

# Power and Jurisdiction

- A. These Election Rules are created, maintained, and enforced pursuant to the principles and procedures outlined in Article IV of the University Board of Elections Constitution, and are designed to ensure free and fair elections.
- B. These Elections are in accordance with but do not supersede the University's Standards of Conduct, the Honor Code, the official rules and regulations of the Housing and Residence Life, Physical Plant, Student Council, Parking and Transportation, Student Financial Services, ITS, other applicable departments at the University of Virginia and federal, state, and local laws. Refer to the Honor and Judiciary committees, the Undergraduate and Graduate Records and various University departments and other sources for more information.
- C. The University Board of Elections has the express authority to define the voting population for University of Virginia elections.
- D. These rules are binding upon all student candidates, individuals working on their behalf, and organizations endorsing candidates. Rules may be enforced by the appropriate University body including, but not limited to, the University Board of Elections.
- E. Any questions regarding these Election Rules should be submitted via electronic mail to the University Board of Elections at [ube-admin@virginia.edu](mailto:ube-admin@virginia.edu).

# Campaigning and Electioneering

- A. General Provisions
  - 1. The University Board of Elections shall provide an Elections Calendar establishing petition deadlines and reporting deadlines that govern the activities of candidates, individuals and/or organizations working on behalf of a candidate, individuals campaigning regarding a referendum, and Endorsing Organizations. A candidate's signature on the rules attestation form signifies agreement to comply with the Elections Calendar.
  - 2. All Campaign messages and materials used by candidates, individuals and/or organizations working on behalf of a candidate, and individuals campaigning regarding a referendum must comply with these Elections Rules, application University regulations, and state, local, and federal law. Under these rules, messages and materials include those intended to encourage voter participation.
  - 3. Candidates, individuals and/or organizations working on behalf of a candidate, and individuals campaigning regarding a referendum, are strictly prohibited from obstructing or interfering with campaign messages or materials relating to any other election, candidate, or referendum.
  - 4. Candidates, individuals and/or organizations working on behalf of a candidate, individuals campaigning regarding a referendum, and Endorsing Organizations, are encouraged to seek advice from the University Board of Elections regarding compliance with these Elections Rules.

The University Board of Elections may advise candidates to consult other University Departments if an issue is not specifically covered by these Elections Rules. Interpretations of these rules and subsequent directions from the University Board of Elections Rules Officer or their designee, to a candidate, candidate organization, individual campaigning regarding a referendum, or Endorsing Organization, or other election participant are to be considered a part of these rules and adhered to as part of a candidate's rules attestation unless successfully appealed.

## B. Specific Applications

### 1. Campaign Materials

- a. All campaign materials or messages, except for chalk messages as described in Section II.B.1.b), shall bear a visible or audible disclaimer stating who paid for the material or message. Disclaimer shall specifically state "Paid for by [full name of individual(s) or group(s) who paid for the material or message]."
- b. Individuals and organizations are subject to the University's exterior posting and chalking policy and are encouraged to consult that policy prior to posting campaign messages or materials. See: <http://uvapolicy.virginia.edu/policy/PRM-008>
- c. The use of banners in public spaces on University property is prohibited.
  1. A banner is defined as a long strip of cloth or similar material with a design, hung in a public place or carried in a public event
- d. Campaign materials or messages are not permitted on chalkboards, whiteboards, projectors, bulletin boards, or any similar publicly viewable surface within University classrooms.
- e. Use of University Mail Services mailboxes is permitted only with the permission of University Mail Services and the manager(s) of the University Mail Station(s) involved. The use of other University mailboxes, including those provided for students and faculty by the various schools of the University, shall not be permitted unless in accordance with the policies of that school.
- f. Campaign messages and materials including but not limited to tables, pencils, business cards, or table tents, are not to be left unattended in general purpose areas on University property such as dining halls, libraries, and computer labs. The only exception to this rule is flier and posters in accordance with Section II.B.1.b). It is permissible to distribute campaign materials, such as pencils or business cards, provided that such materials are not left unattended.

### 2. Electronic Campaigning

- a. E-mail, instant messaging, text messages, personal websites, and other websites and use of social media platforms (including but not limited to Snapchat, Twitter, and Facebook) are generally permissible subject to the limitations in these Rules.
  1. Queries and clarifications should be directed to [ube-admin@virginia.edu](mailto:ube-admin@virginia.edu).
- b. Email Mailing List
  1. An email mailing list for the purposes of these Rules is defined as lists containing "virginia.edu" in the full address. These include but are not limited to "mailman.virginia.edu" lists, "toolkit.itc.virginia.edu" lists, and other official and unofficial email lists for classes and student organizations.
  2. Endorsing Organizations may send e-mail messages to their own internal lists but may not send messages to other email mailing lists.
- c. All University of Virginia ITC policies and directions from ITC staff must be followed.

3. Campaigning in University Housing
  - a. All campaigning in University housing areas must be in compliance with rules and policies set forth by Housing and Residence Life and the University Record.
4. Campaigning in Other University Buildings and Facilities
  - a. All campaigning in University Buildings and Facilities must be in compliance with rules set forth by the Undergraduate and Graduate Record and the appropriate University entity charged with maintenance of that building/facility.
  - b. Only the University Board of Elections may establish and/or endorse public voting stations on Grounds. Any voting stations, including tablets, whether stationary or moving, set up by a candidate, individual and/or organization working on behalf of a candidate, and individuals campaigning regarding a referendum are prohibited.
  - c. A public voting station shall be defined as any individual and or/ organization providing the opportunity to vote in an election to any person with whom they cannot reasonably assert a personal relationship
  - d. Campaigning of any nature at or near a UBE established or endorsed polling place is prohibited.
  - e. Any interference with a student casting a ballot in a University facility or a UBE established or endorsed polling place is strictly prohibited. Interference includes, but is not limited to, physical interference with voting or verbal comments that are coercive or harassing in nature.

## Election Procedures

### A. Establishment of Procedures

1. The Board shall establish the Elections Procedures for each election in a fair and reasonable manner, respecting the free speech of students, upholding the educational environment of the University, and maintaining the public trust in self-governance.

2. Definitions

- a. The “voting population” shall be defined as all degree-seeking students enrolled at the University of Virginia.

### B. Candidate Procedures

1. Definitions

- a. A “candidate” is a University of Virginia degree-seeking student who has been certified to appear on the official ballot in an election administered by the University Board of Elections pursuant to these rules and the

qualifications established by the appropriate governing body’s constitution.

2. Certification of Candidacy

- a. The Board shall only certify an individual as a candidate for election upon:

1. Submission of a signed rules and procedures attestation statement that is approved by the University Board of Elections as being in accordance with Section III.B.2.b) (Rules Attestation).
  2. Attendance at an online information session or successful completion of an online quiz provided by the University Board of Elections that demonstrates an understanding of the Elections Rules and Regulations prior to the candidate registration deadline.
  3. Adherence to all University Board of Elections deadlines as outlined in the Elections Calendar.
  4. The following steps may be required of an individual, at the discretion of the UBE on an election to election basis, in order to be certified for candidacy:
    - a. Submission of a completed, original petition for candidacy that is approved by the University Board of Elections as being in accordance with Section III.B.3 (Petition for Candidacy).
    - b. Submission of an interim expenditure report that includes up to date expenditures as well as projected expenditures for the upcoming election and campaigning periods as outlined in Section III.D. 2) (Reporting).
- b. Rules Attestation
1. Each candidate and endorsing organization must attest by pledged submission that they have read, understand, and agree to abide by the Elections Rules and Regulations.
  2. The registration form, which includes the attestation statement, must also include the candidate's phone number, address, and University e-mail identification.
3. Petition for Candidacy
- a. In a given election, the UBE may require individuals to submit a Petition for Candidacy signed by students requesting that the individual's name be placed on the ballot for election to a particular office.
  - b. The petition shall be made on a form provided by the University Board of Elections and shall contain the school, academic year, signature, University email identification, and printed name of each signatory and the individual to be nominated. Each page of the petition must include the office open for election and the name of the individual to be nominated. Candidates seeking to make modifications to the petition form must seek prior approval from the University Board of Elections.
  - c. Students may only sign Petitions for Candidacy in elections in which they are eligible to vote. Signatory information shall be reasonably legible and accurate for a signature to be held valid.
  - d. Student signatures do not express willingness to vote for an individual, only willingness to have the individual appear as a candidate on the ballot. Students are permitted to sign as many petitions for candidacy as they wish for all elections in which they are eligible to vote.
  - e. Petitions must be submitted in their original forms with original signatures.
  - f. An individual seeking multiple offices, when eligible to do so, shall submit a Petition for Candidacy adhering to these rules for each office.
  - g. The Petition for Candidacy must contain the following number of valid signatures:
    1. 100 for Student Council President, Vice President for Administration, and Vice President for Organizations
    2. 25 for designated positions in the College of Arts and Sciences (CLAS)
    3. 25 for designated positions in the School of Engineering and Applied Sciences (SEAS)

4. 25 for Class Councils and Trustees:
    - a. Second Year Council President and Vice-President,
    - b. Third Year Council President and Vice-President, and
    - c. Four Year Trustees President and Vice-President
  5. 10 for designated positions in the Curry School of Education (EDUC), School of Architecture (ARCH), School of Law (LAW), Darden School of Business, School of Nursing (NURS), and McIntire School of Commerce (COMM)
  6. 10 for designated positions in the Graduate School of Arts & Sciences (GSAS), School of Medicine (MED), Batten School of Leadership and Public Policy (LEAD), and School of Continuing and Professional Studies (SCPS)
  7. In the event more than one of the above categories apply, it shall be at the discretion of the University Board of Elections to determine the number of valid signatures required to certify a petition for candidacy.
4. Resignation of Candidacy
- a. A candidate may, at any time prior to the commencement of polling in a given election, request the termination of his candidacy and the removal of their name from the ballot by signed letter delivered to the Chair of the University Board of Elections.
5. Disqualification of Candidacy
- a. Should a candidate repeatedly or egregiously break the campaign rules set forth in Section A and B, the University Board of Elections reserves the right to disqualify the candidate and remove their name from the ballot
6. Candidate Expenditures
- a. All candidates are required to comply with Section III.D (Campaign Expenditures).
- C. Endorsing Procedures
1. An “Endorsing Organization” is a Contracted Independent Organization or other student organization that agrees to abide by the Elections Rules and Regulations, particularly the Rules and Regulations related to campaigning (Section II), Procedures established in this section, and Procedures pertaining to expenditure reporting (Section III.D), in return for publicity for their endorsement and other incentives at the discretion of the University Board of Elections. Student organizations may participate in elections-related speech and activities without agreeing to abide by these provisions, but are thus ineligible for University Board of Elections publicity and other incentives.
  2. All Contracted Independent Organizations (CIOs) and student-run news organizations may endorse candidates for election. Special Status Organizations, due to their status as agents of the Commonwealth of Virginia and financial relationship with the Rector and Board of Visitors of the University of Virginia, are encouraged to consult with the proper University officials before endorsing candidates or advocating a position on a referendum.
  3. Endorsing Organizations must determine their candidate endorsements through a process that provides equal opportunity to all eligible candidates.
  4. Endorsing Organizations shall report expenditures on behalf of candidates in compliance with Section III.D. Endorsing Organizations that make such reports and adhere to other Elections Rules shall be permitted to list their endorsements on the polling website in a manner designated by the University Board of Elections.
  5. Endorsing Organizations must set up and conduct interviews in collaboration with the UBE.

6. Endorsing Organizations that fail to fully comply with their agreement to report expenditures and abide by other Elections Rules may be referred to the appropriate University bodies. The University Board of Elections may also take action it deems appropriate, including but not limited to barring an organization from the publication of future endorsements in UBE materials and the loss of other incentives related to future endorsements.
7. No candidate may request any organization to become an Endorsing Organization.
8. No candidate may become involved in the decision-making processes of any Endorsing Organization's endorsing process.

#### D. Campaign Expenditures

##### 1. Campaign Contributions and Expenditures

- a. There are no limits on contributions or expenditures for election-related activities.
- b. Candidates, candidate organizations, other students, Contracted Independent Organizations (CIOs), and other student organizations are strictly prohibited from the use of the Student Activities Fund (SAF) for political or other activities as defined and prohibited by the Board of Visitors Student Activities Fund Guidelines.

##### 2. Reporting

- a. All campaign expenses must be tracked using the system provided by the University Board of Elections.
- b. The University Board of Elections may require an Interim Expenditure Report as defined in Section III.B.2).a).(3) and one or more Final Expenditure Reports.
- c. Candidates and Endorsing Organizations submitting expenditure reports must detail personal expenditures, expenditures of donated funds, expenditures made by individuals or organizations working at the direction of a Candidate or Endorsing Organization, and the identity of the individual(s) and/or organization(s) who donated or spent money on behalf of a candidate.
- d. Expenditure reporting shall detail any and all expenditures made related to all campaign and election materials, services, and activities.
- e. Expenditure Reports shall include pledged statements guaranteeing the veracity of the information provided; accurate and clear descriptions of the materials, services, or activities purchased; cost and amount paid for every

material, service or activity purchased; and the date each material, service, or activity was purchased. For materials for which the cost is not verifiable, an estimated reasonable value must be reported.

- f. All Expenditure Reports shall be considered public records and shall be made freely available to the public by the University Board of Elections.

#### E. Referendum Procedures

##### 1. Definition

- a. A "referendum" is a question that has been certified to appear on an official ballot in an election administered by the University Board of Elections pursuant to these rules and the qualifications established by the constitution of the relevant student governing body, if applicable.

##### 2. Certification of Referendum

- a. The University Board of Elections shall certify a question as a referendum upon:
    - i. Submission of a completed, original petition for referendum that is approved by the University Board of Elections as being in accordance with Section III.E.4. (Petition for Referendum).
    - ii. Submission of a signed attestation form that is approved by the University Board of Elections in accordance with Section III.E.2.(a).(3) (Referendum Attestation).
    - iii. Referendum Attestation
      - a. A Referendum Attestation shall contain the name and contact information of the Sponsor(s) in accordance with Section III.E.3. (Referendum Sponsoring).
3. Referendum Sponsoring
- a. A Sponsor is an individual student or student organization who wishes to be responsible for the content of the proposed Referendum question.
  - b. Each referendum must have at least one Sponsor.
  - c. Sponsorship information for all referenda shall be a public record.
4. Petition for Referendum
- a. Individuals or organizations seeking the certification of a question to be a referendum item must submit a petition pursuant to these rules:
    - i. A petition for a referendum on a non-binding question of opinion to be put to the entire student body shall be made on a form provided by the University Board of Elections and shall be signed by not less than 950 students.
    - ii. A petition for a referendum on a non-binding question of opinion to a particular school or undergraduate class must be signed by five percent (5%) of full-time students in that particular school or class. Individuals or organizations collecting school or class referendum petitions should request that the UBE provide them a signature minimum based on up-to-date enrollment figures.
    - iii. A petition for a referendum on a binding constitutional amendment to be put to the entire student body shall be made on a form provided by the UBE and shall be signed by a number of students governed by the requirements established in the existing constitutions of the governing body for which the amendment applies; the specific number, when set as a percentage of a student population, will be determined by the governing body using the previous semester's enrollment numbers. If the constitution of the governing body does not specify a required number of signatures, the University Board of Elections shall require a petition signed by no less than 1,250 students.
  - iv. The Petition for Referendum shall be made on a form provided by the University Board of Elections and each page of the Petition shall contain:
    - a. The school, academic year, signature, University email identification, and printed name of each signatory.
    - b. The full text of the proposed question at the time it is signed by students. A two-sided petition page must include the full-text on one side and a notice to that effect on the reverse page.
    - c. The student population being asked to vote on the proposed question (e.g. "all students," "CLAS students," "Undergraduate Class of 2028 students").

- d. Students may only sign Petitions for Referendum for proposals for which they are eligible to vote. Signatory information shall be reasonably legible and accurate for a signature to be held valid.
    - v. Petitions must be submitted in their original form with original signatures. Photocopies or other reproductions of signed pages are impermissible except under extenuating circumstances with prior University Board of Elections approval. Individuals and organizations are, however, advised to make and keep photocopies of these original documents before submission.
  - b. Student signatures do not express willingness to vote for a particular referendum, only willingness to have the referendum appear as a question on the ballot. Students are permitted to sign as many Petitions for Referendum as they wish for all elections in which they are eligible to vote.
5. Referenda may also be certified for placement on an official ballot administered by the University Board of Elections pursuant to the Constitutions of the Student Council, Honor Committee, University Judiciary Committee, School Governing Bodies, and Class Councils.
6. Individuals or organizations seeking certification of a potential referendum question that proposes a change of changes to the Constitutions of the Honor Committee, University Judiciary Committee, Student Council, or Class Councils are strongly encouraged to submit the precise language of the proposed referendum item to the Office of the Vice President for Students Affairs prior to the solicitation of any student signatures so that the proposed referendum language may be forwarded to the University General Counsel's office to review for legal sufficiency. These Constitutions are legal documents and amendments thereto must comply with local, state, and federal laws in order to be accepted by the Board of Visitors.

#### F. Ballot Procedures

1. On the Election Ballot, the voting population, as defined in Article III.A.2., shall only have access to elections and referenda in which they are eligible to vote based on enrollment status.
2. The order of the Election Ballot shall be consistent with these guidelines:
  - a. Elections for student office shall appear on the ballot prior to referendum questions.
  - b. Elections for student office shall appear on the ballot in an order determined by the University Board of Elections.
  - c. Constitutional referendum questions shall appear on the ballot prior to opinion referendum questions. Constitutional and opinion referenda shall appear on the ballot in the order in which they are certified, or in an order determined by the University Board of Elections.
3. The order in which candidates for student office shall appear on the ballot shall be consistent with these guidelines:
  - a. Candidates will appear on each voter ballot in an order randomly generated by the Voting System.

#### G. Polling Procedures

1. All voting shall be by confidential electronic ballot.
2. The Board shall establish rules for campaigning activities at public polling places in the Elections Rules and Regulations.
3. To ensure the election of the candidate preferred by the most voters, avoid runoff elections, promote positive campaigning, and encourage greater voter turnout, the Optional Preferential



Alternative Vote (OPAV) scheme of Instant Runoff Voting (IRV) shall be utilized for elections of offices with one open position:

- a. Voters shall preferentially rank any number of candidates.
  - b. If a candidate receives the majority of the top-choice votes, he or she shall be declared the winner. If no candidate receives the majority of top-choice votes, the candidate who has the least amount of top-choice votes shall be eliminated, and the next-choice votes associated with his or her top-choice votes shall be distributed to the remaining candidates. These votes shall then become top-choice votes for their respective candidates.
  - c. The process outlined in the above section shall be repeated until a candidate has a majority of votes or until only one candidate remains in the runoff process.
4. For offices with more than one open position, voters shall vote non-preferentially for any number of candidates no greater than the number of positions open for the office.
  5. Should a candidate be disqualified or resign their candidacy before election results are certified by the University Board of Elections, the candidate shall forfeit votes cast for them, and votes cast for the former candidate shall be redistributed in accordance with the ranked preferences, if any, of the voters. If the UBE determines that a new election is required, pursuant to the appropriate governing body's constitution, it may proceed as provided in Section III.G.6.
  6. The University Board of Elections may seek to fill positions that remain open after the election through fair and democratic processes including but not limited to conducting subsequent elections.
  7. The University Board of Elections may provide incentives to students for voting by way of gift cards, prizes, or rewards under supervision from the Office of the Dean of Students. See: <https://odos.virginia.edu/staff>
    - a. Eligible students must complete the entirety of the ballot available to them.
      - i. Current members of the University Board of Elections are ineligible to receive incentives. Faculty and staff included.
      - ii. Current candidates running in the University elections are ineligible to receive incentives.
    - b. Incentives will be distributed to eligible students through a randomized matching process that selects students. Incentive list will be announced before voting closes at the latest. Incentives may vary in value and are not exchangeable for cash or cash equivalents.
      - i. Complete selection and distribution process will be determined each year at the discretion of the University Board of Elections.

## Rules Violation, Resolution, and Enforcement

- A. Any member of the University community can file a complaint or query about compliance with these rules and regulations by emailing [ube-admin@virginia.edu](mailto:ube-admin@virginia.edu).
- B. When a dispute is brought to the University Board of Elections, the UBE may seek to resolve the dispute through mediation.
- C. If a rule violation is in dispute, the University Board of Elections may choose to use a Hearing Panel consisting of at least three UBE members, one of whom shall be the Chair or Vice-Chair, to determine if a candidate has violated a rule. If a hearing panel is convened then:
  - 1. Candidates may appeal the decision of a Hearing Panel to the Judicial Review Board (JRB) within 24 hours of the Hearing Panel decision.
  - 2. Decisions made by the JRB are final.
- D. The University Board of Elections and its Chair have the authority to serve as initiators to the University Judiciary Committee when actions occur that may violate the Standards of Conduct over which the UJC has jurisdiction.
- E. The University Board of Elections and its Chair have the authority to serve as initiators to the Honor Committee when actions occur that may violate the Honor Code over which the Honor Committee has jurisdiction.
- F. Individuals or organizations seeking to initiate UJC or Honor charges independently of the UBE are encouraged to consult with the UBE prior to initiation.

## Ratification and Amendment

- A. These Elections Rules shall be enacted by a majority vote of the University Board of Elections.
- B. The University Board of Elections may amend these Elections Rules by a majority vote.
- C. Ratification and public approval of proposed rulemaking
  - a. Following a University Board of Elections meeting where rulemaking is proposed, UBE shall post a Notice of Proposed Rulemaking on the UBE website along with a form for public comment
  - b. Two weeks after this public comment period begins, UBE shall meet again to review public comments, debate, then vote on a final rulemaking order