

TITLE III

GRADUATE STUDENT ASSEMBLY-SPECIFIC ELECTION CODE

CHAPTER I PROVISIONS

1.01 Title III shall only apply to Campus-Wide elections of the Graduate Student Assembly at The University of Texas at Austin.

CHAPTER II DEFINITIONS

2.01 "Graduate Student Assembly" or "GSA" refers to the Graduate Student Assembly of The University of Texas at Austin.

2.02 "Regulatory Bodies" include the Election Supervisory Board, the Election Oversight Board and all other administrative bodies of the election process.

CHAPTER III CANDIDATE RIGHTS AND DUTIES

3.01 Any eligible student, as set forth in the GSA Constitution, may file to run for either President or Vice President.

3.03 All candidates must adhere to the qualifications set forth in the GSA Constitution, this Code, University policy, General Information Catalogs, and all statutes enforceable by the Election Supervisory Board.

3.04 In the event that no one files to run for a particular office, the Election Supervisory Board, in consultation with the Graduate Student Assembly Executive Board, may extend the filing deadline for that particular race for a period of up to three (3) class days.

3.05 A list of all candidates for office will be made available online, by the Graduate Student Assembly, after filing has closed.

3.06 Candidates, their agents and workers are subject to governance by this Code both before and after they have filed for candidacy during the filing period.

3.07 All candidates seeking to run for office in the Graduate Student Assembly must file the following documents:

A statement announcing the intention of the candidate to run for a (a) particular office, listing the candidate's current address, phone number, and college; (b) A statement signed by the candidate which gives permission to the Election Supervisory Board to solicit the Dean of Students to verify the requirements for the appropriate office, in accordance with the Graduate Student Assembly Constitution

3.08 Candidates may file to run for only one elected office per election cycle.

3.09 Upon request, prospective candidates shall be informed, prior to their filing for office, of the identity of candidates already filed for any office for which the prospective candidate is eligible.

3.10 At the time of filing, each candidate shall be required to submit a good faith deposit, made payable to the Graduate Student Assembly. The deposit of twenty dollars (\$20) shall be held by the Election Supervisory Board until the election process is completed. At that time, the deposit will be immediately refunded, unless failure to follow this Code or ruling of the Election Supervisory Board has resulted in forfeiture of all or part of the deposit. In any case, no portion of a candidate's deposit shall be refunded until all the candidate's signs are removed from the campus of the University. Failure to do so within three (3) class days after the election shall result in forfeiture of the deposit.

3.11 Any candidate wishing to withdraw from an election may do so by turning in a written request no later than four (4) class days before the voting period.

3.12 Each candidate in any GSA election must keep accurate and up-to-date records of all campaign receipts and expenditures.

3.13 Receipts must be provided for all campaign expenditures. All expenses in excess of one dollar shall be included in the candidate disclosure statements.

3.14 Contributions to a candidate by individuals or organizations are allowed, but all contributions must be documented in a financial disclosure statement in accordance with this Code. Student organizations receiving student fee allotments shall not contribute funds derived from student fees to any candidate or executive alliance, nor use such funds to purchase any items to be used in campaigning. This provision shall not be construed to prohibit any Texas Student Media coverage of the campaigns that occurs as a donation.

3.15 Each candidate's financial records must list identifying information (name, item, etc.) and amounts of each contribution and expenditure. Contributions and expenditures of non-monetary assets or in-kind efforts must be listed and valued at their fair market value, as determined by the Election Supervisory Board. Each financial disclosure statement must have all expenditure receipts attached. All expenses must be included in the financial disclosure report.

3.16 All campaign materials distributed by and/or paid for by an endorser of a candidate must be included in the candidate's campaign expenditures. If an endorsing organization pays for campaign materials promoting multiple candidates, the full cost of those materials must be included in the campaign expenditures of each candidate promoted by the materials.

3.17 The Election Supervisory Board shall provide standardized forms for the purposes of this Code by the filing deadline. This summary of records shall be placed online by the Election Supervisory Board within 24 hours after records are submitted.

3.19 Failure to file accurate financial disclosure statements by the deadlines listed in this section, or falsification of financial statements, may qualify the candidate for disqualification by the Election Supervisory Board.

CHAPTER IV CAMPAIGN PROVISIONS AND PROCEDURES

SUBCHAPTER A: EXPENSES

4.01 Candidates in all Graduate Student Assembly Campus-Wide elections shall adhere to the following spending limit for Executive Alliances: \$750 in any general election or special election

4.02 Candidates and executive alliances shall be allowed an additional \$250 each for campaigning in a runoff election.

4.03 Candidates who spend 20% or more over their designated spending limit shall be disqualified, unless extenuating circumstances can be documented.

4.04 Any candidate who amasses more than 20% of their designated spending limit in fines shall have committed a Class D Violation and shall immediately be disqualified by the Election Supervisory Board.

4.05 "Total expenditures" includes all campaign expenditures and fines issued by the Election Supervisory Board or the Election Supervisory Board.

SUBCHAPTER B: CAMPAIGNING AND ENDORSING

4.06 No campaigning or endorsing (as defined in Title II, Chapter II) will be allowed until the official campaign period has begun as determined by the Election Supervisory Board.

4.07 A sample of all campaign materials must be filed with the Election Supervisory Board prior to its public distribution or posting.

4.08 All Campaign Materials must be in compliance with University regulations governing the use of electronic media.

4.09 No candidate, agents or workers shall remove, obscure, or damage any sign, which is in compliance with the posting policies of that locale.

4.10 Candidates shall refrain from knowingly deceptive or misleading campaign activities, including any act or statement reasonably calculated to injure or compromise the rights or interests of any member of the university community.

4.11 Candidates, as well as their agents and workers, shall not engage in campaigning activities that subjects members of the University community to demeaning verbal harassment as determined by the Election Supervisory Board.

4.13 Reasonable latitude will be allowed by the Election Supervisory Board to electioneering activities during the campaigning process, as long as those activities are in line with those specified within this Code, the General Information Catalogs, and in accordance with University policy. Any activity that is not expressly allowed within these boundaries is hereby expressly denied, except by clear and distinct ruling by the Election Supervisory Board prior to commission of the activity.

4.14 Members of the Election Supervisory Board or GSA Election Oversight Board may not endorse or campaign for any candidate.

CHAPTER V ELECTION TIMETABLE AND PROVISIONS

5.01 The General Election shall be held on two (2) consecutive weekdays two weeks prior to the start of the University's Spring Break. Runoff elections will be held on two consecutive weekdays in the following week.

5.02 No changes to the Election Code may be enacted within four (4) weeks of the General Election.

5.03 Each Executive alliance will be given fifteen (15) minutes to speak with ten (10) minutes for questions.

5.04 Each student may cast one (1) vote for an Executive alliance.

5.05 Election results shall be certified in accordance with the GSA Constitution.

5.06 No potential voter may be specifically excluded from casting a vote at any polling location.

5.07 No candidate, agent, or worker may exchange anything of value, excluding campaign material, in return for guarantee of vote.

5.08 The Election Supervisory Board must coordinate with Services for Students with Disabilities in the Office of the Dean of Students, or other appropriate office, to ensure that at least one polling location is accessible to students with disabilities.

5.09 Candidate information on the ballots shall include the candidate's name, position sought, and other information pertinent to voting procedure.

5.10 Any change in the election process or this Code shall be presented before the Assembly, and shall be implemented following approval of the Assembly.

5.11 The final vote tabulation shall be under the supervision of the Election Supervisory Board. No candidate for any Graduate Student Assembly office or position shall participate in vote tabulation.

5.12 The Election Supervisory Board shall annually determine the process by which the election is held and make recommendations to the GSA assembly on potential changes to the election code.

CHAPTER VI APPEALS

SUBCHAPTER A: GENERAL PROVISIONS

6.01 Candidates may appeal the decision of the Election Supervisory Board upon the receipt of new evidence, bias, or lack of due process. Appeals will be heard by the GSA Election Oversight Board.

6.02 The GSA Election Oversight Board shall consist of three (3) persons, including one Chair.

6.03 Members of the GSA Election Oversight Board shall meet the following qualifications: Each member must be (a) nominated independently and separately by the GSA President and confirmed by the Assembly by majority vote. (b) Each member must be from a different department. (c) Each member must be in good academic and disciplinary standing. (d) Each member must not be affiliated with any candidate or campaign running for President or Vice President.

6.04 The GSA Election Oversight Board Chair is responsible for writing all opinions, informing appellate parties, the Election Supervisory Board, and all other necessary parties as to decisions of the GSA Election Oversight Board.

6.05 Members of the GSA Election Oversight Board can be replaced upon the recommendation of the GSA President and a two-thirds (2/3rd) vote of the GSA Assembly

6.06 The GSA Election Oversight Board must convene no sooner than twenty-four (24) hours after a candidate files an appeal.

6.07 The GSA Election Oversight Board must render a final decision on an appeal no later than forty-eight (48) hours after an appeal hearing is held, unless the appeals hearing is conducted within twenty-four (24) hours of the start of a General, Special, or Runoff Election. Should an appeals hearing occur within twenty-four (24) hours of the start time of a General, Special, or Runoff Election, the GSA Election Oversight Board must render its final decision on an appeal within twenty-four (24) hours of hearing the appeal.

6.08 The GSA Election Oversight Board, having conducted a hearing with due diligence and process, may find that no violation has occurred; or affirm the decision of the Election Supervisory Board; or, reduce or increase, or completely remove any sanctions that the Election Supervisory Board has placed on a candidate or campaign.

6.09 Should the GSA Election Oversight Board either disqualify, or sustain a disqualification, of a candidate from office, the disqualified candidate shall not appeal to any other body and he or she shall forfeit his or her deposit.

SUBCHAPTER B: CONTESTING ELECTION RESULTS

6.09 After the Election Supervisory Board certifies election results, candidates have seventy-two (72) hours to contest the election results for genuine, non-frivolous cause.

6.10 A contest of election results must be made to the GSA Election Oversight Board, who shall convene within twenty-four (24) hours to review the case.

6.11 Should the GSA Election Oversight Board review the contested election results and determine that there is a strong case for overturning the election results, the GSA Election Oversight Board must notify the current GSA Executive Board that the complaint has merit. These cases include, but are not limited to: (a) Candidates and/or campaigns deliberately violating institutional rules (b) Candidates and/or campaigns committing fraud (c) Candidates and/or campaigns violating local, state, or federal law

6.12 If the complaint has merit, the GSA Executive Board shall notify all candidates that the results shall be decided by the GSA Assembly at the next general assembly meeting following the appeal.

6.13 The next general assembly meeting will begin with a call-to-order and quorum call, followed immediately by the contestation hearing. The complainant will have ten (10) minutes to state the nature of the claim, and the respondent will have ten (10) minutes to respond to the complaint. The assembly will then have ten (10) minutes to question the parties, followed by a standard

period of debate. At the conclusion of the debate period, the assembly will vote to determine the validity of a complaint. In order for the complaint to be sustained, a two-thirds (2/3) majority vote is required. Should the complaint be sustained, the election results shall be de-certified and the Assembly shall certify new results.

6.14 For purposes of the contestation hearing, the acting Vice President shall preside, unless the acting Vice President is a party to the hearing, in which case the Chair of the GSA Election Oversight Board shall preside.