

MARQUETTE UNIVERSITY STUDENT GOVERNMENT

ELECTION RULES

APPROVED BY MUSG (FORMERLY ASMU) SENATE 1/18/90

UPDATED 2/13/97

MAJOR REVISION 2/8/01, VPSA APPROVAL 9/26/01

Introduction

These election procedures and rules are written for the purpose of electing the Senators, Executive Vice President, and President of Marquette University Student Government (MUSG). They have been compiled from the experiences of many students over numerous years and have been approved by the MUSG Senate as the official guidelines and rules for the said elections. Generally, the nature of these elections mandates flexibility because some items are absolute and others must be interpreted according to circumstances.

Though the rules are written with the assumption that the reader has never participated in an MUSG election, they should be read carefully and completely. It is expected that a first time reader will have questions; clarification should be sought prior to taking any action in a campaign. Please note that NO CAMPAIGNING MAY BEGIN BEFORE A CANDIDATE IS REGISTERED. These rules, procedures, and their interpretations are governed by the Elections Committee, chaired by the Elections Coordinator. In addition, it is expected that all candidates and campaigns will conduct their activities in accordance with all applicable University policies and procedures.

Section I – Elections Committee

- A. An Elections Committee of five (5) persons, including the Elections Coordinator, shall be appointed in accordance with the MUSG Constitution (Article IV, Section 8). No member of the Elections Committee shall hold any elected or appointed MUSG office during the semester in which the election is being held; shall be a candidate for office; shall be related to any candidate; or shall serve as a campaign manager or registered campaign worker for any candidate in the election.
- B. The Elections Coordinators shall chair all meetings of the Elections Committee.
- C. The Committee shall have authority over administering the election, interpreting the election rules, and overseeing the candidates' campaigns.
- D. The Committee shall make available registration materials and election rules to the potential candidates within a reasonable timeframe in respect to the primary and final election.
- E. The Committee shall make official all candidates for office and schedule any special elections.

- F. During the fall, elections will be conducted for Residential Senate seats. During the spring, elections shall be conducted for the positions of President, Executive Vice President, and Academic Senate seats.
- G. Final results are made official by the Election Coordinator in consultation with the Senior Associate Dean of Student Development or designee.
- H. The Elections Committee is responsible for administering penalties (Section XIV) to candidates who deviate from the election procedures. The penalty shall be imposed according to the severity of the violation and may range to, and include, disqualification.
- I. No member of the Elections Committee or Appeals Committee may serve on a campaign team, wear any partisan campaign material, or in any way campaign for any candidate.

Section II - Definitions

- A. *Full-Time Student*: A Marquette undergraduate carrying twelve or more semester hours.
- B. *On-Campus Student*: Undergraduate students who reside in the residence halls.
- C. *Commuter Student*: Undergraduate students who do not, or did not as freshmen and sophomores, live in university residence halls, but live(d) within 35 miles of campus with a parent or legal guardian.
- D. *Off-Campus Student*: Undergraduate students who are not on-campus students or commuter students.
- E. *All-University Elected Officer*: President and Executive Vice President (will be referred to jointly as a "ticket").
- F. *Residential Senator*: Representative of: (a) residence hall students; (b) off-campus students; or (c) commuter students.
- H. *Academic Senator*: Representative of the academic college in which he/she is currently enrolled.
- J. *Final Election*: An election conducted to reduce the number of candidates to no more than one candidate per open seat.
- K. *Campaigning*: Any public contact for the solicitation of votes, with the exception of collecting signatures for candidate registration. Personal appearances, meetings, placement of posters, or distribution of any campaign materials are considered campaigning. Any other activity which may be considered to be campaigning shall be determined by the Elections Committee.
- L. *Campaign Material*: Any printed material, radio or television advertisement, email message, website, or other means used to promote the candidate who is seeking an MUSG elected position, with the exception of the candidate registration process (e.g. obtaining signatures).
- M. *Official Campaign Worker*: Any person, acknowledged on the candidate's official list of campaign workers, who in any way aids a candidate in seeking office. (See Section VII)

N. *Valid Ballot*: A ballot that meets the following criteria:

1. Certified by the Elections Coordinator;
2. Contains a vote(s) for a qualified candidate(s);
3. Contains a vote(s) cast by a qualified voter (See Section II, A through D);

O. *Standard Candidate*: A student who registers in advance of the deadline necessary to have her/his name printed on the official ballot.

P. *Write-In Candidate*: A student whose name is not printed on the official ballot, but whose registration (in accordance with Section V B) makes her/him eligible to receive write-in votes.

Section III - Eligibility of Candidates and Voters

A. CANDIDATES

1. All candidates for office must be full-time students and must be in good standing, as defined by the Office of Student Development and Marquette University Student Handbook.
2. Any person removed from MUSG for excessive absences may not hold office for one academic year.
3. Candidates may run for only one elected position during a semester.
4. Candidates must comply with requests and guidelines from members of the Elections Committee.
5. Graduating seniors are not eligible to run for any Senator or Officer position in the semester they intend to graduate.

B. VOTERS

1. For All-University elected positions, eligible voters are full-time undergraduate students.
2. For Academic Senate seats, eligible voters are full-time undergraduate students of the appropriate academic college, e.g. only engineering students vote for Engineering Senate seats.
3. For Residential Senate seats, eligible voters are full-time undergraduate students residing in the appropriate area, e.g. only commuter students vote for Commuter Senate seats.
4. The Elections Committee has final determination of eligible voters (in terms of questionable votes) and candidates.

Section IV - Election Dates

- A. Spring Election: The President, Executive Vice President, and Academic Senators shall be elected annually in the spring election, to be held the fourth week of March. (See Constitution, Article V, Section 2)
- B. Fall Election: The Residential Senators shall be elected annually in the fall election, to be held the third week of classes. (See Constitution, Article V, Section 3)

Section V – Candidate Registration

A. Standard Candidates

1. Registration Dates

- a. Spring Election: Mandatory registration for standard candidates running for the two All-University elected positions, those being President and Executive Vice President, and the Academic Senate seats must submit a standard candidate registration packet by a date, approximately three weeks prior to the election, set by the Elections Committee.
- b. Fall Election: Mandatory registration for standard candidates running for the Residential Senate seats must submit a standard candidate registration packet by a date, approximately two weeks prior to the election, set by the Elections Committee.

2. Standard Candidate Registration Packet: All necessary documents are contained in the standard candidate registration packet. Additional copies are available from the Elections Committee and will be available throughout the standard candidate registration period. Nominees must submit this packet to the Elections Committee and it must be approved before a candidate can begin campaigning.

- a. Candidate Registration Form: Official document that contains the candidate's name (as to appear on the ballot), the position sought, candidate certification of eligibility, and candidate acceptance of the election rules and processes.
- b. Ballot Nomination Form: All nominees seeking office are required to obtain signatures from full-time undergraduate students in their respective academic or residential areas. Only signatures of eligible voters accompanied by appropriate MUID numbers will be counted as valid on the Ballot Nomination Form. All-University tickets must obtain three hundred (300) signatures from full-time undergraduate students. The number of signatures required for Senate candidates will equal ten percent of the number of full-time undergraduate students in the respective area, but shall be no fewer than 10 and no more than 100 signatures. Commuter students are not required to submit signatures. The exact number of signatures required for each academic or residential area will be determined by the Elections Committee and printed in the Candidate Registration Packet.
- c. Official Campaign Workers Form: Nominees must submit a complete list of official campaign workers with their registration, which must be approved by the Elections Committee before the workers may begin working on the candidate's campaign. Any updates must be submitted throughout the campaigning period. The Elections Committee must approve all additions before they may begin working on a campaign.
- d. Campaign Materials and Expenditures Forms: Nominees must file campaign materials and expenditures forms as outlined in Section VI.
- e. Statement of Objectives: Nominees must submit a Statement of Objectives with their registration packet.

B. Write-In Candidates

1. Students may only register as a write-in candidate for the two All-University Elected Officer positions, President and Executive Vice President. Senate races do not include a write-in option.
2. Registration Dates
 - a. Spring Election: Mandatory registration for candidates running for the two All-University elected positions, those being President, Executive Vice President, must submit a write-in candidate registration packet by 5pm the Monday prior to the election.
3. Write-In Candidate Registration Packet: All necessary documents are contained in the write-in candidate registration packet. Additional copies are available from the Elections Committee and will be available until 5pm the Monday prior to election. Nominees must submit this packet that must be approved by the Elections Committee before a candidate can begin campaigning.
 - a. Candidate Registration Form: Official document that contains the candidate's name, the position sought, candidate certification of eligibility, and candidate acceptance of the election rules and processes.
 - b. Official Campaign Workers Form: Nominees must submit a complete list of official campaign workers with their registration, which must be approved by the Elections Committee before the workers may begin working on the candidate's campaign. Updates may be submitted throughout the campaigning period, but the Elections Committee must approve all additions before they may begin working on a campaign.
 - c. Campaign Materials and Expenditures Forms: Nominees must file campaign materials and expenditures forms as outlined in Section VI.
 - d. Statement of Objectives: Nominees must submit a Statement of Objectives with their registration packet.

Section VI – Campaign Expenses

- A. Total campaign expenses for the combined President/Executive Vice President ticket shall not exceed \$500; total campaign expenses for Senate campaigns shall not exceed \$100.
- B. Costs of campaigning materials will be figured at retail value (this includes discounted, purchased at cost, or donated items).
- C. Upon registration, each President/Executive Vice President ticket or Senate candidate will submit an itemized and detailed list of ALL campaign materials and expenditures (*Campaign Materials and Expenditures Forms*); candidates must also include a sample of all campaign materials, as well as original receipts.
- D. If additional campaign expenses are incurred after the initial filing, receipts for these additional expenses along with a sample of the material must be filed with the Elections Committee within two business days of the date of purchase.
- E. An itemized listing of those campaign costs for each candidate can be made available upon request for the knowledge of voters.

- F. Campaign material used by more than one candidate must be listed on each candidate's expense list at a cost equal to the total retail cost.
- G. All campaign costs lists are subject to review by the Elections Coordinator and Elections Committee. If the retail value of campaign materials is questioned, the Elections Committee will obtain three estimates for comparable materials, from comparable suppliers and average them to estimate reasonable retail value of the materials used.
- H. No MUSG equipment, resources, or facilities may be used for the creation or distribution of campaign materials or for campaign-related activities.

Section VII - Campaigning

A. CAMPAIGN WORKERS

- 1. Each candidate must submit a list containing the signatures of all official campaign workers, including names, MU ID numbers, and current telephone numbers. This list must be submitted at candidate registration.
- 2. Only registered campaign workers can campaign for a candidate.
- 3. Additions to the list may be submitted during the campaign period, but must be submitted and approved by the Elections Coordinator before any additional campaign workers may campaign for a candidate.
- 4. Candidates are responsible for the actions of each of their campaign workers. It is the responsibility of the candidates to educate their workers fully so that they understand the Election Rules. Election Rules violations committed by registered campaign workers will count against the candidates.

B. CAMPAIGN MATERIAL

- 1. All campaign materials **MUST**:
 - a. Be approved by the Election Coordinator before their use;
 - b. Adhere to standards set by the Elections Committee;
 - c. Not be physically damaging to others' personal property or grounds;
 - d. Not slander opponents or their campaigns;
 - e. Comply with Marquette University positing guidelines established by the Offices of Residence Life and Student Development, as well as ordinances of the City of Milwaukee;
 - f. Include the candidate's name, position(s) sought, MUSG acronym, and voting URL;
 - g. Not use Marquette, MUSG, or other trademarked logos.
- 2. Additional specific conditions:
 - a. The following are **ABSOLUTELY PROHIBITED**:
 - i. Painting, or spray painting, any name or slogan on University buildings or grounds (including snow banks);

- ii. Use of adhesive backed materials, e.g. stickers;
- iii. Chalking on blackboards in academic buildings or sidewalks on campus;
- iv. Mass distribution of material;
 - 1. **EXCEPTIONS** to this prohibition are:
 - The entrances of Engineering Buildings for Engineering Senator candidates and candidates for All-University offices;
 - The west entrance of David Straz Jr. Hall for Business Senator candidates and candidates for All-University offices;
 - The north entrance of Emory T. Clark Hall for Nursing Senator candidates and candidates for All-University offices;
 - The north entrance of Lalumiere, east entrance of Todd Wehr, east entrance of Wehr Life Sciences; and the west entrance of William Wehr Hall for Arts and Sciences Senator candidates and candidates for All-University offices;
 - The east entrance of Schroeder Health Complex for Health Sciences and Education Senator candidates and candidates for All-University offices;
 - The west entrance of Johnston Hall for Communication Senator candidates and candidates for All-University offices;
 - All city public sidewalks, in accordance with current Milwaukee city ordinances, for all MUSG candidates, including residential and academic senator candidates, and candidates for All-University offices;
 - The West Towne Square area, but at least 50 feet away from the entrances located on the west side of the Alumni Memorial Union;
 - The east entrance of the Alumni Memorial Union, but no closer than 50 feet from the doors.
 - 2. These exceptions will be controlled at the discretion of the Elections Committee in accordance with current administrative policy and city ordinances.
- v. Posting in all campus libraries;
- vi. Posting and distribution of campaign materials within the Bradley Center or on the city blocks within which it is located.
- vii. Campaign material within twenty feet of any university-owned computer terminal that can be used for voting.

viii. Distribution of unsolicited mass email or electronic messages.

- b. All campaign materials must be approved by the Elections Committee before they can be distributed or posted.
- c. In accordance with the Office of Residence Life policies, posting is allowed only in designated areas in each hall as appointed by the hall director or apartment manager. Each hall director or apartment manager will be asked to identify one posting area per floor/wing and one posting area per lobby. Clarification should be sought from the respective hall director or apartment manager before posting.
- d. Campaign material may appear on the door of a student's room in the residence halls and university apartments, provided permission has been granted by at least one of the occupants.
- e. MUSG campaign posters do not require a stamp of approval from the Office of Student Development or from the Office of Residence Life.
- f. Candidates are responsible for the removal of all campaign material within two school days after the election.
- g. Candidates are allowed only one poster per posting area. Posters will only be allowed in the residence halls and university apartments, academic buildings, and the Union in proper posting areas. Posters will be allowed on campus only on designated posting areas. This will apply to all blocks between 11th and 16th Streets and Clybourn and Wells Streets, and all blocks on which residence halls and university apartments are located.
- h. Email messages, websites, and other forms of electronic communication must comply with the Policy on Acceptable Use of Marquette University Computer, Network, Telephony, and Other Electronic Resources.

C. CAMPAIGN ACTIVITIES

- 1. Use of university facilities for campaign activities must occur through the reservation process designated by the Elections Committee.
- 2. The following activities are **PROHIBITED**:
 - a. Disruption of classes or scheduled university activities;
 - b. Solicitation of votes by direct or indirect mailings (electronic or otherwise) or phone calls of any kind, unless the recipients individually and expressly request to receive such solicitations;
 - c. Door-to-door campaigning in the residence halls and university apartments(a candidate may speak before a floor, and/or hall meetings, and reserve rooms to speak in, with permission from the hall director or apartment manager);

- d. Campaigning in residence hall rooms reserved for another purpose (e.g. cafeterias, floor lounges, computer labs, bathrooms, elevators, stairwells, etc.).

Section VIII – Election Staff

- A. The Elections Coordinator shall recruit a necessary number of staff for the MUSG Election Help Desk. It is highly encouraged that there be a minimum of two election staff at the Election Help Desk during hours of operation.
- B. No election staff member shall be a candidate for office in the election being conducted; be related to any candidate; or serve as a campaign manager or worker for any candidate in the election.
- C. Election staff members are prohibited from engaging in solicitation of votes or any partisan activity at the MUSG Election Help Desk.

Section IX – Voting Procedures

- A. Any full-time undergraduate student may vote during an election upon submitting appropriate credentials (e.g. eMarq username and password). Each student may only vote once during an election.
- B. Fall Election: voters vote only for their respective Residential Senate candidates during election.
- C. Spring Elections: voters vote only for their respective Academic Senate candidates; only students who have applied for May commencement vote for senior speaker finalists; furthermore, all voters may vote for All-University tickets during the election.
- D. Eligibility of voters will be verified by the online voting system before ballots are received. This eligibility shall be based on information in the student information system with the Office of the Registrar at the time of the election.

Section X – Ballots and Balloting

- A. Voting will take place via the internet from 12:00am until 10:00pm the day of the election. There will be an MUSG Election Help Desk located in the Alumni Memorial Union from 9:00am until 10:00pm to assist voters with technological concerns and issues regarding voting irregularities.
- B. Additional voting areas may be designated only by the Elections Committee. Candidates, campaigns, and/or individual students may not set up polling stations for voting during elections (e.g. laptops or computer stations used for voting by multiple individuals).
- C. All voting shall be done by secret ballot. There will be no proxy or absentee voting. A valid ballot is a ballot that meets the criteria in Section II.N.

- D. Each ballot shall be uniform in appearance.
- E. A candidate's name shall appear on the ballot as it appears on his/her registration form. Nicknames shall be allowed at the discretion of the Elections Coordinator.
- F. Ballot positions will be alphabetical based on the last names of the candidates.
- G. No campaigning or campaign materials other than clothing shall be allowed on Election Day within twenty (20) feet of university-owned computer terminals that can be used for voting or MUSG Election Help Desk in the Union.
- H. In the event there are more than two tickets running for President and Executive Vice President, procedures for instant runoff voting will be used. Students will rank their preferences on the ballot. If no ticket receives a 50 percent majority of votes, the last place ticket will be dropped and the second place choices from those votes will be redistributed as first place votes to the remaining tickets. Tickets will be dropped and votes redistributed until a majority is reached and a winner is declared.
- I. A minor error (e.g. slight misspelling) shall not be considered grounds for delay or invalidation of an election.
- J. The database of voting information will be retained by the Office of Student Development until the candidates have taken office.

Section XI - Tabulation of Votes

- A. After the polls have closed, all election materials will be returned to an area designated by the Elections Committee.
- B. All information will be kept secure by the Elections Committee and the Office of Student Development before, during, and after the tabulation and verification process. At least one member of the Elections Committee shall be present during the verification process.
- C. The Elections Committee will rely solely on the computer tabulation of votes to determine the tally for the non write-in candidates.
- D. All valid write-in votes shall be hand tabulated twice by the Election Committee with the Senior Associate Dean of Student Development or designee present at all times. If there are any discrepancies, the write-in votes shall be re-tabulated.
- E. The addition of the computer vote tally and the write-in vote tally will determine the winners of the MUSG elections.
- F. The official results shall include the votes each candidate received, including all write-in votes.

- G. The official results of the election will be released to the candidates and public within twenty-four hours after polling ends. If necessary, due to extenuating circumstances, the official results may be withheld up to seventy-two (72) hours after polling ends. The Elections Committee makes the decision with the consent of the Senior Associate Dean of Student Development or designee.
- I. If there is a tie, the election shall be decided by a majority vote of the seated Senate.
- J. Candidates have the right to challenge the validity of the tabulation process of any election within twenty-four (24) hours after the release of the final results. This must be done in written form and submitted to the Judicial Administrator.

Section XII - Violation Submission

The Election Rules and Procedures are under the jurisdiction of the Elections Committee, which serves as the hearing board.

- A. Filing an Alleged Election Rule Violation Report
 - 1. Any full-time undergraduate student may file a report.
 - 2. The alleged violation must be submitted in writing. Two copies of the report must be submitted (one for the Elections Coordinator and one for the public file).
 - 3. The violation must be submitted within 24 hours of gaining reasonable knowledge that the violation has occurred.
 - 4. The Elections Committee shall notify the parties involved of the charge(s), as well as the time and location of the hearing as soon as they are determined.
 - 5. Election Rule violations must be reported before the accused candidate takes office.

Section XIII - Violation Hearing

The following shall be completed within two school days of receiving the Alleged Voting Irregularity Report:

- A. The Elections Committee Hearing:
 - 1. The individual(s) filing the report is to be given the burden of proof.
 - 2. The candidate shall have the right to be present at the hearing in his/her own defense.
 - 3. If the individual(s) who filed the report fails to attend the hearing, the charges will be dropped. Exceptions can be made at the discretion of the Elections Committee.

4. The participants in the hearing shall be restricted to the Elections Committee (3/4 of the Elections Committee must be present), the individual(s) who filed the alleged violation, the candidate, witnesses, and Senior Associate Dean of Student Development or designee.
 5. Both parties shall be allowed to present and argue their respective positions.
- B. Upon the conclusion of both arguments, the Elections Committee shall conduct a closed session to deliberate and decide upon the information presented.
 - C. The Elections Committee shall decide whether a violation has taken place, according to the evidence presented. If the vote in favor of responsibility for a violation is unanimous, the Elections Committee shall then decide upon the appropriate action to be taken in consultation with the Senior Associate Dean of Student Development or designee. The Committee's decision shall be presented to the candidate.
 - D. If the Elections Committee determines that a violation has occurred, the party found responsible for the violation has the right to appeal the decision. See Section XV for the Appeal Process.

Section XIV - Rules Enforcement

- A. A deduction of percentage of votes to be determined by the Election Committee based on the severity of the violation shall be used as recourse of action against an offending candidate.
 1. This deduction would be taken from the total of overall votes for the offending candidate.
 2. The Elections Committee may receive and/or file grievances during the course of the campaign (i.e. the time of registration through the close of the polls of the final election).
 3. The Elections Committee must determine the percentage to be deducted prior to the final count of votes so that the results will not influence the determination of the percentage of votes to be deducted.
- B. If conduct during the time of an election is under question, a member of the Elections Committee may launch an immediate investigation into the conduct in question.
- C. Any act of cheating that may affect the election results may result in the disqualification of the candidate.

Section XV - Appeals

- A. An appeal of the Elections Committee decision regarding a violation can be submitted within 24 hours of the committee's decision.
- B. The appeal must be submitted in writing to the Judicial Administrator.
- C. Appeals are not rehearings and they are not granted on the basis of disagreement with the decision.

- D. The candidate against whom the action was brought may appeal the decision of the Elections Committee. The basis for appeal is limited to the following:
 - 1. There was insufficient evidence to establish responsibility;
 - 2. The sanction can be shown to be arbitrary or capricious.
- E. The Appeals Committee shall consist of the following: the Judicial Administrator, the Business and Administration Chairperson, and the Legislative Vice-President. No member of the Appeals Committee shall be a member of the Elections Committee, be related to a candidate, be a candidate for office, or serve as a campaign manager or a worker for any candidate in the elections. If a member of the Appeals Committee is an individual who filed an alleged violation, is unable to be present, or conflicts with any of the previous mentioned restrictions, that person shall be replaced in the following manner:
 - 1. The Judicial Administrator shall be replaced by the Financial Vice-President;
 - 2. The Business and Administration Chairperson will be replaced by an impartial member of the Business and Administration Committee, previously being selected by the Business and Administration Committee;
 - 3. The Legislative Vice-President would be replaced by the President Pro-Tempore of the Senate, or, if necessary by an impartial committee chairperson.
- F. The Appeals Committee shall review the ruling of the Elections Committee and the information complied.
- G. The Appeals Committee must reach a unanimous consent on their decision.
- H. The decision to hear an appeal will be decided by the Appeals Committee itself.
- I. The decision stated by the Appeals Committee closes the case.

Section XVI - Amendments

These Election Rules may be amended by a two-thirds affirmative vote of the seated Senate. The amendment shall become effective after approval by the MUSG President and the Senior Associate Dean of Student Development.

Amended 2/14/02 – On-line voting
Amended 1/22/04 – Campaign Materials updates
Amended 2/9/06 – Wording revisions and updates
Amended 2/19/09 – Change regarding solicitation messages
Amended 2/5/09 – Education Senator campaign material posting
Amended 4/2/09 – Candidate eligibility; good standing & seniors
Amended 12/3/09 – Wording revisions and updates; Elimination of write-in option for Senate races
Amended 4/29/10 – Moved residential senator elections one week earlier
Amended 9/6/12 – Election changes for Marquette Involvement Link
Amended 5/2/13 – Elimination of presidential primary election (instant runoff voting); Elimination of commuter senator signature requirement