remove or nullify the expenditure, the Board of Elections may decide to not consider the expenditure a campaign expense.
 5. Any student who expends material, funds, or gratuitous services for or on behalf of a candidate without gaining candidate's prior consent shall be immediately served a cease and desist warning from the Board of Elections. Failure to cease and desist shall constitute a violation of this act and grounds for punitive action, including but not limited to notification of the Student Attorney General.
- E. Removal of Elections Advertising. All campaign materials advocating a particular candidate, platform, or voting stance in a given election must be removed from University property within ninety-six (96) hours after the close of the polls.
 - F. Damage to University Property. No campaign materials shall be placed on University property in such a way as to damage that property.
 - G. Damage to Trees and Plants. No campaign materials may be placed on trees, shrubs, or other plants on the University campus.
 - H. Referenda Campaigns. All referendum campaigns that utilize students or resources funded by students must make all expenditures publicly available and must be submitted to the Board of Elections.

Section 602. Student Government Financing of Election Expenditures

- A. Student Government Financing. Any candidate whose name(s) shall appear on the ballot shall choose to fund his/her campaign using only student government monies. Write-In candidates shall not be eligible for student government financing in regular elections, but may receive student government financing for a runoff. Campaign spending limits and all other election laws shall apply to write-in candidates.
- B. Eligibility for Student Government Financing. The following actions shall be required of a candidate in order to receive Student Government financing of his/her campaign:
 1. The candidate must attend all compulsory candidates' meetings.
 2. The candidate's campaign must submit an official declaration of candidacy before collecting petition signatures, due at the compulsory candidates' meeting.
 3. The candidate's campaign must submit a petition with the required number of signatures to the Board of Elections by the dates specified in Title VI Chapter 2.
 4. The candidate's campaign receives enough write-in votes to warrant a run-off, only upon the submission of a written request for the SG funds and their financial statement as outlined in Title VI Chapter 5 Section 505A.
- C. Campaign Reimbursements. Once a candidate has met the requirements in Title VI, Section 600B, the Board of Elections Chair shall notify the Student Body Treasurer. The Student Body Treasurer shall then submit a reimbursement request from SC during subsequent appropriations after the election for the candidates seeking reimbursement. The funds will be allocated to the Board of Elections SAFO folder for this purpose. All campaign spending must adhere to the Financial Laws contained in Title V. The minimum check amount that SAFO can issue to a candidate or campaign shall be \$5.00.
- D. Additional Limitation on SG Campaign Funds. Student Government Campaign Funds shall be used solely for campaign expenditures. The Board of Elections shall have the authority to determine whether expenses are campaign expenditures.

Section 603. Student Fees Used in Campaigns

Except for reimbursements as defined in Title VI Chapter 6 Section 600, no money originating from student fees may be used for any campaign expenditure.

Chapter 7

Enforcement Policy and Punitive Actions

Article I. Automatic Disqualifications

Section 700. Mandatory Candidate's Meeting

By a majority decision of the BOE, the BOE may unilaterally disqualify a candidate without utilizing the BOE hearing process if:

1. The candidate fails to attend any mandatory candidate's meeting;
2. The candidate fails to submit a financial statement within the specified amount of time, including extensions if granted.

Section 701. The Point System

- A. The BOE shall issue points to campaigns and referendum campaigns in the final opinions of BOE hearings. The BOE shall reserve the ability to determine the severity of election violations to determine the final number of points issued to a candidate, within the specified limits, as stated below.
- B. If a candidate collects 10 points, he/she is automatically disqualified.
- C. If a referenda campaign in the pro-position collects 10 points, the referendum shall be removed from the ballot. The referenda may still be introduced again after initiating and completing the entire referenda process over again.
- D. If a referenda campaign in the con-position collects 10 points, then any student at the University of North Carolina at Chapel Hill who continues to campaign against the referendum shall be subject to an honor court violation for failure to abide by campus rules. Furthermore, the referenda contact may also be issued an honor court violation if he/she is found responsible for continuing or encouraging further election violations.
- E. The following election violations categories shall be used:
 1. Defacing school property. This category shall include, but shall not be limited to, placing campaign materials in unauthorized locations, ruining UNC property, destroying wildlife.
 2. False Start. This category shall include, but shall not be limited to, beginning campaigning or collecting signatures before the official starting time.
 3. Location. This category shall include, but not be limited to, campaigning in locations where you cannot campaign legally.
 4. Technology. This category shall include, but not be limited to, campaigning online in illegal ways.
 5. Falsification. This category shall include, but shall not be limited to, falsifying financial records, giving false information, and/or lying during hearings.
 6. Financial Problems. This category shall include, but not limited to, spending more money than legally permitted.
 7. Harmful or Malicious Behavior. This category shall include, but not limited to, intentionally ruining an opponent's campaign irreversibly or maliciously.
- F. The following points shall be assigned to election violations per category per offense. At the discretion of the majority opinion of the BOE, multiple violations of the same offense may be compiled into a single election violation.
 1. Defacing school property. 2 (\pm 1) points.
 2. False Start. 3 (\pm 2) points.
 3. Location. 3 (\pm 2) points.
 4. Technology. 3 (\pm 3) points.
 5. Falsification. 6 (\pm 4) points.

6. Financial Problems. 7 (\pm 3) points.
 7. Harmful or Malicious Behavior. 8 (\pm 2) points.
- G. A candidate or referenda campaign which receives a point or points, as issued within the final opinion of a BOE hearing, shall also have his/her/its maximum spending limit decreased. Each point shall correspond to a 5% decrease from the original maximum spending limit for a candidate or campaign.

Article II. Pre-Hearing Procedures

Section 710. Election Complaints

- A. A BOE hearing shall commence after a plaintiff files an election complaint to the BOE against a candidate or referenda campaign.
- B. All complaints of violations of election regulations shall commence with a BOE hearing and be issued a final opinion of the BOE before such a complaint can be granted a pre-trial hearing and/or trial before the Student Supreme Court.
- C. The plaintiff must be a member of the constituency for the respective office of the candidate or referendum campaign in which the plaintiff is filing an election complaint against.
- D. Election complaints filed in the BOE shall contain in concise and clear language in separate, numbered paragraphs, with the following headings, the following:
 1. The name of the plaintiff;
 2. The respective constituency of the plaintiff;
 3. The name of the defendant;
 4. The respective category of the purported election violation;
 5. A description of the defendant's purported election violation; and
 6. Any evidence of the defendant's purported election violation.
- E. A complaint shall be signed by the plaintiff who shall indicate his/her address and telephone number, if any, and shall certify as follows, "I do affirm that I have read in full the foregoing complaint and that the allegations contained therein are true to the best of my knowledge and belief."
- F. A complaint submitted by a plaintiff represented by counsel shall also be signed by the counsel who shall indicate his/her address and telephone number, if any.

Section 711. Answers

- A. The BOE shall issue a time and place of the BOE hearing, make public the official copy of the election complaint immediately, and present a copy of the election complaint to the defendant. The BOE hearing shall take place at least forty-eight hours after the BOE provides a copy of the election violation complaint to the defendant.
- B. The defendant named in a complaint filed by the plaintiff is not obligated but maintains the right to file an answer to the BOE. Such answer must be filed within twenty-four hours after the BOE provides the defendant with a copy of the election violation complaint.
- C. Answers to complaints filed to the BOE shall contain in concise and clear language in separate, numbered paragraphs with headings, the following contents:
 1. The admission or denial of every allegation made in the complaint; and
 2. An allegation of any defense upon which the defendant relies.
- D. When preparing an answer, the defendant shall refer to the corresponding numbers of the paragraphs of the election complaint in which the allegations are made, and shall either:
 1. Admit the allegation
 2. Admit the allegation in part, and deny it in part, specifying the part denied and the reason for denial;
 3. Admit the allegation, but request that the allegation be changed to a different punitive category; or,
 4. Deny, specifying the reason for denial.
- E. If a defendant is without knowledge or information sufficient to form a belief as to the truth of an allegation made in an election complaint, he/she shall so state, and this shall have the effect of a denial.
- F. Failure to answer all stipulated guidelines shall not be sufficient grounds to dismiss the answer.
- G. If the defendant fails to file an answer to the BOE within twenty-four hours, the Chair of the BOE:

1. May grant him/her an extension of time in which to file the answer if the Chair determines that there were circumstances beyond the control of the defendant justifying the delay;
 2. Shall assume that the defendant has chosen not to file an answer, upon the confirmation of the defendant's counsel.
- H. The BOE shall immediately make public the official copy of the answer and provide a copy of an answer to the plaintiff before the hearing.

Article III. Hearing Procedures

Section 720. General Procedures

- A. At the issued time and place of the BOE hearing, the BOE hearing shall commence with or without the attendance of the plaintiff and/or the defendant. The Chair of the BOE retains the ability to reschedule the BOE hearing to a later time and/or different location.
- B. The plaintiff shall have the right to present his/her argument against the defendant about the respective election violation.
- C. The defendant shall have the right to respond to any allegations against him/her.
- D. The plaintiff and defendant have the right to present witnesses to the BOE to defend their case.
- E. After the hearing, the BOE shall move into closed session to determine the final opinion of the BOE.

Article IV. Post-Hearing Procedures

Section 730. Punitive Actions against Candidates

- A. Within forty-eight hours of the conclusion of a BOE hearing, the BOE shall issue a final opinion.
- B. The final opinion must have the consensus of at least the majority (50.01%) of the BOE members before being issued.
- C. The final opinion shall state:
 1. Any punitive decisions – specifically indicating the number of points – against a candidate or campaign;
 2. The rationale of the decision(s) of the majority opinion of the BOE;
 3. The names of BOE members casting their votes in the affirmative of the final opinion; and
 4. The names of BOE members casting their votes in the dissent of the final opinion.

Section 731. Appeals

- A. If the plaintiff or the defendant disagrees with the final opinion formed after the BOE hearing, he/she may appeal the decision of the BOE to the Student Supreme Court.
- B. Such appeal must be issued within forty-eight hours of the release of the final opinion of the BOE. If such appeal is not issued within such time constraints, then the decision of the BOE stands as binding and valid for the remainder of the election cycle.
- C. All Five (5) Justices of the Supreme Court shall receive a copy of the election complaint, the answer, the minutes of the BOE hearing, and the final opinion of the BOE before determining whether to appeal the ruling given in the final opinion of the BOE.
- D. A majority of the entire Supreme Court shall agree in the affirmative in order to consider the appeal before the Supreme Court of a ruling given in the final opinion of the BOE.
- E. If the Supreme Court votes to consider appealing a punitive decision as stated in the final opinion of the BOE, then the decision shall continue with the pre-trial process as described in Title III, Chapter 7. The plaintiff / defendant from the BOE hearing who filed the appeal shall be the plaintiff of the Supreme Court trial process; the other respective individual shall be the defendant of the Supreme Court trial process.
- F. If the Supreme Court votes not to consider appealing a punitive decision within the final opinion of the BOE, then the decision as stated in the final opinion of the BOE shall stand as binding and valid for the remainder of the election cycle. Additionally, the Supreme Court shall reject all complaints from plaintiff / defendant about the same decision of the Board of Elections.