

Bill 13-7

Section 138. Open Seats

- A) Petitions for open seats on the Campus Senate shall be made continually available in the ASB office and accepted in the office of the ASB Vice-President or ASB Secretary during normal business hours.
 - 1) Open seat petitions shall comply with the petition requirements of § 104 of this Title, with the exception that the twenty-five (25) qualified electors need to come from any particular District.
 - 2) All Campus Senate petitions for candidates in the Fall General Election of Campus Senators who are not elected to the Campus Senate shall be considered open seat petitions.
 - 3) The Public Relations Chair of the Legislative Council shall keep the student body informed of the continuous availability and acceptance of open seat petitions.
 - 4) Open seat petitions shall be kept on file by the ASB Secretary until the end of the Spring Semester.
- B) The Campus Senate shall hold an open seat election when a seat or seats become vacant. Campus seats are not to remain vacant for more than two weeks while school is in session for the Fall or Spring semesters. Whenever ten percent (10%) or more of the seats of the Campus Senate become vacant at one time, the Attorney General shall hold a special election as set forth in § 142 of this Title.
- C) Once a seat becomes vacant, that seat becomes an At-Large seat and may be filled by any eligible student seeking election to the Campus Senate.
- D) In order to be eligible for an open seat, candidates must meet the qualifications for Campus Senator as set forth in § 111(A) of this Title, No certification meeting will be held for candidates for open Campus Senate seats.

Section 139. Notification.

- A) The President and Clerk of the Campus Senate shall inform the Attorney General and the Deputy Attorney General for Elections whenever a seat vacancy occurs in the Campus Senate.
- B) Notification of an open seat election must be made to the student body at least one (1) week prior to election. Notification may consist of any of the following: campus email, advertisement in campus media, flyers, and handbills.
- C) The Clerk of the Campus Senate shall keep all submitted open seat petitions. The Clerk of the Campus Senate shall notify all candidates with open seat petitions on file of the open seat election at least one week prior to the open seat election. Candidates must respond to the Clerk by 5:00 pm on the night of the election to be qualified to run for the open seat.

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- D) Any student seeking election to the Campus Senate who does not have an open seat petition on file may file a petition pursuant to § 104 of this Title for an open seat.
- E) The Attorney General or Elections Chair shall make a determination of the qualifications of each candidate before the election, and shall thereafter notify the candidate of whether they are qualified and certified.
- F) Any student seeking a vacant seat in the Campus Senate must appear before the President of the Campus Senate no later than 6:30 on the night of the election.

Section 140. Campaigning for Open Seats.

- A) Campaigning for open seats shall be by word of mouth only.
- B) No money may be spent in campaigning for open seats.
- C) The use of any campaign materials shall constitute a major violation, subject to disqualification.

Section 141. Voting for Open Seats.

- A) Voting on open seats shall be done by closed ballot voting following introduction and debate on all candidates.
- B) Senators will be allowed one (1) vote for every seat that is open. Senators may cast no more than one vote for any candidate. Senators should take into consideration the previous apportionment and district of the open seat during debate and voting for that seat.
- C) Following voting, the Senate Clerk will accept and count all ballots. The candidate(s) receiving the most votes will be named Senators.
- D) After the Senate has voted, the newly elected Senator is to be sworn in and given a Senate notebook. The newly elected Senator shall not have voting or debate privileges until the next regular Senate meeting following the election.

Section 142. Special Rules Governing Open Seats Elections When Ten Percent or More of Campus Senate Seats Are Open.

- A) Whenever ten percent (10%) or more of the seats of the Campus Senate shall become vacant, the Attorney General shall hold a special election to fill all seats that are currently open.
- B) The Attorney General shall provide notice of the special election to the student body at least one (1) week prior to election. Notification may consist of any of the following: campus email, advertisement in campus media, flyers, and handbills.
- C) The Clerk of the Campus Senate shall notify all candidates with open seat petitions on file of the open seat election at least one week prior to the open seat election. Candidates must

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respond to the Clerk by 4:00 pm on the Friday before the election to be qualified to run for the open seat.

- D) Any student seeking election to the Campus Senate who does not have an open seat petition on file may file a petition pursuant to § 138(A)(1) of this Title for an open seat. Petitions must be turned in to the ASB office by 4:00 pm on the Friday before the election.
- E) The Attorney General or Elections Chair shall make a determination of the qualifications of each candidate before the election, and shall thereafter notify the candidate of whether they are qualified and certified.
- F) All students shall be able to vote for all open seats being filled in the special election.
- G) Seats shall be filled by the candidates receiving the most votes in the special election.
 - 1) In the case of a tie, the Campus Senate shall break the tie by having the candidates appear before the Senate and having a general vote.
 - 2) If the number of candidates is equal to or less than the number of vacancies, the candidates will be automatically named Campus Senators.

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**SUBTITLE C
CAMPAIGN RULES**

Section 112. Campaign Dates.

- A) Campaigning for Fall and Spring General Elections begins nine days prior to the date of the election.
- B) Campaigning for Campus Senate and Senior Class Officer Elections begins immediately following the certification meeting.

Section 113. Campaigning Rules for General Elections.

- A) This Section shall apply to all General Elections except Campus Senate, Campus Favorites and Senior Class Officer Elections.
- B) For the purposes of this Section, "campaigning" shall be defined as any act by a candidate or his or her supporters that is intended to present that person to the general public as a candidate or nominee.
- C) The "general public" shall be defined as two or more electors, as set forth in the ASB Constitution Art. II, §1.
- D) For the purposes of this Section, "campaign material" shall be defined as any material, apparatus, or other property used by a candidate or nominee for the purpose of campaigning as defined by this Section. All campaign material shall include the name of the candidate or sponsoring group, and that person or group shall be identified as such. Any infringement upon this Item shall be subject to major violation.
- E) No candidate or nominee, or his or her respective agents, may indulge in campaigning prior to the beginning of the open campaigning period as set forth in this Title.
- F) Any meetings regarding the nature of the campaign before the open campaigning period shall be limited to forty (40) people. This shall serve as a major violation and grounds for possible disqualification.
- G) Email shall be considered word of mouth campaigning. Sending email addressed to more than one (1) person before the start of the campaign period is prohibited.
- H) The use of listservs or the sending of unsolicited emails to persons unknown to the sender for the purpose of campaigning is prohibited. Any violation of this subsection shall be considered a major violation.
- I) No campaign material may be displayed in a publicly in an academic building except in those areas designated by the building mayor. No more than one (1) campaign flyer per candidate may be placed at these designated areas. Any violation of this subsection shall constitute an intermediate violation.

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- J) In non-academic areas, no more than two (2) campaign advertisements may be posted on bulletin boards or other regular posting areas. This shall include the large bulletin board on the second floor of the Union. Any violation of this subsection shall constitute a minor violation.
- K) Posted campaign materials shall not exceed eight-and-one-half-by-eleven (8 ½ x 11) inches in size. Any violation of this subsection shall constitute an intermediate violation.
- L) Each candidate or nominee may have only one (1) banner displayed at a time. No banners shall be displayed in or on the Student Union Building. A banner shall be defined as any campaign material larger than eight-and-one-half-by-eleven (8 ½ x 11) inches, excluding t-shirts. Any violation of this subsection shall constitute a major violation.
- M) No hand-held signs or posters of any kind shall be permitted near the polls on Election Day. Any violation of this subsection shall constitute a major violation.
- N) Campaign cards, stickers, or buttons for candidates' supporters to wear shall not exceed five-by-seven (5 x 7) inches. Any violation of this subsection shall constitute a major violation.
- O) No campaigning shall occur in an academic classroom during a class period, except students may wear cards, buttons, or stickers of a candidate. Any violations shall constitute a major violation.
- P) No campaigning or campaign material may be handed out or displayed on the steps or porches of the Student Union. Any violations of this subsection shall be considered an intermediate violation.
- Q) No candidate or his or her representatives shall offer food or free giveaways as part of the campaigning process. Any violation of this subsection shall serve as a major violation and grounds for possible disqualification.
- R) Online social media may be used for the purposes of campaigning and shall be considered word of mouth campaigning. The Attorney General and the Department of Justice, preceding the certification meeting of the Fall or Spring General Elections, shall determine regulations regarding all online social media. These regulations shall be offered to candidates at the time of the certification meeting and shall stand for the remainder of that election. Any violation of this subsection shall result in a major violation and grounds for possible disqualification.
- S) No one candidate, campaign organization, or student in general may campaign within fifty (50) feet of the polls. Any violation of this subsection shall result in a minor violation.
- T) Campaigning from vehicles is allowed on University grounds, and within the limits of the City of Oxford and Lafayette county to the extent such campaigning does not conflict with local or state law.

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- U) No candidate or his or her campaign representative shall tear down, mutilate, remove, or otherwise encroach upon another candidate's campaign materials. Any violation of this subsection shall be considered a major violation and grounds for possible disqualification.
- V) No student shall infringe upon the right to a private ballot as provided for in this Title.
- W) Each candidate shall be responsible at law for the nature and legality of his or her campaign, campaign materials, and demonstrations.
- X) Any attempt by a candidate or campaign representative to coerce, bribe, intimidate, or force a person to vote shall result in immediate disqualification.
- Y) Each candidate shall remove his or her campaign material from public areas of the campus within such time specified by the Elections Commission Chair(s). The deadline shall not be less than forty-eight (48) hours and those who violate the set deadline will be subject to a fine of twenty-five (25) dollars each day after the deadline.
- Z) Public campaigning on the Tuesday of Election Day and, if necessary, the Thursday of the Runoff election will be limited to the Union Plaza, the Circle, and in front of Fulton Chapel. Campaigning may not occur within thirty (30) feet of the Union steps or on any of the walkways outside of the Circle. Campaigners may not obstruct any crosswalk, walkway, or in any other way inhibit an established path used regularly by students and faculty. Any violations of this subsection shall be considered an intermediate violation.
- AA) At each of the areas listed in § 113 (Z) the number of campaigners shall be limited as follows for the individual candidates. Any violations of this subsection shall be considered an intermediate violation.
 - a) Campaigners at the Union shall be limited to no more than twenty (20) per candidate at any given period of time during the established times listed in § 113(Z)
 - b) Campaigners at the Circle shall be limited to no more than fifteen (15) per candidate at any given period of time during the established times listed in § 113(Z)
 - c) Campaigners in front of Fulton Chapel shall be limited to no more than five (5) per candidate at any given period of time during the established times listed in § 113(Z)

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