



The Elections Committee of Boston College

Presidential Elections Code
2008-2009

Elections Code
Developed and Approved by the Elections Committee

Article I: The Elections Committee

Section 1: Purpose

1. The administration of all Undergraduate Government of Boston College (hereafter referred to as UGBC) elections (Presidential and Senate), in accordance with the UGBC Constitution and the Elections Code, shall be vested in the Elections Committee (hereafter referred to as “The EC”).
2. The EC shall be responsible for the publicizing of all elections to both potential candidates for office and the voting community including dates, times, locations, informational and mandatory meetings, etc. Funds for publicity will be issued to the EC by UGBC.
3. The EC shall serve as a non-biased body to resolve disputes and enforce regulations in regards to the Elections Code.
4. The EC shall be responsible for the management, facilitation and scheduling all debates.
5. The EC shall hold at least two events to promote the Presidential/VP Election including, but not limited to, the Presidential/ Vice-Presidential Debate, and the UGBC through AHANA Eyes Debate.

Section 2: Membership

a. Composition of Committee

6. The EC shall be comprised of at least 3 full members, a chairperson and a vice-chair, thus totaling a minimum of 5 members. All committee members shall be full-time enrolled undergraduates. A SPO graduate intern, and the Student Programs Office (hereafter referred to as “SPO”) advise but shall refrain from voting in all EC decisions.
7. The positions of chairperson and vice-chair of the EC will be determined by the EC through nomination and anonymous vote by experienced EC members. The chairperson, in accordance with parliamentary procedure, shall refrain from voting in EC decisions, except in the case when his/her vote must break a tie.
8. Following the fall Senate election, a minimum of two new members will be selected to serve on the EC. Following the spring Presidential/Senate election, additional members to the EC may be chosen as necessary.
9. New members to the EC will be appointed through the following procedure: applicants to the EC will submit an application to the EC for review, qualified applicants will be interviewed by members of the EC, and the EC as a whole will select applicants to be offered membership on the EC.
10. In the event that a vacant seat opens in the EC, the position may be filled by the same application procedure used in choosing the original committee. Replacements shall be required in the event that the EC membership falls below the minimum required 5-person membership.

b. Responsibilities/ Abilities of Committee

1. The EC is responsible for conducting and regulating voting for the UGBC Senate and Presidential elections in full accordance with this Elections Code. Voting must be carried out in a secure and controlled manner to insure the integrity of the results.
2. The EC, upon majority vote of the committee members, shall have the power to impose sanctions upon and issue disqualifications of candidates for any violation of this code, the lawfully authorized decrees of the EC, or any existing BC policy.
3. The EC shall have the right to meet in closed session to discuss matters affecting the electoral process, or the name and/or reputation of an individual.
4. The EC may delegate authority to one or more of its members, provided that the EC shall remain responsible for any action taken by said member(s). Such authorities may not include disciplinary actions, which must be voted upon by the entire EC.
5. The EC shall hold office hours for approval of campaign materials and general questions no less than 10 hours per week during the election period. An email address (elect@bc.edu) must be made accessible to candidates for communication with the EC. Office hours of the EC must be posted on the EC website (www.bc.edu/elections).
6. All members of the EC must remain unbiased in any and all elections. No EC member may actively participate in a candidate's campaign, solicit voter support, distribute literature, plan events to further a candidate's campaign, or serve as a candidate's campaign manager or treasurer. Involvement in a campaign shall be grounds for review and possible removal of a member of the EC.

c. Responsibilities of Members

1. Upon the motion of any EC member or SPO, the EC must review a member for violations of this code, impropriety, or failure to fulfill the duties of office. A two-thirds vote by closed ballot of the remaining voting membership of the EC is required to dismiss the member from office.
2. A member whose membership is under scrutiny, as well as the member calling for the review, forfeits the right to vote in any decision pertaining to membership.
3. Any member under review shall have a chance to defend themselves to the EC.
4. An EC member who has been subject to an adverse decision of the EC holds the right to appeal through SPO.
5. The EC shall post on the Elections Website (www.bc.edu/elections) the content of sanctioned offenses following any appeals during the Presidential/Vice-Presidential and Senatorial elections.

Article II: Candidate Qualifications

1. Any student running for UGBC Office must be a full-time undergraduate student in acceptable academic standing with a 2.5 GPA or administrative approval.
2. Students running for office must also be in good disciplinary standing with the university.

Article III: Elections Procedure

Section 1: General Campaigning Guidelines

a. Candidate Responsibilities

1. The candidate shall be held responsible for all work undertaken on his/her behalf, including but not limited to his/her campaign staff, anyone wearing his/her campaign T-shirt, any campaign emails sent with or without the candidate's knowledge, etc.
2. Each candidate shall be responsible for assuring that his/her campaign workers are fully acquainted with this section of the Elections Code and the regulations of the EC.

b. Campaign

1. All candidates will abide by the Boston College Student Guide and all additional written guidelines provided by the EC.
2. All required forms must be turned in by the designated time determined by the EC. Any candidate who fails to turn in these materials by the deadline shall be subject to immediate disqualification at the discretion of the EC.
3. Disrespectful or abusive behavior toward members of the EC can also result in sanctions.
4. Candidates may not be sponsored or endorsed by registered or unregistered Boston College groups or organizations, or off-campus businesses or organizations. Newspapers that are produced on a regular basis, focused on campus news and available to the public are exempt from this (Heights, Observer and Patriot).
5. Campaigning is not permitted in the presence of drugs and/or alcohol. Any such violations may be grounds for disqualification of a candidate.
6. No official UGBC or SOFC resource, publication, or funds may be used to further any candidacy. This shall include, but is not limited to the UGBC website.
7. No presidential candidate may endorse a Senate candidate.

c. Policies

1. There shall be no campaigning or information distribution (electronic, paper or verbal) before the official start of campaigning (midnight of the date specified by the EC). Facebook groups are permitted to be made after intent forms are handed in, however there can be no platform information posted until the official start of campaigning. Violations will be addressed on a case by case basis by the EC.
2. There is to be no campaigning in the residence halls or the computer labs during the days of voting.
3. You must abide by the BC posting policies and post only in/on approved locations. The BC posting policy is available in the Student Programs Office and online at <http://www.bc.edu/postings>
4. Residence Halls
 - a. Campaigning in the residence halls may only take place between the hours of 8am and 10pm.
 - b. Candidates must abide by all of the campaign guidelines outlined in this document, including the Boston College Student Guide, and all Residence Life policies while campaigning in the residence hall
 - c. The only place that candidates are allowed to post their flyers in the residence halls is on personal doors with the consent of the resident. Flyers may not be

hung on personal doors without consent of the resident. Flyers may not be hung anywhere else in the residence halls.

- i. Candidates must understand the Residence Life policy that only 1/3 of each personal door in the residence halls may be covered with paper.

d. Printed Matter

1. No piece of campaign material and/or campaign literature may resemble any official EC materials, contain the Boston College logo, or infringe on any copyrighted material. Any copyrighted material may not be used without written permission from the copyright holder, which must also be filed with the EC. This also applies to, but is not limited to music and artwork in electronic form.
2. All campaign paraphernalia must be approved by the EC (including flyers, banners, t-shirts, websites, etc.), after which, materials must be stamped by SPO. All candidates must follow the Posting Policy of the University.
3. Nothing shall be approved which contains a slanderous or defamatory statement or anything inconsistent with the Jesuit/Catholic values of BC. If a statement is determined to be slanderous after one EC member has signed a receipt approving release of the material, the candidate is required to retract the material or statement upon request of the EC.
4. Candidates and candidate teams are only permitted the use of three banners during campaigning, contingent on the number of teams running. One banner may be placed in either the Gasson Quadrangle or the Dustbowl, the second banner may be placed on the Commonwealth Ave. Parking Garage, and the last banner may be placed on either Newton or Upper Campus.
5. Campaign banners must be home-made. Professionally printed banners are strictly prohibited.

e. Electronic Communications

1. The use of Facebook is permitted with certain limitations. Upon receipt of candidate/team's intent form, a group can be created, however any and all platform information must be withheld until the official campaign period begins. Each candidate/team may only have one (1) group and must invite the current EC Chair whose name will be announced at the mandatory meeting, as an admin to this group. Any use of Facebook must be limited to the BC network. No messages can be considered unsolicited if an individual accepts membership to a Facebook group.
2. Voicemails, emails, text messages, instant messages, podcasts, unsolicited phone calls (i.e., phone banks) and online directory (i.e. MySpace, Friendster, Twitter etc.) messages cannot be used in any way to contact potential voters.
3. Candidates cannot use personal information from AGORA or Facebook, MySpace, Friendster or other online directories to contact students.

Section 2: Presidential Procedures

a. Timeline

1. All Intent for Candidacy forms and guidelines for the offices of President and Vice President must be available at the mandatory informational meeting for all prospective candidates at the beginning of the election period as set by the EC. These forms must be completed and returned to the EC by the specified deadline.

2. Exceptions to attendance at the mandatory meeting will be considered by the EC in rare instances.
 3. The mandatory meeting will be publicized in advance.
 4. Campaigning shall begin no sooner than the time the EC specifies at the mandatory meeting.
 5. Both the primary and final elections must be held over a two class-day period.
 6. Intent for Candidacy forms shall be filed with the EC by the date mandated by the EC. Both Presidential and Vice Presidential candidates must sign intent forms. Any person who has not filed an intent form cannot officially campaign.
 7. The candidates shall formally designate one person as a campaign manager and name this individual on the Intent for Candidacy form.
 8. All official contacts between the EC and a candidate's campaign shall be through the candidate and/or his/her campaign manager.
 9. The Elections Committee shall hold a lottery to assign locations to candidates for hanging banners outdoors. No banners may be hung outside of a candidate's assigned location.
- b. Financial Guidelines
1. The team shall be responsible for preparing and submitting a financial report on the date set forth by the EC. Any team of candidates who fails to turn in this form by the deadline shall be subject to immediate disqualification at the discretion of the EC.
 2. The financial report is an expense report which shall list all expenses including prices, vendors, quantities of items purchased and cumulative totals. All original receipts must be included; copies should be made by candidates for their own records. Sales tax needs to be included on all financial reports.
 3. Expenditures for candidate's campaigns shall not exceed \$500 before the financial reports are due for the primary elections. Sales tax does count towards the financial expenditure limit. Candidates advancing to the final elections will be allowed to spend an additional \$150 or the difference between \$650 and the amount spent on the primary campaign, whichever is greater. Exceeding these limits may be grounds for disqualification.
 4. The EC shall have the authority to audit and investigate the finances of any candidate.
 5. The final financial reports of each campaign shall be signed by candidate and submitted before the date and time indicated by the EC.
 6. All materials released by the candidate shall be fully accounted for in the expense report in terms of cost and quantity.
 7. All purchased campaign materials and advertisements shall be listed on a candidate's financial form. Advertising materials lacking proof of purchase or which were received through donations or reduced priced items shall be listed at the fair market value as assessed by the EC. All donated items and personal supplies used to create campaign materials should be included and tallied in the candidate's financial reports.
 8. Black and white copies will be valued at 3 cents per 8 ½ x 11 sheet. All other copies (ie, color, on glossy paper, etc) will require a receipt to be presented. Use of personal printers are strictly prohibited. Any candidate using a car as a campaign tool (ex: shuttle) will be charged \$75 per day of use.

9. The candidate shall sign each financial report, and the campaign manager shall sign a statement attesting to the authenticity of the financial reports. Falsified reports may be grounds for the disqualification of a candidate.

c. Debates/Events

1. The EC will hold the events listed in I.1.5 during the primary as to promote the communication of candidates' ideas and platforms.
2. At least one event shall be held during the campaign before final elections, but after primary elections. Only the four finalists on the two president/vice-president teams need be invited to participate in this event.
3. The EC will work with UGBC TV to ensure that all EC public events are taped and broadcasted over BC cable.
4. No campaign materials are allowed at the debates, this includes but is not limited to T-shirts, banners, flyers, etc.

Section 3: Complaints/Violations

1. All complaints concerning violation of the Elections Code or EC regulations must be submitted to the EC via the online complaint form available at www.bc.edu/elections/complaint.
2. Complaints should be submitted to EC only if the person filing the complaint has witnessed or has been directly affected by a situation.
3. If the complaint involves any sort of email or other form of communication, a copy of the offending material must be submitted to the EC as evidence.
4. In a case where no hard evidence is available, the official reports of Resident Assistants, Community Assistance Patrol or law enforcement personnel shall be acceptable to the EC as evidence.
5. All complaints will be investigated by the EC before a sanction is issued.
6. Each night during campaigning, the EC will send out a Penalty/Sanction Notification email by 10PM to a candidate who has received a complaint against them since the previous night.
7. If a candidate reaches one of the levels where a sanction is issued, the sanction will go into affect as delineated in the Penalty/Sanction Notification email.
8. If a candidate wishes to appeal a decision by the EC, please see Section 5.

Section 4: Sanctions

a. Presidential/Vice Presidential

1. The EC will issue a certain number of points to a candidate based on the magnitude of the offense. These points will correspond to levels at which sanctions are carried out.
2. The point system is as follows:
 - a. 5 points – Turn in 25 campaign t-shirts or appropriate campaign materials (determined by the EC) to SPO (Campanella 242) by 4PM the next business day
 - b. 10 points – Take down 2 banners (from locations specified by EC) and turn in to SPO (Campanella 242) by 12 NOON the next business day.
 - c. 12 points—Candidate’s Facebook group must be deleted

- d. 15 points – No active campaigning during last day of campaigning.
 - e. 20 points – No active campaigning during last day of campaigning and days of voting.
 - f. 25 points - Disqualification
3. If sanctions are not adhered to, the EC will assign additional sanctioning points to violating candidates.
 4. If a violation is severe enough to bypass any level, the sanctions for the bypassed level(s) will also be applied.
 5. During days of voting, points given for each violation will be doubled.
 6. After the primary elections, the two remaining teams will have 10 points deducted from their points total and the same scale will be used. If a candidate has less than 10 points after the primary elections, the points level will be reduced to zero (no negative points will be considered).
 7. Upon the motion of at least one member, the entire voting membership to the EC shall convene to consider the disqualification of a candidate. A motion to disqualify a candidate must be carried by an affirmative vote of at least two-thirds of committee members.
 8. Before any candidate is disqualified, the candidate will be given an opportunity to write an email on his or her behalf.
 9. During final presidential elections, if a team of candidates is disqualified, the opposing team shall be declared winner of the election.
 10. In the event that both teams of candidates reach the point level of sanctions that constitute disqualification, the team with the fewest amount of sanctioning points will be declared winner.
 11. If both teams of candidates reach disqualification at equal point levels, the EC will consider the timing of the specific complaint that resulted in disqualification. The team which had the earlier complaint lodged against them will be disqualified, and the other team declared winner.

Section 5: Appeals

1. Decisions of the EC shall be final, unless appealed in accordance with this code. Candidates do have the right to appeal a sanction. Only the accused, not the complainant nor any other candidate, are entitled to the appeal process.
2. All appeals must be communicated to the EC through the elections email account (elections@bc.edu) by 5PM the day after the Penalty/Sanction Notification email was sent. Due to the short election period, for appeals to be considered there must be further documentation or additional facts which dispute the information used to determine the original sanction.
3. If the EC votes to uphold the penalty decision, it will remain in place.
4. A second appeal will only be considered if the candidate can provide **evidence** of unfair treatment by the EC or that the EC did not follow the Election Code or if **new evidence** to dispute the original complaint is available. In this rare instance, a candidate must appeal the EC's decision by noon the day following the EC's response to the first appeal. The appropriate SPO Dean will address the appeal on the next business day.

Section 6: Voting

1. Voting will take place through the university's secure AGORA system and voter usernames and PINs will be required.
2. Voting will take place during AGORA hours, 8am to 11pm, over a two class-day period designated by the EC.
3. All full-time undergraduate students are eligible to vote in elections, including those who study abroad if electronic balloting permits. College of Advancing Studies students are not permitted to vote since they do not contribute to the student activities fee.
4. Only Information Technology (IT) and SPO reserve the right to test the electronic voting system. Any unauthorized person attempting to test the system will be subject to sanctioning by SPO and the EC.
5. The candidates' names will appear in random order on the electronic ballot.
6. The candidates' names will appear on the electronic ballot as it appeared on the candidates' Intent for Candidacy Form.
7. Campaigning in the residence halls and directly outside the residence halls is forbidden during the two days of voting.
8. No candidate or member of their staff may be present inside a dormitory room (with the exception of his or her own) where voting is going on.
9. Vote tampering by illicit campaigning, forced voting, or voting fraud, shall be treated as an extremely grave offense, and shall be grounds for immediate dismissal of a candidate and his or her campaign and disqualification from the election.
10. The EC shall inform students of their duty to maintain election integrity.

| *Revised: [January 27, 2009](#)*