

Constitution of the University Board of Elections

Ratified November 19, 2003

Last Amended March 2, 2023

Preamble

We the students of the University of Virginia, to further the aims of student self-governance within a community of trust and honor, establish the University Board of Elections to supervise our student elections.

Article I: Jurisdiction and Powers

- A. The University Board of Elections is authorized to conduct elections on behalf of the following student organizations:
 - 1. Student Council
 - 2. Judiciary Committee
 - 3. Honor Committee
 - 4. Class and School Councils
 - 5. Such other elections as the Board may be requested to oversee

- B. The University Board of Elections is authorized to conduct all University referendums.

- C. The University Board of Elections is empowered to take all actions necessary and appropriate to carry out its mission to enact and enforce Election Rules and Procedures.

- D. The University Board of Elections may serve as Complainant before appropriate University bodies such as the University Judiciary Committee or the Honor Committee to enforce its published Election Rules and Procedures.

Article II: Authority

The authority of the University Board of Elections is derived from the Student Body of the University and from delegation by the Rector and Board of Visitors and the President of the University.

Article III: Membership of the University Board of Elections

- A. The University Board of Elections shall be composed of no more than fifteen members.

- B. The University Board of Elections, in partnership with the Division of Student Affairs, shall publicize an application process and timeline to allow interested persons to apply for nomination to the Board in the spring semester of each academic year. Applications for appointment and reappointment will be available on the University Board of Elections website.
 - 1. Prospective Board Members (those students who have not served on the UBE) will be required to complete an application for appointment.

 - 2. Current Board Members will be required to complete an application for re- appointment.

- C. To be eligible for appointment to and to retain membership on the University Board of Elections, a person must satisfy all of the following Board Membership Criteria (“Board Criteria”):
 - 1. The person must be a full time student of the University of Virginia.

 - 2. The person must be in good academic standing as defined by The Record of the University of Virginia.

 - 3. The person must commit that if appointed to the Board, the person will resign any executive or leadership position of a student organization that endorses in elections under the Board’s jurisdiction.

 - 4. The person must not currently hold or seek any elected office that is overseen by the University Board of Elections.

 - 5. If appointed, a Board member may not:
 - i. Publicly support any candidate or position in a referendum.

 - ii. Become involved in any student election overseen by the University Board of Elections.

 - iii. Become involved in any organizational candidate endorsement process.

- iv. Undertake other actions that could lead to an appearance of bias.

Note: The University Board of Elections does not restrict its membership, programs, or activities on the basis of age, color, disability, gender identity, marital status, national or ethnic origin, political affiliation, race, religion, sex (including pregnancy), sexual orientation, veteran status, and family and genetic information.

- D. The UBE Selection Committee shall be comprised of five members: the outgoing Student Council President (or their designee), Honor Chair (or their designee), University Judiciary Committee Chair (or their designee), Fourth Year Trustees President (or their designee), and UBE Chair (or their designee). The UBE Selection Committee shall:
 1. Review and evaluate completed applications for appointment and reappointment for University Board of Elections Chair and Vice Chair positions.
 2. Select applicants to serve on the University Board of Elections as Chair or Vice Chair. The Selection Committee shall take actions by a majority vote.
 3. The outgoing University Board of Elections shall determine the number, title, and scope of Chair and Vice Chair positions, to be provided to the Selection Committee before the selection period begins.
 4. Once appointed by the Selection Committee, the University Board of Elections Chair and Vice Chair(s) may, at their sole discretion, appoint other members to the Board, consistent with other membership provisions laid out in Article III A. B. and C.
 5. The University Board of Elections Chair and Vice Chair(s) shall endeavor to provide each school, including Graduate and Professional schools, with representation on the Board.
- E. Board members shall serve for a one-year term and may be reappointed to one or more subsequent terms on an annual basis. If the outgoing Chair of the University Board of Elections seeks reappointment, the outgoing Chair must be recused while the Selection Committee considers their application.

- F. The Selection Committee shall select a Board Chair and Vice Chair(s) no later than the first of April.
- G. If at any time the membership of the Board drops below fifteen members, the University Board of Elections may, at their sole discretion, appoint additional member(s) to serve until the current Board's term elapses.
- H. A member of the Board may be removed for failing to observe the Board Criteria or for failing to perform the duties established for Board members in managing the elections process at the University. A board member charged with failing to comply with the Board Criteria or Board duties shall receive a written notice of the alleged violation(s), and shall have an opportunity to respond both in writing and in person in a hearing before the Board. An affirmative vote of at least two-thirds of the Board shall be necessary to terminate a Board member.
- I. Quorum: The Board must have a quorum of at least nine members, including the Chair, to take any action outside the jurisdiction of the Hearing Panels. All votes of the Board, absent removal of a Board member, shall be by a majority vote of those persons present.

Article IV: Principles Guiding Election Rules and Procedures

- A. Election rules and procedures shall safeguard constitutional protections of speech, assembly and due process for all students at the University and shall also comply with all relevant statutory requirements of the Commonwealth of Virginia.
- B. Election Rules and Procedures shall be capable of uniform and timely enforcement action by the Board.
- C. Election Rules and Procedures shall not include punitive vote-docking mechanisms that nullify individual votes.
- D. Election Rules and Procedures shall incorporate the principles of the Honor Code and University Standards of Conduct.
- E. Election Rules and Procedures shall compliment University guidelines protecting University property.
- F. Election Rules and modifications to the rules shall be provided in advance to the Student Body of the University through electronic or printed

media, and the UBE shall provide a mechanism for receiving and reviewing any comments that are made.

Article V: Appeals

- A. The Board shall establish an internal appeals mechanism for enforcement actions taken by a Panel or officer of the Board.
- B. Appeals from enforcement actions or decisions of the full Board shall be taken to the University Judicial Review Board, or its successor body, on a timeline specified in the Election Rules and Procedures.
- C. Where the Board serves as a complainant to enforce its rules and procedures before some other University Body such as the UJC of Honor Committee, the rules governing appeals from said bodies shall govern.

Article VI: Amendments

- A. Amendments to this Constitution shall be proposed as follows:
 - 1. By a written petition of five percent of the full-time Student Body submitted to the University Board of Elections.
 - 2. By a written petition of twenty-five students, submitted to the Board, and passed by a two-thirds vote of the Board.
 - 3. By motion of any Board member passed by two-thirds.
- B. Amendments to this Constitution shall be ratified as follows:
 - 1. Through a referendum of the Student Body with a majority voting in favor of the amendment.
 - 2. Through approval by a majority of the Board of Visitors.

