

Fair Practices Code

I. Purpose

The purpose of the Fair Practices Code (FPC), and the interpretation thereof, is to regulate all aspects of the Undergraduate Assembly and Class Boards elections. The intent of the FPC is to create a fair environment for all elections proceedings. It is the position of the NEC that no candidate should have an unfair advantage over any other candidate for any reason.

II. Definitions

- A. Candidate: Any full-time student who is seeking election to the Undergraduate Assembly and/or the Class Boards.
- B. Full-time Student: Any individual who can provide certified documentation from the University of Pennsylvania Registrar indicating current full-time student status at the University.
- C. Freshman: Any student that is in their first year at the University of Pennsylvania but did not transfer from another College, University, or any other post-secondary school institution from which the University would accept credit.
- D. Senior: Any student whose intended date of graduation is in the same academic year as the elections.
- E. Elections Proceedings: All aspects of any undergraduate election administered by the Nominations and Elections Committee from the release of the Candidate Packet until the announcement of the election results.
- F. General Elections: This election is held in the spring semester for positions on the Class Boards and the Undergraduate Assembly.
- G. New Student Elections: This election is held in the fall semester to elect members of the freshman class and transfer students to the Undergraduate Assembly and members of the freshman class to the Freshman Class Board.
- H. Campaigning: Any act, process, or publication which may solicit votes. This includes but is not limited to word of mouth, email, electronic social networks (e.g. Facebook), and online messaging services.
- I. Polling: The period during which the undergraduate student body is able to vote for their representatives to the Undergraduate Assembly and Class Boards. This period lasts from the hour of online voting availability to the termination of the voting link on the last day of voting.
- J. Surrogate: Any individual who works on behalf of a candidate with that candidate's knowledge to aid in that candidate's election to the Undergraduate Assembly and/or Class Boards.
- K. Grievance Officer: A general body member of the NEC shall be appointed by the Executive Board of the NEC to serve as the Grievance Officer for each Elections Proceedings. The duties of this position are outlined in Article VII of this document.
- L. Public Advisor: A general body member of the NEC shall be appointed by the Executive Board of the NEC to serve as the Public Advisor for each Elections Proceedings. The duties of this position are

outlined in Article VII of this document.

- M. Quorum: Quorum shall consist of half of the active members of the NEC plus one, excluding the Chair, Vice Chair for Elections, Grievance Officer, and Public Advisor, if used.
- N. Vacancy: An elected office that is left unoccupied by the most recent election cycle or that becomes unoccupied subsequent to the election cycle.
- O. Elector: A full-time undergraduate student in the freshman, sophomore, or junior class.
- P. Ballot: The entire webpage, including race descriptions and races, in which voters may cast their vote. This page is accessible after logging in with their PennKey into the Student Elections PennInTouch platform and ends after the logout button has been clicked.

III. Scope of the FPC

- A. All candidates and their surrogates must always be in full compliance with the FPC and any other rules outlined by the NEC. Violations of the Fair Practice Code and/or election rules as determined by the NEC shall be grounds for a candidate's disqualification. Refer to Section VIII.
- B. All questions concerning the FPC must be directed to solely the Chair of the NEC and/or the Vice Chair for Elections of the NEC. If a candidate feels any aspect of the NEC's rules and/or the FPC is ambiguous, the candidate must discuss such ambiguities with one or both of the aforementioned officers before any activities involving that ambiguity are executed. Decisions will be forthcoming within twenty-four hours, and the NEC will be bound by its response.
- C. The FPC is in compliance with the Constitution of the Undergraduate Assembly.
- D. The Vice Chair off Elections has discretion to add, change, or remove any rules from the FPCC for the upcoming election with a majority vote from the NEC executive board. An updated FPC must be emailed to all candidates and updated on the <http://www.penn-nec.org> website with new changes underlined in red font.

IV. Eligibility Requirements for Candidacy and General Rules of Candidacy

- A. Any student, except as noted below, may become a candidate in the constituency for which the student is enrolled. If the student is pursuing a joint or dual degree, the candidate may choose in which of the two schools for which they are enrolled they would like to run. Designation of school and resultant constituency must be made in the Certificate of Candidacy and the Candidate Information Form provided in the Candidate Packet. The constituencies are: the New Student Class, the School of Arts and Sciences, the School of Nursing, the Wharton School, and the School of Engineering and Applied Science.
 - 1. One seat in the New Student Class constituency for the Undergraduate Assembly will be allotted to a new transfer student. Individuals who run for this seat will solicit signatures and votes only from other new transfer students. If no transfer students file a petition for candidacy for New Student representative on the Undergraduate Assembly, the seat will be available to all other members of the New Student Class constituency.
- B. Students wishing to become candidates must be full-time students in their respective constituencies and classes at the time scheduled by the NEC before the start of the Elections Proceedings. This status will be confirmed by the NEC prior to the Candidates' Meeting.
- C. No student shall be involuntarily compelled to become a candidate or involuntarily dissuaded from becoming a candidate by any entity or individual through the use of threats of negative repercussions from said entity or individual.
 - 1. In the event of allegations of coercion towards a candidate or prospective candidate by another candidate, the Vice Chair for Elections must inform the OSA Advisor and the NEC Chair. The Chair, Vice Chair of Elections, OSA Advisor, and both the Grievance Officer and Public Advisor for the cycle must convene to discuss the allegation and decide if an FPC complaint should be filed.

- D. Seniors, NEC members, and part-time students are not eligible for candidacy nor are they allowed to sign petitions. Seniors and part-time students may not vote in elections, except as noted below.
- E. No student may run for Undergraduate Assembly President or Vice President and a directly elected Class Board position in the same General Election.
 - 1. Students are prohibited from holding both a Class Board position and Undergraduate Assembly President or Vice President position at the same time. During a special election, the Undergraduate Assembly President and Vice President shall not run for Class Board.
 - 2. No students may serve as both UA President or Vice President and another branch's leader. If a student is currently a branch leader and is subsequently elected to UA President or Vice President, they must forfeit their initial position.
 - a) Branch leaders are the students who are eligible to sit on PSG Steering including each of the four Class Board presidents, the Chair and Vice Chair for Education of the Nominations and Elections Committee (NEC), the Chair of the Student Activities Council (SAC), the Chair Internal and Chair External of the Student Committee on Undergraduate Education (SCUE), and the president of the Social Planning and Events Committee (SPEC).
 - b) If elected UA President or Vice President while serving as a branch leader, students may still remain executive board or body members if permissible.
- F. Any student spending a semester abroad during the General Election is not eligible for candidacy for Undergraduate Assembly President or Vice President.
- G. Any student planning to spend a semester abroad during their elected term is ineligible to run for the Undergraduate Assembly and/or Class Boards. Any student elected to the Undergraduate Assembly and/or Class Boards who decides after the election to study abroad during their elected term forfeits their position.
- H. Seniors are eligible for candidacy, permitted to sign petitions, and allowed to vote in a Fall Election for a position that was not filled in the General Election and for any vacancies that may have developed on the Class Boards and/or Undergraduate Assembly. Seniors whose intended date of graduation is during the same calendar year as the scheduled time of this election are not, however, permitted to be a candidate in this election.
- I. No candidate may receive any compensation, financial or otherwise, beyond the financial aid that may be received from the NEC or UA for running for a position on the Undergraduate Assembly and/or Class Boards.
- J. All provisions relating to the qualifications for candidacy for UA President and Vice-President, as documented in UA Bylaws §III.35–39, shall expire on January 1, 2022.

V. Election Procedures

- A. The total number of positions and/or seats available for each election cycle is in accordance with the constitutions and bylaws of the Class Boards and the Undergraduate Assembly.
- B. Timing of Election Proceedings
 - 1. New Student Elections shall conclude no later than six weeks after the commencement of fall semester.
 - 2. General Elections shall conclude no later than two weeks prior to the commencement of Reading Days.
 - 3. The UA President and Vice-President shall also be elected by the undergraduate population during the General Election.
 - a) The President and Vice-President shall be elected simultaneously but independently of the other.
 - 4. The NEC, by and with the advice of the UA, shall establish all other regulations pertaining to UA

and Class Board elections.

VI. Candidacy Procedures

- A. The Candidate Packet is a student's authoritative guide to each elections cycle. Any interested student must first obtain a Candidate Packet and be responsible for all the materials contained therein. The Candidate Packet is available online at the start of any elections cycle. Announcements shall be made in and around the University declaring the commencement of any elections cycle.
- B. Nominating petitions with the required number of signatures are required for certification of a student's candidacy.
 - 1. A Presidential candidate must submit a petition:
 - a) signed by 5% of the total number of undergraduate electors, OR

- b) signed by 3% of the total number of undergraduate electors and at least 5 sitting members of the UA, including one member from a constituency other than that of the candidate.
 2. A Vice-Presidential candidate must submit a petition:
 - a) signed by 5% of the total number of undergraduate electors, OR
 - b) signed by 3% of the total number of undergraduate electors and the chairs of at least 5 sitting groups of UA Steering.
 3. Candidates that are not running for President or Vice-President in General Elections for the Undergraduate Assembly must obtain signatures from three percent of the school in which they are running to be placed on the ballot.
 4. Candidates running for a New Student representative position on the Undergraduate Assembly must obtain five percent of the total enrollment of the New Student Class' signatures on their petition for candidacy.
 - a) Candidates for the seat allocated to new transfer students must obtain five percent of the total enrollment of the new transfer student class on their petition for candidacy.
 5. Non-freshman candidates running for Class Board President must obtain five percent of the total enrollment of their respective class' signatures on their petition for candidacy. Freshman candidates running for Class Board President must obtain ten percent of the total enrollment of their respective class' signatures on their petition for candidacy.
 6. Non-freshman candidates running for Class Boards' Executive Vice President, Vice President of External Affairs, Vice President of Internal Affairs, and Vice President of Finances must obtain three percent of the total enrollment of their respective class's signatures on their petition for candidacy. Freshman candidates running for these offices must obtain seven percent of the total enrollment of their respective class's signatures.
 7. The following constituencies require three percent of a candidate's class within the school in which they are running to sign their petition for Class Chairs for non-freshman elections, and seven percent of a candidate's class within the school in which they are running to sign their petition for Class Chairs in freshman elections: the School of Arts and Sciences, the Wharton School, the School of Engineering and Applied Sciences, and the School of Nursing.
 8. Announcement of the official signature requirements will be made and enclosed in the Candidate Packet.
- C. Executive Information Sessions (EIS)
 1. Any UA Presidential or Vice-Presidential candidate may request an Executive Information Session.
 2. The EIS, if requested, shall be held between the time petitions are released and the time they are due. Candidates shall notify the Vice Chair for Elections immediately if they cannot attend.
 3. The EIS shall be run by the NEC, and include the current UA Speaker, UA President and UA Vice-President if they shall not be candidates for an executive office. It shall include an exhaustive overview of the duties of the President and Vice-President, in law and in fact, and substantial opportunity for candidates to interact with members of student government.
- D. The Ballot
 1. Races shall be presented in the following order: Undergraduate Assembly President, Undergraduate Assembly Vice President, Undergraduate Assembly Representatives, Class Board President, Class Board Executive Vice President, Class Board Vice President of External Affairs,

Class Board Vice President of Internal Affairs, Class Board Vice President of Finances, Class Board School Representatives, and Referenda (if applicable).

2. Each individual candidate's place on the ballot for the Undergraduate Assembly and Class Boards is determined by random order.
3. Candidates' names shall appear on the ballot in the form of their first and last name only according to the documentation from the Registrar of the University of Pennsylvania. If a candidate would like a different name to appear on the ballot, they may request an alternative name in the Candidate Packet. The Vice Chair for Elections shall determine whether the requested change is appropriate and/or would bias the election and shall grant permission accordingly.

E. Candidates' Meeting

1. A mandatory meeting for all candidates shall be held within any time after petitions are due but before the campaigning period. This meeting is open to the public.
2. Candidates are responsible for understanding the FPC prior to the Candidates' Meeting. The Vice Chair for Elections of the NEC may choose to review any rules pertaining to the elections at this meeting, including additions to and/or clarifications of the FPC.
3. This meeting shall provide a forum during which questions regarding the elections process shall be answered by the Vice Chair for Elections of the NEC. These answers are binding for the current elections cycle unless a retraction is made by the NEC within four hours of the Candidates' Meeting. This retraction will be made by email to all candidates.
4. Candidates shall sign a statement confirming that they have read and understand the FPC and shall abide by all rules laid out at the Candidates' Meeting and thereafter at the end of the Candidates' Meeting. Only once this document is signed and handed in shall the candidate's name be placed on the official ballot.
 - a) Any candidate spending a semester abroad during the General Election shall sign and submit this form electronically.
5. If a candidate is unable to attend this meeting, they must contact the Vice Chair for Elections of the NEC immediately. The Vice Chair for Elections of the NEC will determine the appropriate course of action.
6. Failure to attend this meeting may be grounds for a candidate's disqualification from the current elections.
7. The Candidates' Meeting shall be recorded, and the recording shall be accessible to all candidates.

F. Diversity Retreat

1. A mandatory diversity retreat for all candidates shall be held within a week of the deadline for completed petitions with all candidates. This meeting is open to the public and other branches of Penn student government.
2. This meeting shall provide a workshop during which candidates and current students involved with Penn Student Government can come together to learn about diversity and inclusion on campus.
 - a) This workshop should be led by a qualified speaker, group, or office and should not be facilitated by Penn students in any branch of Penn Student Government.
3. If a candidate is unable to attend this meeting, they must contact the Vice Chair for Elections of the NEC immediately. The Vice Chair or Elections of the NEC will determine the appropriate course of action.
4. Failure to attend this meeting may be grounds for a candidate's disqualification from the current election.

G. Undergraduate Assembly Debates

1. There shall be a Commission on Undergraduate Assembly Debates (CUAD) comprised of the NEC Chair, the NEC Vice Chair for Elections, the NEC Vice Chair for Education, and four other distinguished undergraduate leaders. The Vice Chair for Education shall be the Chairperson of the Commission.
2. The Vice Chair for Education shall appoint the remaining members of the commission. The Vice Chair for Education shall take care to ensure the Commission is appropriately balanced, representative, and neutral. Presidential and Vice Presidential candidates may not serve on the Commission. The appointments shall be made with the advice and consent of UA Steering and the UA.
3. The Commission shall determine the format, logistics, topics, and all other matters pertaining to

the Presidential and Vice-Presidential debates.

4. The NEC shall ensure the debates fulfill the following guidelines:
 - a) Dates of the debates shall be announced at the Executive Information Session at latest.
 - b) All debates shall be open to all undergraduates.
 - c) All debates shall be recorded, and the recordings shall be accessible to all undergraduates.
 - d) In years where the elections for these positions are contested, the Presidential candidates shall participate in a minimum of two debates, and the Vice-Presidential candidates shall participate in a minimum of one debate. The Commission may, by a unanimous vote, waive this requirement due to an emergency or other major unforeseen circumstance that results in one or more debates being cancelled. Additionally, the Commission may, by the vote of a super majority, waive an individual's requirement to participate in one or more debates. Failure to adhere to these minimum requirements may be grounds for a candidate's disqualification from the current elections.
5. After the conclusion of the election cycle, the Commission shall prepare a report, which shall be delivered to UA Steering, reviewing the debate schedule and making suggestions for improvement.

VII. Campaign Procedures

A. Surrogates

1. All candidates are responsible for their actions and the actions of their surrogates. Thus, surrogates must comply fully with the FPC and any rules adopted by the NEC, including all decisions of the Chair of the NEC and the Vice Chair for Elections of the NEC, and all answers to questions answered by the Vice Chair for Elections of the NEC at the Candidates' Meeting, that apply to the elections process.
2. If a candidate finds out that someone who has campaigned on their behalf without their knowledge (i.e. not a surrogate) may have violated the FPC, the candidate should immediately do that which is in their power to end the actions potentially in violation of the FPC and document their effort if possible, and alert the Vice Chair for Elections immediately.
 - a) Any person may still bring a charge against that candidate.
 - b) The NEC will determine the ruling on such a charge, if one is filed, in a manner consistent with the procedure outlined in Section VIII.

B. Candidate Statements

1. Each candidate shall be allowed, but not required, to submit one Candidate Statement for publication by the NEC regarding their candidacy per election cycle.
2. The Vice Chair for Elections, with consultation from the Executive Board, will determine the form of and any limitations to the Candidate Statement prior to the release of Candidate Packets.
3. Candidate Statements must be submitted to the NEC no later than the deadline for petitions set forth in the Candidate Packet, unless designated otherwise by the NEC.

C. Posters

1. Posters may not exceed the size of 11 x 17 inches.
2. Posters may only be placed on/in any university or privately owned buildings under the following conditions.
 - a) These buildings must be freely accessible for at least one time of the day for all University of Pennsylvania undergraduate students.
 - b) Areas not freely accessible to all University of Pennsylvania students shall include but are not limited to: fraternities, sororities, and off-campus housing.

- c) The NEC prohibits the placement of posters on the doors, windows, and balconies of rooms of any University building.
 - d) Posters may not be placed in stairwells or elevators of any University residential building.
 - e) Poster placement in the Quad Residence is limited to bulletin boards outside.
 3. Candidates may affix only one poster per non-building object (this includes but is not limited to columns, kiosks, bulletin boards, etc).
 - a) Candidates may not suspend posters between two or more distinct objects.
 4. Posters may not be deliberately affixed to the ground. This includes but is not limited to sidewalks and stairs.
 5. Posters and flyers may not be placed under doors.
 6. Tampering with a candidate's posters, which may be defined as any action that directly interferes with or reverses a candidate's poster efforts, may be a violation of the FPC, as determined by the NEC at the FPC Hearing.
 7. Candidates are permitted to use chalk. Candidates may not chalk on covered or vertical surfaces (except The Quadrangle steps).
 8. **Candidates may not affix posters to trees and shrubbery on campus, including on Locust Walk, inside the Quad, etc.**
- D. Electronic Mail
1. The NEC recommends that candidates adhere to the policies regulating electronic mail, news groups, and the World Wide Web set forth by the University of Pennsylvania and its Schools. This policy can be found on the NEC website.
 2. A candidate may not use class-wide listservs (e.g. Class of 2009 listserv), school-wide listservs (e.g. Wharton School listserv), school-wide/class-wide listservs (e.g. School of Nursing Class of 2009), or interdisciplinary program-wide listservs (e.g. Huntsman Program listserv) to aid in their campaigning.
 3. A candidate must ask the instructor's permission before using a course listserv (e.g. PSCI 001 listserv) to aid in their campaigning.
- E. Electronic Social Networks (including but not limited to Facebook, GroupMe, Instagram, Snapchat, Twitter)
1. Candidates may campaign on electronic social networks.
 2. All rules regarding campaigning, including the campaigning period and surrogacy, apply to electronic social networks.
 3. If a candidate discovers that another person has campaigned on behalf of that candidate without their knowledge using items of monetary value on an electronic social network, and has potentially violated the FPC by doing so early or by another offense, that candidate should immediately do that which is in their power to remove the campaign information.
- F. Interactions between Candidates and Voters
1. Candidates may not coerce other students at any time during the election process, including signature collection, campaigning, and voting. Coercion includes, but is not limited to, making demands or implications, or taking physical action, that forces or intends to force another student to campaign or vote in a certain way.
 - a) Candidates may not look at the ballot of another voter at any time.
 - b) Candidates may not provide the device, including but not limited to laptops, tablets, or cell phones, used to cast any part of the ballot of another voter.

c) **Candidates must adhere to section IV part C.**

G. Spending Records and Limits

1. Limits have been placed on the monetary value of materials used during the monetary campaigning period in order to neutralize economic differences among the candidates.
 - a) The limit is \$50.00 for all candidates. Candidates will not be reimbursed.
 - b) Cost is determined by the fair market value of the goods.
 - c) Candidates may not offer gift cards, cash, cash equivalents, or the chance to win any of the above, in exchange for votes.
2. All candidates must file an itemized receipt and a detailed explanation of costs, including shipping and handling costs, but not including taxes, with a member of the NEC in the NEC office within the hours designated by the NEC regardless of the amount of money the candidate did or did not spend. If a candidate is unable to return their spending form at this time, they should notify the Vice Chair for Elections of the NEC immediately.
 - a) Supplies used solely to attach other materials are exempt from this report (i.e. tape, glue, staples, and string).
 - b) If a receipt is not available, candidates may submit a price for the item based on the fair market value of the item from local merchants. Candidates may also elect to use the prices quoted by the NEC in the Candidate Packet, which reflect items' values at local merchants. Should the price of a particular item used not be provided by the NEC, candidates may contact the Vice Chair for Elections at any time in the elections cycle to determine its fair market value.
 - c) Submissions of fraudulent receipts shall be grounds for disqualification from the current elections.
 - d) Failure to file the required documents as outlined above will result in candidate disqualification. If a candidate cannot perform this task, the candidate may contact the Vice Chair for Elections to request a decision reversal. The NEC will entertain such requests during the time allotted for a potential FPC Hearing. Because this is a request for reversal of an NEC decision, the candidate will present their request and questions will be asked of the candidate by the NEC at the Chair's discretion. This presentation is not open to the public. The NEC will address the request during deliberations, with two-thirds of the NEC necessary to vote in favor of overturning the disqualification.
3. If a candidate feels they have financial constraints that prevent them from adequately funding their campaign, they should apply to the Vice Chair for Elections of the NEC for financial aid. To apply for this aid, candidates are required to demonstrate proof of financial need. Such requests shall remain confidential. Requests for financial aid may be made no later than the close of the Candidates' Meeting. If a candidate is granted financial aid, the NEC shall provide funds for campaign expenditures in an amount as great as the NEC's financial aid budget, as determined by the UA, allows. The candidate will be reimbursed after filing their spending form with the NEC. Failure to turn in a spending form shall result in the loss of reimbursement and shall be grounds for disqualification. Falsifying the spending form shall be grounds for disqualification from the current elections.
4. In the event of a run-off, the spending limit for each candidate in the run-off will be \$10.00. Each candidate's campaigning will be funded by the Undergraduate Assembly. The candidate will be

- reimbursed by the Undergraduate Assembly after filing their spending form with the NEC. Failure to turn in a spending form shall result in the loss of reimbursement and shall be grounds for disqualification. Falsifying the spending form shall be grounds for disqualification from the current elections.
5. Should the elections be re-run, funding for the candidates to re-run shall be provided by the Undergraduate Assembly. Candidates may spend up to \$25.00 in a re-run election. The candidate will be reimbursed by the Undergraduate Assembly after filing their spending form with the NEC. Failure to turn in a spending form shall result in the loss of reimbursement and shall be grounds for disqualification. Falsifying the spending form shall be grounds for disqualification from the current elections.
 6. Any financial penalties incurred by a candidate that are imposed by University employees may be charged to the candidate's Bursar Bill. Any penalties incurred will not be included in the spending budget of a candidate.
- H. Tampering or attempting to tamper with the online elections system or any other process or system deemed important to the elections process by the NEC by a candidate will result in disqualification.
- I. Incidents of Bias
1. Upon the VCE receiving a written complaint of bias, the Vice Chair of Elections must report the incident and the involved parties to the OSA advisor, who will then contact those involved. The Vice Chair must then refer the reporting party to the University Bias Reporting Form.
 - a. If requested by one party and agreed to by the other parties, the Vice Chair of Elections may facilitate a mediation session in conjunction with the OSA.
 - b. The Vice Chair is not held to any standard of confidentiality and cannot promise such.

VIII. Violations of the FPC

A. Complaints

1. Any member of the University community, including NEC members, may file a complaint of an alleged violation of the FPC and/or any rules established by the NEC regarding the elections process.
2. These complaints must be filed in writing in the NEC office during the time designated by the NEC after the close of voting. The Grievance Officer must file any complaint from the NEC as a whole.
 - a) The Grievance Officer must be chosen by the Executive Board of the NEC by the Candidates' Meeting.
3. All complaints, including the name of the charger, the name of the person charged, and a description of the charge, will be sent out via email within twenty-four hours after the close of voting. Failure to examine this email is not a valid defense at the FPC Hearing.

B. FPC Hearing

1. An FPC Hearing, open to the public, shall be held at the first NEC meeting after the close of voting or within one week of the time voting closes. If there are no violations, however, election results may be announced less than thirty-six hours after the close of voting. The tentative times of this meeting shall be announced at the Candidate's Meeting.
2. Without a quorum of the active NEC present, excluding the Grievance Officer, the Chair of the NEC, the Vice Chair for Elections of the NEC, and the Public Advisor, if used, no FPC Hearing

- adjudicating charges may be held.
- a) If a quorum is not present, the FPC Hearing shall be held the following night.
 - b) Any mention in the FPC of voting and voting requirements by the NEC at the FPC Deliberations (see VIII.C) refers to the members of the NEC who are present.
3. Any person bringing a charge or being charged with a violation may submit evidence and/or a list of testifying witnesses to the Vice Chair for Elections by 7 PM the night before the start of the FPC Hearing. Only submitted materials may be used in the FPC Hearing.
 - a) All witnesses must be directly pertinent to the charge in question. The charged person must not present any witnesses who can only attest to their character. In the interest of time, the Chair has discretion to exclude witnesses solely serving as a character witnesses.
 4. The Grievance Officer shall prepare the charges placed by the NEC before the NEC, the candidates, and the public. The Grievance Officer shall also defend the NEC against any charges raised against it.
 - a) The Grievance Officer shall act as moderator during the presentation of the cases, unless the charge directly involves the NEC. If the charge was placed or must be defended against by the NEC, the Chair of the NEC shall act as moderator during the presentation of the case.
 - b) The Grievance Officer shall not be present during the NEC's deliberations, and will therefore not receive a vote in the deliberations.
 5. The NEC shall provide a Public Advisor to provide guidance to any candidate charged with a violation of the FPC by the NEC. This person shall provide advice and assistance at the candidate's request, and may speak on behalf of the candidate during the FPC Hearing if the candidate asks the Public Advisor to do so.
 - a) Candidates have the right to refuse the Public Advisor and provide their own defense.
 - b) The Public Advisor shall be chosen by the Executive Board of the NEC.
 - c) If any candidate uses the Public Advisor, the Public Advisor shall not be present during the NEC's deliberations, and will therefore not receive a vote in the deliberations.
 6. Any charge brought by a non-member of the NEC will be introduced by the NEC Chair.
 - a) The individual who brought the charge must present the case to the NEC, the candidates, and the public. If this individual fails to attend the FPC Hearing, the charge shall be dropped.
 - b) If a candidate against whom a charge has been filed fails to attend the FPC Hearing, they shall automatically be disqualified.
 - c) If either side in a charge is unable to attend the FPC Hearing but would still like to present their case, they must notify the Vice Chair for Elections of the NEC at least twenty-four hours before the FPC Hearing. The Vice Chair for Elections of the NEC and the Chair of the NEC shall decide whether it was justifiable for either side in a charge to fail to attend the FPC Hearing. If it be deemed justifiable, then the Vice Chair for Elections, the Chair of the NEC, and the Grievance Officer shall have the discretion to decide the further course of action.
 7. During the FPC Hearing, the Vice Chair for Elections of the NEC will only be allowed to speak concerning the clarification of the FPC and other rules governing the elections process and statements of fact.
 8. Any charge brought against individual members of the NEC or the NEC as a whole shall be treated as a charge against the entire NEC, which will be defended by the Grievance Officer

during the FPC Hearing.

9. Upon the completion of the deliberations concerning the list of charges, results regarding the charges shall be given by the Chair of the NEC. Results of the elections shall then be given by the Vice Chair for Elections of the NEC. Until this announcement only the Vice Chair for Elections of the NEC shall know the results of the election.

C. Deliberations by the NEC

1. During the NEC's deliberations, the NEC shall determine the validity of the alleged charges. The Chair of the NEC shall preside over the deliberations and shall remove themselves from the voting unless there is a tie.
2. During the NEC's deliberations, the Vice Chair for Elections of the NEC will not be given a vote and will only be allowed to speak concerning the clarification of the FPC and other rules governing the elections process and statements of fact.
3. If a charge is brought against a candidate who is running in multiple races, the charge shall be considered in relation to each race separately.
4. If there is a charge against a candidate, the NEC shall determine whether the candidate violated the FPC and/or other rules governing the elections process. It shall take a two-thirds vote of the NEC members present at the FPC Hearing to find a candidate in violation of the FPC.
 - a) If a candidate is found to have violated the FPC, that candidate shall be disqualified from the election.
 - b) Any candidate disqualified from the election forfeits all rights allowed to them as a candidate in the FPC.
 - c) If a candidate is not found to be in violation, all charges against the candidate shall be dropped.
5. After all charges against candidates are considered, the NEC shall determine whether any of the elections in which charges were filed were biased, unless the number of candidates remaining in the race is less than or equal to the number of available positions. If one or more candidate(s) were disqualified from an election, the Vice Chair for Elections shall let the NEC know what percentage of the total votes the disqualified candidate(s) had received. The NEC may use this information to determine whether the number of voters who voted for disqualified candidates is significant enough to warrant a finding of bias. If the disqualified candidate(s)'s votes when added to the votes for the second highest vote getter would not be sufficient to overtake the vote total of the winner, as calculated by the Vice Chair for Elections, the NEC will be notified and the percentages of the disqualified candidate(s) will not be released to the NEC. Percentages will not be released to the NEC for elections in which the voters may vote for more than one candidate (elections in which one voter does not necessarily equal one vote) as the number of voters who voted for disqualified candidates cannot be definitively calculated from these numbers.
 - a) If an election is determined to be biased, it shall be rerun without the disqualified candidate(s).
6. The NEC shall then discuss any charges brought against the NEC or a third party. The NEC shall determine whether the NEC or the third party violated the FPC and/or biased any of the elections.
 - a) If an election is determined to be biased, it shall be rerun.
7. All voting by the NEC during their deliberations shall be done by secret ballot.
8. If procedure is unclear or a situation unforeseen by the FPC arises, the Chair of the NEC shall

determine how to run the NEC's deliberations, keeping in mind the ultimate aim of the FPC of fairness and equality.

IX. Determination of the Results of the Elections

- A. The winner of the UA President and Vice-President elections shall receive the position on the Undergraduate Assembly.
 - 1. UA President and Vice-President shall be determined through optional preferential voting.
 - 2. If a candidate is elected to either President or Vice-President and had simultaneously run for a general UA member seat, they shall be struck from the list of candidates in their constituency for UA member. The candidate and their votes will not be considered when determining the results of the general UA member election.
- B. The top vote-getters in each of the constituencies shall receive a position on the Class Board or the Undergraduate Assembly according to the number of seats available.
- C. In the event of a tie that results in more candidates being elected than positions available, the NEC shall administer a run-off election between those candidates that are tied.
 - 1. The time frame for a run-off election shall be determined by the Chair and the Vice Chair for Elections of the NEC.
 - 2. All other rules that apply to normal elections are in effect for and shall govern a run-off election.
- D. The Chair and the Vice Chair for Elections of the NEC shall determine the time frame for an election that must be re-run.

X. Filling of Vacancies

- A. In the event of a Class Board or UA position vacancy, the position shall be filled by the highest runner-up from the most recent election cycle.
- B. In the event that a Class Board position vacancy cannot be filled as required by X.A., the NEC will, as soon as possible, either hold a special election to fill the vacant position or oversee a formal nominations process administered by the current members of the Class Board with the vacancy. The NEC will make a decision on the course of action in this case based on consideration of the University calendar for the remainder of the academic year and availability of eligible voters in the relevant constituency or constituencies.
- C. In the event that a UA position vacancy cannot be filled as required by X.A., the NEC will hold a special election as soon as possible to fill the vacant position.

XI. Write-in Votes

- A. Write-in votes are allowed for all elections for Class Boards and the Undergraduate Assembly. A student that receives write-in votes will only be put on the ballot if the number of votes they receive is greater than or equal to the number of signatures required for petitions in that student's constituency.
- B. An individual who receives the requisite number of write-in votes to be put on the ballot shall be notified as soon as possible by the Vice Chair for Elections of the NEC. The individual receiving enough write-in votes must sign a notice stating that they accept the write-in votes and accepts placement on the ballot. By signing such a notice, this individual is bound to follow and is subject to the rules pertaining to the elections proceedings as outlined by the NEC through the Vice Chair for Elections and the Chair of the NEC and as outlined by the FPC. This notice must be given to the Chair or Vice Chair for Elections of the NEC within twenty-four hours of receiving the NEC's notification or as time permits before the FPC Hearing.
- C. A student who receives write-in votes and accepts placement on the ballot shall be bound,

retroactively, by the FPC and any other rules outlined by the NEC pertaining to the elections process. Such a candidate may be charged with violations of any rules governing the elections process, even if such actions occurred before being placed on the ballot.

XII. Procedure in the Event of a System Failure

- A. In the event of a system failure, the Chair and/or Vice Chair for Elections of the NEC must be contacted by the University with specific information regarding the nature of the system failure. At such a time, the Chair and Vice Chair for Elections of the NEC will form a plan of action that best maximizes the number of voting students and may or may not include freezing the elections. Throughout the process, the NEC will communicate with the student body as to the status of the election.
- B. Once the voting period affected by the failure is determined the student body shall be informed so that affected students can recast their votes.
- C. The process of initiating the recovery of lost votes must take into account the following items:
 1. Unless the system failure occurs on the first day of voting, there is no reason to rerun the entire elections. Any votes that were not lost shall be used, and people will only be told to revote if they first voted during the time period in which votes were lost. Elections should only be extended to compensate their original, intended length.
 2. Throughout the entire process of reorganizing during a system failure, the student body shall be properly informed of all steps that the NEC takes, and everything except the results of the elections shall be made public.
 3. If deemed necessary, paper voting may be used to finish the elections.
- D. After the completion of the elections, the Vice Chair for Elections of the NEC will be responsible for submitting a final report on the failure to the NEC and the student body. This report shall include recommendations as to how the next elections cycle should proceed. The entire NEC will vote for any procedural changes.

XIII. Miscellaneous

In the event of religious holidays, school events, and/or any other extenuating circumstances that may bias the election, the Chair and the Vice Chair for Elections of the NEC may change any time constraints regarding elections except those prescribed by the Constitution of the Undergraduate Assembly. This rule may be enacted if there is no alternative that conforms to the rules stated in the FPC. The Chair and the Vice Chair for Elections of the NEC must present these time changes for approval by the NEC in the method prescribed by the Chair of the NEC.