

## Chapter 50: Elections Regulations Code

- 50-0101      Scope
- The Elections Regulations Code (this "Code") shall govern general and special elections of the Kansas State University Student Governing Association.
- 50-0102      Definitions
- 50-0103      Active Campaigning. The term "active campaigning" shall mean any direct distribution of campaign materials or verbal encouragement to promote or oppose a campaign.
- 50-0104      Harassment. The term "harassment" shall mean continued solicitation of goods, services, or ideas of a campaign to an individual beyond the initial verbal refusal on the part of the individual.
- 50-0105      College. The term "college" shall mean the seven academic colleges and the graduate school on the Manhattan campus of Kansas State University.
- 50-0106      Candidate. The term "candidate" shall mean any individual who has satisfied all of the eligibility requirements to run for office in the Primary and/or General Election, and has filed a declaration of candidacy with the Elections Commissioner.
- 50-0107      Write-In Candidate. The term "write-in candidate" shall mean individuals receiving votes who have not filed a declaration of candidacy for that position.
- 50-0108      Electoral Race. The term "electoral race" shall mean a contest between one or more candidates for the same office in an election.
- 50-0109      Student Governing Association Official. The term "Student Governing Association Official" shall mean any individual holding one or more of the offices listed in 50-0113.
- 50-0110      Primary Elections
- a.      Dates. The Primary Election shall be held on the Tuesday and Wednesday three weeks prior to Spring Break.
- b.      Purpose. The Primary Election shall be held in the event that more than two pairs of candidates file for the office of Student Body President/Vice President. The two pairs of candidates who receive the most votes in the Primary Election shall advance to the General Election.
- 50-0111      General Elections
- 50-0112      Generally
- a.      Dates. The General Election shall be held on the Tuesday and Wednesday two weeks prior to Spring Break for the purpose of electing Student Governing Association officials
- b.      Eligibility to Vote. All students enrolled in at least one credit hour at the Manhattan campus of Kansas State University shall be eligible to vote. All students so eligible shall be allowed to vote for any campus-wide position. Students enrolled within a certain college shall be eligible to vote for college positions. All students enrolled in at least one credit hour at Kansas State University-Salina shall be eligible to vote for Student Body President and Student Body Vice President. Eligibility shall be determined by the Elections Commissioner where such eligibility should fall into question with records dated not more than one week prior to the opening of the polls.
- 50-0113      Offices
- a.      Campus-Wide Offices
1.      President and Vice President. In the General Election, one Presidential candidate and one Vice Presidential candidate shall be elected jointly by the student body.

2. Union Governing Board. In the General Election, all seats for each position available shall be elected by the student body.
  3. Board of Student Publications. In the General Election, all seats for each position available shall be elected by the student body.
- b. College Offices
1. Student Senators. In the General Election, (60) Student Senators shall be elected by the students of their respective colleges. Seats of the Student Senate shall be apportioned among the colleges as outlined in the Kansas State University Student Governing Association Constitution.
  2. College Councils. In the General Election, all seats for each position available shall be elected by the students of their respective colleges.

50-0114 Elections Schedule

50-0115 Generally

- a. Events Schedule. The Elections Commissioner shall be responsible for the creation of an annual calendar of events including all deadlines under this Code.
- b. Announcement of Schedule. The Elections Commissioner shall announce and make available to all campus media, not less than five weeks before the first day of the General Election, the offices to be elected in the General Election, the qualifications and requirements to become a candidate in the General Election, and the events schedule as described in (a) above.

50-0116 Qualifications

50-0117 Generally

- a. Qualifications for Candidacy. The qualifications to run as a candidate for any Student Governing Association position shall be as established by the Kansas State University Student Governing Association Constitution.
- b. Disqualifications. The Elections Commissioner, the Deputy Commissioner, and members of the Elections Review Committee are disqualified from being a candidate in any election that falls during their term of office.

50-0118 Nomination of Candidates

50-0119 Procedure

- a. Generally. Any person meeting the qualifications of 50-0116 may become a candidate by complying with the requirements outlined in this section.
- b. Declaration of Candidacy. The Elections Commissioner shall determine the form of the declaration of candidacy. The declaration of candidacy shall include the name of the student, the student's Kansas State student identification number, the college the student is enrolled in, and the office being sought by the student. Any person seeking to have their name placed on the ballot as a candidate for Student Body President, Student Body Vice President, Student Senator, member of the Board of Student Publications, and/or member of the Union Governing Board shall file a declaration of candidacy with the professional staff of the Office of Student Activities and Services three weeks prior to the General Election.
- c. Mandatory Meetings. Each candidate shall attend one of at least two mandatory meetings completed by 5:00 p.m. on the Tuesday of the week immediately prior to the primary election as specified by the Elections Commissioner. A candidate may be excused from this requirement only if the candidate has received written permission from the Elections Commissioner prior to the last scheduled meeting.
- d. Expense and Contribution Reports. Each candidate shall file an expense and contribution report as specified in 50-0143.
- e. Write-In Candidates. Write-in candidates shall not be required to attend the mandatory meeting or file the documents necessary under this section. However, write-in candidates shall be required to follow all other regulations within this Code and shall be subject to the penalties for violations as described in 50-0141 et seq.
- f. Exceptions. Exceptions as to the date and time of a filing requirement under this section may be made by the Elections Commissioner upon determination of reasonable circumstances.

50-0120 Election System

50-0121 General Provisions

- a. Generally. The Elections System is the electronic voting system procured by the Office of Student Activities and Services and provided by The Office of Mediated Education. The election system shall contain an electronic ballot as defined in section 50-0123.
- b. Responsibility. The Elections Commissioner shall be responsible for establishing and maintaining the

election system on the days of the elections. The Elections Commissioner shall be responsible for developing specific voting procedures, administering such procedures, and ensuring that voting is carried out in an orderly and impartial manner.

- c. Location. Voting may take place in University Computing Labs or on any electronic device with access to the election system.
- d. Times of Operation. The elections system shall remain accessible for not less than eight continuous hours for each day of the election. The Elections Commissioner shall have the discretion to maintain the Elections System beyond these time requirements.

50-0122 Ballots

50-0123 Ballot Forms

- a. Provision. The Elections Commissioner shall provide an electronic ballot which shall contain spaces for all campus-wide offices to be elected as well as spaces for each referendum or initiative to be voted upon. The Elections Commissioner shall also provide an electronic ballot for each college which shall contain spaces for all college offices to be elected. Each student shall only be provided a ballot specific to the college in which the student is enrolled.
- b. Listing. Candidates shall be listed on the ballot, in order as determined by a random drawing of numbers at the mandatory meetings. The name of the candidate shall be printed as requested by the candidate in his or her declaration of candidacy. At a minimum, candidates must use their last name as registered with the University.
- c. Write-In Candidates. Write-in options shall be made available for each office except the office of Student Body President/Vice President in the General Election. The number of write-in options shall be equal to the number of positions available for that office.

50-0124 General Provisions.

- a. Inspection
  - 1. Primary. A sample ballot for the Primary Election shall be made available to the public for inspection in the Office of Student Activities and Services on the Friday prior to the Primary Election. The Elections Commissioner shall announce where the sample ballot shall be. Each candidate shall have the opportunity to verify the accuracy of the ballot prior to 4:00 p.m. that day.
  - 2. General. Sample ballots for the General Election shall be made available to the public for inspection in the Office of Student Activities and Services on the Friday prior to the General Election. The location of the sample ballots shall be announced by the Elections Commissioner at the mandatory meetings. Each candidate shall have the opportunity to verify the accuracy of the sample ballots prior to 4:00 p.m. that day.
- b. Security of Ballots. The Elections Commissioner shall ensure that all ballots are secure from damage, loss, theft, or alteration.

50-0125 Voting

50-0126 Generally. Voting shall be by secret ballot. To receive a ballot, the voter must follow procedures outlined by the Elections Commissioner. The voter must mark the ballot according to the instructions on the ballot. The voter shall be responsible for submitting the completed ballot.

50-0127 Vote Tabulation

50-0128 Procedure

- a. Method. Votes for all offices shall be counted electronically by the elections system. Vote totals shall not be released to anyone prior to the closing of the polls.
- b. Vote Required for Election. The vote required for election to the office of Student Body President and Student Body Vice President shall be a majority of the votes cast in the General Election. The vote required for election to Student Senate, Board of Student Publications, and Union Governing Board shall be a plurality of votes cast.

50-0129 Certification of Elections

50-0130 Primary Election Procedures

- a. Announcement of Unofficial Results. Upon completion of the tabulation of all votes cast in the Primary Election, if necessary, the Elections Commissioner shall release the unofficial results. All candidates for the offices of Student Body President and Student Body Vice President will be immediately notified by the Elections Commissioner of the unofficial results.
- b. Primary Election results shall be made official upon certification by the Elections Commissioner.

- c. Contested Elections. All students qualified to vote in the elections shall have the power to contest elections results. A notice of contest of election results must be submitted to the Elections Commissioner no more than 48 hours after the unofficial results have been issued. Upon receipt of such notice, the Elections Commissioner shall determine the validity of the contest's claim. The Elections Commissioner shall report such information as he/she finds necessary to Student Senate with the submission of the unofficial elections results. Such a determination shall be made within 72 hours of receiving the contest of the Primary Election contest.

50-0131

#### General Election Procedures

- a. Announcement of Unofficial Results. Upon completion of the tabulation of all votes cast in the General Election, if necessary, the Elections Commissioner shall release the unofficial results. All candidates for the offices of Student Body President and Student Body Vice President will be immediately notified by the Elections Commissioner of the unofficial results.
- b. General Election results shall be certified by the Elections Commissioner upon determination of validity.
- c. Submission to Student Senate. The Elections Commissioner shall submit the unofficial results to the Senate Operations Standing Committee. The Senate Operations Standing Committee shall author a resolution for submission to the Student Senate at the second regular meeting of the Student Senate following the General Election. The unofficial elections results will be accompanied by a certification by the Elections Commissioner that the results being submitted are valid. Races in which the Elections Commissioner does not believe such a certification may be made due to pending questions shall not be submitted by the above deadline.
- d. Adoption by Student Senate. The unofficial results shall become official upon their adoption by a majority vote of the Student Senate. Student Senate shall not amend the submitted election results.
- e. Annulment. If, after adoption by a majority vote of the Student Senate, material evidence is discovered to find any election results in doubt, the Student Senate may annul the affected sections of the adopted elections results.
- f. Contested Elections. All students qualified to vote in the elections shall have the power to contest elections results. A notice of contest of election results must be submitted to the Elections Commissioner no more than 48 hours after the unofficial results have been issued. Upon receipt of such notice, the Elections Commissioner shall determine the validity of the contest's claim. The Elections Commissioner shall report such information as he/she finds necessary to Student Senate with the submission of the unofficial elections results. Such a determination shall be made within five days of receiving the General Election contests.

50-0132

#### Campaign Activities

50-0133

#### Definitions

- a. Residence Hall Regions. The term "residence hall region" shall mean those regions bounded by specific streets which are considered residence hall areas. There shall be two residence hall regions.
  - 1. The "West Region" is considered to be all university property enclosed by Claflin Road, Denison Avenue, Platt Street, and Sunset Avenue.
  - 2. The "East Region" is considered to be all university property enclosed by Claflin Road, Manhattan Avenue, Campus Creek Road, Petticoat Lane, and Mid-Campus Drive.
- b. Campaign Materials. The term "campaign materials" shall mean any advertisement, document, or device of any kind whatsoever intended to promote or oppose the election of a candidate.

50-0134

#### General Provisions

- a. Conformity. All campaign materials and activities shall conform to the laws of the State of Kansas, the ordinances of the City of Manhattan, Kansas State Association of Residence Halls policy, and all other rules of the University.
  - 1. All K-State copyrighted or trademarked logos (e.g. Kansas State University, the Powercat, Willie the Wildcat) are not licensed for use in conjunction with any political campaign, including any campaign for any office governed by these regulations. As such, no candidate shall use any such logo on any campaign materials.
- b. Residence Halls. Students must follow Association of Residence Hall policies. The following regulations apply to the Residence Hall Regions outlined in 50-01303(a).
  - 1. Posters are permitted only within the residence halls on the doors of individual resident(s) with the express permission of the resident(s) therein.
  - 2. No chalking or outdoor hanging of posters is allowed.
- c. Limitation On Postings. With the exception of posters and signs meeting the requirements of 50-0138 and 50-0139, no campaign materials shall be leaned against or otherwise affixed to campus property.
- d. Removal. All campaign materials shall be removed from campus property by 7:00 p.m. the day following the last day of the General Election. Candidates in the Primary Election failing to qualify for the General Election shall remove all campaign materials from campus property by 7:00 p.m. the day following the last

- day of the Primary Election.
- e. Stickers. Stickers shall only be placed on personal property.
  - f. Chalking.
    - 1. Chalking is permitted only on sidewalks. Chalking is not permitted on stairs and any area not generally intended as a pathway for pedestrians.
    - 2. The use of “liquid chalk,” or any other permanent or semi-permanent material is prohibited.
    - 3. No chalking is allowed within 30 feet of the entrance to any building on campus.
  - g. Unauthorized Removal. No individual shall remove, deface, obscure, or otherwise tamper with the campaign materials of any candidate without authorization.
  - h. Class Interference. No campaign activity that disturbs or otherwise interrupts a class shall be permitted.
  - i. Mass Distribution. Distribution of campaign materials to individuals must be made by an individual. Campaign activities that distribute materials through any form of contact beyond personal interaction is prohibited. Individuals may not be representing a business at the time of distribution. Mass distribution shall include, but is not limited to, canvassing of parking areas, leaving campaign materials unattended or in piles, electronic mail distributions violating university policy on junk e-mail, mass mailings, and indiscriminate scattering of materials. E-mails containing campaign language shall not be sent to a Kansas State University Listserv of academic or advising natures. For all other Listservs, senders must be members of the Listserv to which they are sending e-mail.
  - j. Harassment. No campaign shall engage in harassment. Campaigners shall not physically obstruct individuals.
  - k. Office of Student Activities and Services. Any activity related to a campaign, except for those approved by the Elections Commissioner, shall not be permitted in the Office of Student Activities and Services.
  - l. Academic Buildings. There shall be no unsolicited distribution of campaign materials within buildings on campus other than at tables reserved for candidates in the K-State Student Union.
  - m. No campaign shall promote or engage in activities that are disorderly, lewd, or indecent; breach the peace; or aid, abet, or procure another person to breach the peace on university premises or at university-sponsored activities.

50-0135

Time Limits

- a. Campaign Materials.
  - 1. Items listed in 50-0138 and 50-0139 may be displayed by candidates in the Primary Election after 5:00 pm on the Tuesday of the week immediately prior to the Primary Election.
  - 2. Items listed in 50-0138 and 50-0139 may be displayed by candidates in the General Election after 5:00 pm on the Tuesday of the week immediately prior to the General Election.
- b. Tables. Tables may be established by the Primary Election candidates beginning on the Thursday immediately prior to the Primary Elections. Tables may be established by all General Election candidates beginning on the Thursday immediately prior to the General Elections. All tables are to be removed following the completion of the respective elections.
- c. No table is to be placed or staffed during weekends. All tables shall be established in accordance with 50-0137.

50-0136

Election Day Activities

- a. Distance Requirement. No ballots may be cast within 20 feet of a campaign table set up in the K-State Student Union, as established in 50-0137. No campaign may provide a device upon which students may vote.
- b. Exception. It shall not be considered a violation for a voter to wear passive campaign material in the form of a shirt, sticker, or other item in the vicinity of the polls or while voting so long as that individual is not loitering.
- c. Authority. The Elections Commissioner shall have the authority to make determinations of loitering or campaigning under this section.

50-0137

Tables

- a. Tables may only be set up in the K-State Student Union.
- b. Tables in the K-State Student Union may only be set up in accordance with Union Governing Board policy and must be staffed at all times when in use.
- c. The Elections Commissioner will establish as many tables for presidential candidates as needed, chosen by lottery in both elections, and rotating the position of each candidate at the tables daily.
- d. Candidates for Student Senate or other campus-wide positions may establish tables in the K-State Student Union the calendar week prior to the General Election in accordance with this section.

50-0138

Posters

- a. Definition. The term “poster” shall be defined as any paper campaign material affixed to a wall or stationary object.

- b. Size. Posters shall be no larger than 16" x 22", except for those posters placed on portable bulletin boards located within the Student Union, which shall no larger than 8.5" x 11".
- c. Display. Posters may only be tied to trees, affixed to residence hall doors, or tacked to bulletin boards in campus buildings.
- d. Overlaying. Overlaying of posters is strictly prohibited.
- e. Outside Display. When used for outside display, posters must be printed on card stock paper and secured on all four corners.

50-0139

#### Banners

- a. Limited Use. Banners may be used only by candidates for the offices of the Student Body President and Student Body Vice President.
- b. Securing. Banners must be secured on all four corners and must not impede the flow of traffic through campus.
- c. Where Displayed. Banners may only be displayed as designated by the Elections Commissioner, determined by lottery for each candidate's location.
- d. Banners shall be rotated in an equitable manner as determined by the Elections Commissioner.

50-0140

Authority to Remove. Elections Commissioner Authority. The Elections Commissioner, or his/her designee, shall have the authority to remove any campaign materials found to be in violation of the regulations noted above, at which time the candidate shall be notified of the violation.

50-0141

#### Campaign Expenses & Contributions

50-0142

#### Generally

- a. Definition. The term "campaign expense" shall mean the retail value of any obligations incurred, the retail value of any goods or services donated, and any actual funds expended to promote or oppose the election of any individual to any office under this code. This definition shall include the value of any discounts not available to the general public and the retail value of any services donated. This definition shall not include any fines assessed under this Code.
- b. Personal Contributions Limited. The value of labor by a candidate, professional or otherwise, is not to be expensed or included as personal contributions. The maximum amount any candidate may contribute toward his or her campaign shall be as follows:
  - 1. The total amount a presidential ticket may contribute towards its campaign including any contributions from sources other than qualified students of Kansas State University shall be no more than \$800 for the Primary and General election combined.
  - 2. The total amount a candidate for Union Governing Board, and the Board of Student Publications may contribute towards his/her campaign including any contributions from sources other than qualified students of Kansas State University shall be no more than \$125 for the General Election.
  - 3. The total amount a candidate for Student Senate may contribute towards his/her campaign including any contributions from sources other than qualified students of Kansas State University shall be no more than \$50.
- c. Contributions Limited. Contributions to any candidate may only be accepted if the contribution is being received from a qualified student of Kansas State University (as determined under the Code through 50-0112(b)), and limits for all contributions other than personal contributions shall be as follows:
  - 1. Each Presidential Ticket shall not accept more than \$20 from any student.
  - 2. Each candidate for Union Governing Board, the Board of Student Publications, Student Senate, or College Council shall not accept more than \$5 from any student.
- d. Sources of Values. The candidate shall be responsible for justifying the value of any services received or amounts spent, either through receipt or other reasonable means as determined by the Elections Commissioner.

50-0143

#### Reporting Requirements

50-0144

#### Generally

- a. Expense and Contribution Reports. All Primary Election candidates shall be required to submit an expense and contribution report to the Office of Student Activities and Services no later than 4:00 pm on the Friday prior to the Primary Election. All candidates shall be required to submit an expense and contribution report to the Office of Student Activities and Services no later than 4:00 pm on the Friday prior to the General Election. A report must be filed even if no expenses were incurred. The Elections Commissioner shall be responsible for the provision of standardized expense and contribution report forms. An individual expense and contribution report must be submitted by a candidate for each office the student is a candidate for.
- b. Content. Expense and contribution reports shall itemize all campaign expenses, and the fair market value of each item listed as determined whether by receipt, proof of purchase, or when unavailable, according to

those criteria and requirements of 50-0141. All campaign material must be purchased before each expense report deadline, and no expense can be incurred after each report is turned in. The contribution section of the report shall itemize each amount contributed to the campaign, the name of the donor, and any other information deemed necessary by the Elections Commissioner.

- c. Verification. The Elections Commissioner shall review the expense and contribution reports in order to check for accuracy and completeness. The Elections Commissioner has the authority to make final judgments on cost of items where evidence of cost is absent.
- d. All campaign expense reports must be submitted by the Elections Commissioner to all persons requesting by 5:00 pm on the Sunday prior to the General Election. In the event of a Primary Election, expense reports for the Primary Election must be submitted by the Elections Commissioner to all persons requesting by 5:00 pm on the Sunday prior to the Primary Election.

50-0145 Enforcement

50-0146 Scope. All students are bound by the Elections Regulation Code and are subject to the penalties stated for violations of this Code.

50-0147 Elections Review Committee

- a. The Elections Review Committee shall be made up of five voting members and a chair. Two members from the Judicial Branch shall be appointed by the Attorney General with the approval of Student Senate, and three members from the Legislative Branch shall be appointed by the Senate Operations Committee with the approval of Student Senate. A quorum shall consist of two of the appointed legislative members, and one appointed judicial member. The Chair shall have a vote only in the case of a tie. All members of the Elections Review Committee must be appointed at least four weeks prior to the Primary Election. If an individual has already contributed to a campaign for any office governed by these regulations, they are ineligible to serve on the Elections Review Committee.
- b. The Chair of the Elections Review Committee shall be the current Assistant to the Attorney General or the Chairperson of Student Review Board, who shall be appointed by the Attorney General with the approval of Student Senate and shall hold that position throughout the existence of the current Elections Review Committee. The chair of the Elections Review Committee must be appointed at least four weeks prior to the Primary Election. If an individual has already contributed to a campaign for any office governed by these regulations, they are ineligible to serve as the chair of the Elections Review Committee.
- c. The Elections Review Committee shall follow the hearing procedures outlined in Article VI Section 7A of the Kansas State University Student Governing Association By-Laws.
  - 1. Appeals of decisions of the Elections Review Committee must be made within 24 hours of notification of the decision.

50-0148 Complaints

- a. Filing Complaints. Any election complaints involving a suspected violation of this Code must be filed with the Elections Commissioner within 24 hours after discovery of the suspected violation. Complaints shall be made in such a form that states the name of the filer, the section(s) under which the suspected violation shall have occurred, and shall be signed by the filer.
- b. Notification and Investigation. Upon the receipt of a complaint by the Elections Commissioner, he or she shall notify the individual(s) suspected of the violation and the individual(s) filing the complaint. The Elections Commissioner shall conduct an investigation of the suspected violation.
- c. Determination of Major/Minor Offense. After receiving a complaint, the Elections Commissioner shall determine whether the violation is a major or a minor offense, as defined by the Elections Regulations Code.
- d. Minor Offense. If the Elections Commissioner finds evidence to support a minor offense as defined under 50-0151(b), he/she shall issue an order for resolution. The individual(s) receiving the orders shall then be required to answer the order within 72 hours after the order is issued.
- e. Major Offense. If the Elections Commissioner finds evidence to support a major offense he/she shall immediately refer the complaint to the Elections Review Committee.
- f. The Elections Review Committee shall conduct hearings concerning all major violations defined by the Elections Regulations Code.
- g. Determination of Violation. Within 72 hours of hearing a complaint, the Elections Review Committee shall determine whether or not a violation of the Code was committed and, in the event that a violation did occur, shall determine a reasonable penalty for the violation under those restrictions as set forth in 50-0150.

50-0149 Major Offenses. As defined under Code, are those following:

- a. Tampering with ballots or the electronic election system.
- b. Casting more than one ballot.

- c. Allowing a person to cast a ballot in a name other than his/her own.
- d. Deliberate submission of false or misleading information or deliberate omission of information.
- e. Failing to file required reports except as provided in 50-0119(f).
- f. Harassment, intimidation, bribery, or fraud with the intent of affecting the outcome of an election.
- g. Libelous or slanderous statements or conduct.
- h. Intentional actions to mislead or obstruct the Elections Commissioner or the Elections Review Committee in the completion of their duties.
- i. Three or more minor offenses
- j. Encouraging the commission of a major offense under this Code.
- k. Incurring campaign expenses that exceed the limit by more than five percent.
- l. Failing to comply with rulings or pay fines.
- m. Campaign materials or activities that are disorderly, lewd, or indecent; breach the peace; or aid, abet, or procure another person to breach the peace on university premises or at university-sponsored activities.
- n. Failure to comply with the mass distribution regulation under 50-0134(i).

50-0150 Minor Offenses. Minor offenses, as defined under the Code, are any other violations of this Code other than those in 50-0149.

50-0151 Penalties

- a. Major Offenses.
  - 1. Upon the determination of the commission of a major offense by a candidate, the Elections Review Committee may cause the disqualification of such candidate(s) from the Primary Election or General Election or impose such other penalties as deemed appropriate.
  - 2. Upon the determination of the commission of a major offense by a person who is affiliated with a candidate or campaign, the Elections Review Committee may cause the disqualification of such candidate(s) from the Primary Election or General Election or impose such other penalties as deemed appropriate.
- b. Minor Offenses. Upon the determination by the Elections Commissioner of a minor offense, the Elections Commissioner may impose such penalties as deemed appropriate.
- c. No fines shall be levied as punishment for any violations committed under this code. This does not include such payments of restitution as may be deemed appropriate in the case of destruction or damage of property.
- d. In cases of destruction or damage to campaign materials or election equipment by a candidate or campaign, the Elections Commissioner may order restitution for damaged items to those parties whose materials were so damaged.
- e. Upon determination of an offense committed by a student who is not a candidate, including destruction of or damage to campaign materials or election equipment, the Elections Commissioner may refer the case to the Attorney General for resolution within the judicial system.
- f. In assessing penalties, the Elections Commissioner and/or Elections Review Committee shall consider the severity of the violation or any mitigating factors that may be involved in the situation as well as any cooperation provided by any person so involved.

50-0152 Disqualifications.

- a. Any candidate who fails to file any required report for a position shall be disqualified from that position by the Elections Commissioner except as provided in 50-0119(f).
- b. Any non-advancing Primary Election candidate who fails to remove their campaign materials by the deadline in 50-0134(d). may be disqualified by the Elections Review Committee from any other office governed by these regulations in the current year.
- c. Individuals who have been disqualified by the Elections Review Committee or the Elections Commissioner from the Primary or General Election shall not be elected as a write-in candidate for the position from which they were disqualified.

50-0153 Appeals

50-0154 Appeals of Violations

- a. Appeals concerning determination of violations made by the Elections Commissioner shall be made to the Elections Review Committee.
- b. Appeals concerning determination of violations made by the Elections Review Committee shall be made to the Student Tribunal.
  - 1. Appeals of Elections Review Committee decisions must be filed within 24 hours of notification of violation.
- c. Once an appeal of a violation is filed, all individuals listed on the ballot as candidates for that position shall be notified by the Elections Commissioner.

- 50-0155 Appeals of Contested Election
- a. Appeals concerning contested election decisions made by the Elections Commissioner shall be made to the Student Tribunal.
  - b. Upon official notification of a decision by the Elections Commissioner, contesting parties may file an appeal within 24 hours.
  - c. Once an appeal of a contested election is filed, all individuals listed on the ballot as candidate for that position shall be notified by the Elections Commissioner.
- 50-0156 Special Elections
- 50-0157 Emergency Elections. An emergency election shall be held in accordance with the provisions of the Elections Regulations Code.
- 50-0158 Post Election Review
- 50-0159 The Elections Commissioner shall submit to the Student Senate on the third Student Senate meeting after the certification of the election results by the Student Senate a complete analysis of the election held and any recommendations on how to improve future elections. The Elections Review Committee shall continue in existence until the end of the spring semester.
- 50-0160 Elections Commissioner
- 50-0161 The Elections Commissioner must be appointed at least four weeks prior to the Primary Election.