



The Elections Code of 2023

**of the University Park Undergraduate Association Assembly of Student
Representatives**

Date of Origin: January, 2007

Amended: January 18th, 2023

Article I

Name, Scope, Authority, and Definitions

- §1.1 This Elections Code shall be the Elections Code of 2023 (“Code”).
- §1.2 The purpose of this Code is to ensure a standard means of election for the members of the University Park Undergraduate Association (“UPUA”).
- §1.3 This Code derives its authority from the UPUA Constitution and Bylaws and shall be enforced wholly within the provisions of these documents.
- §1.4 For Community Group Representative Elections, Article X of the UPUA Elections Code takes priority for any contradictions that may arise between the Elections Code and Community Group election policies.
- §1.5 The UPUA accepts the authority granted to it by the University Parks Allocation Committee’s (“UPAC”) Constitution and Governing Documents and the Association of Residence Hall Students’ (“ARHS”) Elections Code to facilitate fair elections, in compliance with this Code and relevant Governing Documents.

Article II

The Elections

- §2.1 Elections shall be held on the day prescribed by the Constitution.
- §2.2 The following offices are considered to be subject to this provision and subsequently the subject of the Elections and governed by this Code:
 - §2.2.1 The Executive Officers of the UPUA: President and Vice-President.
 - §2.2.2 One (1) Representative from each of the following: the College of Agriculture Sciences, the College of Arts and Architecture, the Smeal College of Business, the Donald P. Bellisario College of Communications, the College of Earth and Mineral Sciences, the College of Education, the College of Engineering, the College of Health and Human Development, the College of Information Sciences and Technology, the College of the Liberal Arts, the Eberly College of Science, the Ross and Carol Nese College of Nursing, the Schreyer Honors College, and the Division of Undergraduate Studies (“DUS”).
 - §2.2.3 Twenty (20) At-Large Representatives.

§2.2.4 Representative(s) from each of the Community Groups that is recognized by the Judicial Board and confirmed by the Assembly.

§2.3 Each Office shall be elected in accordance with the Constitution by all undergraduate degree-seeking students at the Penn State University Park campus. Candidates shall likewise all be undergraduate degree-seeking students at the Penn State University Park campus.

§2.4 Constituencies shall be defined as:

§2.4.1 For the Executive Officers and At-Large Representatives, all undergraduate degree-seeking students at the Penn State University Park campus.

§2.4.2 For the Academic Unit Representatives, all undergraduate-degree seeking students registered with the Academic College as a member or degree-candidate on the day of the Elections at the Penn State University Park campus.

§2.4.3 For the Community Group Representatives, all undergraduate degree-seeking students who are part of the community group.

Article III

Elections Commission

§3.1 The Elections shall be administered by the UPUA Judicial Board, serving as the Elections Commission (“Commission”). The Commission shall have the responsibility to fulfill the provisions of this Code and applicable obligations of the Constitution and Bylaws.

§3.2 The Commission shall consist of:

§3.2.1 Head Elections Commissioner.

§3.2.2 Between one (1) and three (3) Deputy Commissioners for Candidacy.

§3.2.3 Between one (1) and three (3) Deputy Commissioners for Elections Outreach.

§3.2.4 Between one (1) and three (3) Deputy Commissioners for Information and Logistics.

§3.3 Duties of all Commissioners include, but are not limited to:

§3.3.1 Reporting all violations of the Code to the Commission.

§3.3.2 Working all Elections events.

§3.3.3 Attending all meetings of the Commission.

§3.4 Duties specific to the Head Commissioner include, but are not limited to:

- §3.4.1 Assigning responsibilities to each member of the Commission and supervising the Deputy Commissioners in the performance of their duties.
- §3.4.2 Acting as the official representative of the Commission to all interested parties.
- §3.4.3 Developing an elections budget and submitting it to the Speaker of the Assembly to be brought to the Assembly for approval.
- §3.4.4 Providing a summary report of the elections to the incoming membership of the Steering Committee no later than ten (10) academic days following the elections.
- §3.4.5 Communicating elections results to the Executive Secretary of the University Faculty Senate.
- §3.4.6 Holding regular meetings of the Commission at least every second week beginning the first academic week of February, to familiarize the Commission with this code and their responsibilities.
- §3.4.7 Appointing, as they see fit, additional staff to aid in running elections. Any additional staff must take the UPUA oath of office upon nomination.
- §3.4.8 Ensuring that the Elections Commission is knowledgeable on the Elections Code.
- §3.4.9 Administering the process for handling violations of this Code, pursuant to Article VII of this Code.
- §3.5 Duties specific to the Deputy Commissioners for Candidacy include, but are not limited to:
 - §3.5.1 Compiling and distributing Candidacy Materials to students. The Candidacy Materials shall include:
 - cl.I A copy of this Code.
 - cl.II Specific information regarding the Commission's past interpretations of the Code.
 - cl. III Finance sheets for Candidates.
 - cl. IV An Informational Video Guide about the rules and regulations for campaigning.
 - cl. V An electronic Elections Code Quiz on the contents of the Informational Video Guide.
 - cl. VI All University Policies related to campaigning.
 - cl. VII A summary of the roles and responsibilities of UPUA members, such as the requirement of attending General Assembly meetings on Wednesdays at 7:00 PM.
 - cl. VIII An electronic Candidacy Registration form.

cl. IX An Elections Calendar.

cl. X A Nominating Petition. The Nominating Petition shall have the UPUA seal and identify the Potential Candidates for an Executive Ticket and the office for which they will be running. The Nominating Petition shall have 25 signature lines per side. Each signature line shall have space for each signer's first name, last name, AccessID (ex. abc123), signature, and date of signing.

cl. XI Any other informative materials that the Commission deems necessary and/or useful for public distribution.

§3.5.2 Collecting all Candidacy Materials from Potential Candidates.

§3.5.3 Auditing Candidacy Materials, student information, and Nominating Petitions to ensure Potential Candidates are qualified for the office(s) which they are running for.

§3.5.4 Ensuring compliance with all rules related to candidacy.

cl. I Filing violations with the Head Elections Commissioner for consideration pursuant to Article VII of this Code.

cl. II Setting meetings for violation hearings.

cl. III Answering questions on compliance from Candidates.

§3.6 Duties specific to the Deputy Commissioners for Outreach include, but are not limited to:

§3.6.1 Publicizing the available seats within the UPUA, the manner in which one may seek candidacy, and actively encouraging as many eligible students to seek election as possible.

§3.6.2 Publicizing the time, place and manner of elections to the undergraduate student body.

cl. I At a minimum, this shall include radio advertisements, passing out flyers in main campus buildings, putting posters in the HUB-Robeson Center poster stands, and hanging banners outside of the Osmond, Hammond, and Sackett Buildings and inside of the HUB-Robeson Center and Business Building.

cl. II Publicizing of elections must begin at least five (5) academic days prior to UPUA election day.

§3.6.3 Organizing at least two (2) Meet the Candidates events for At-Large Representatives. The schedule for the events shall be finalized and sent to the eligible Candidates no later than five (5) academic days following the closure of the candidate Registration Period.

- cl. I A Meet the Candidates event is a one-hour session hosted by the Elections Commission where Candidates for At-Large Representative can present their platform, reason for candidacy, and/or relevant experience.
- cl. II Each Candidate for At-Large Representative is required to participate in exactly one Meet the Candidates event. If a candidate is unable to attend a Meet the Candidates event due to a university-excused absence, they shall be required to attend and participate in the next scheduled Meet the Candidates event before their election.

§3.6.4 Reaching out to different community groups across campus and to all organizations that have Community Group Representation in the existing UPUA Legislative Body.

§3.6.5 Reaching out at least seven (7) days before the first Informative Recruitment Session to different community groups across campus and all organizations that have Community Group Representation in the existing UPUA Legislative Body to ensure a diverse and inclusive candidate pool reflective of the Pennsylvania State University community.

§3.6.6 Working with the Executive Director of Public Relations and their Department to ensure general information for the election is widespread.

§3.6.7 Ensuring compliance with all rules related to events.

- cl. I Filing violations with the Head Elections Commissioner for consideration, pursuant to Article VII.

§3.7 Duties specific to the Deputy Commissioner for Information Logistics include, but are not limited to:

§3.7.1 Designing and implementing an online group for use by the candidates which includes all pertinent information regarding candidacy, campaigning, violations, this Elections Code, and electronic submission for registration requirements as specified in Article 4.

§3.7.2 Designing and implementing an Elections Information website, in accordance with the provisions of this Code, that clearly displays all pertinent Elections information and all forms, documents, and materials necessary for candidacy.

§3.7.3 Creating an online voter's guide with all candidates' information as provided by each campaign.

- cl. I The online voter's guide shall be accessible directly from the online ballot on Election Day.

- cl. II The online voter's guide shall include:

- pt. a Name of the candidate.

- pt. b Position for which they are running.
- pt. c The Candidate Biography submitted through the requirements in Article 4.
- pt. d The organizations the Candidate is an active member of, as disclosed through the requirements in Article 4.

cl. III All Candidates' web profiles should be posted simultaneously to the Elections Information website as early as possible, but no later than one (1) academic Wednesday after the closure of the Registration Period.

§3.7.4 Ensuring the functionality of the Elections Information website throughout Election Day.

§3.7.5 Coordinating with the Student Affairs IT Department to maintain the Elections systems.

§3.7.6 Testing the elections platform and providing a sample ballot at least five (5) calendar days before Election Day.

§3.7.7 Assisting the Head Commissioner in creating and outlining an elections budget, and tracking use of the elections funds throughout the elections period.

§3.7.8 Collecting financial statement information from all Candidates and auditing such information for compliance with this Code.

§3.7.9 Ensuring accurate reimbursement of Candidates for legitimate campaign expenses, following the procedure outlined in Article 6.

§3.7.10 Working with the Head Elections Commissioner to create an Elections Calendar of important dates to be distributed as part of the Candidacy Materials. The Elections Calendar shall include all Elections events, any pertinent deadlines for Candidates, and any other dates that the Commission feels are important.

§3.7.11 Taking meeting minutes for the Commission as directed by the Head Commissioner.

§3.7.12 Assisting with compilation and writing of the summary report of the elections that is to be provided to the newly elected Steering Committee, as outlined in §3.4.

§3.8 All Commissioners are joint and severally liable for the wrongdoings of individual Commissioners and the Commission as a whole.

§3.9 The current Chief Justice of the UPUA Judicial Board shall serve as the Head Elections Commissioner and shall assign all other Commissioner roles to members of the UPUA Judicial Board.

§3.10 The following independent provisions shall be in place and applicable to all Officials from time of application for Office, and to volunteers of the Commission and poll workers from the time of their selection:

§3.10.1 No Commissioner, volunteer of the Commission, or poll worker shall be affiliated in fact or in appearance with any candidate or any campaign by providing aid or causing harm.

§3.11 No Commissioner shall be eligible for the first appointment or election to any office in the UPUA, except as a Justice in the UPUA Judicial Board, for the assembly directly following the Commissioner's term unless a formal resignation from the UPUA Judicial Board and the Commission is made effective by 5:00 PM on the second academic Wednesday of the Spring semester.

§3.11.1 Commissioners are eligible to run for office during special elections resulting from the resignation or removal of any office-holding member of UPUA, provided that the Commissioner resigns from the UPUA Judicial Board and the Commission immediately upon the establishment of a day for the special election.

§3.12 Upon referral by any University Park undergraduate student for alleged violations of the Code, each Commissioner shall review the allegations to see if they have a conflict of interest. Commissioners who have conflicts of interest shall recuse themselves. If there are more than three (3) recusals for an alleged violation of the Code, the Steering Committee will hear the review.

§3.12.1 The voting members of the Steering Committee may remove the individual in question from the Commission with three (3) votes confirming the removal. Removal from the Commission shall not be construed to mean removal from any of the individual's other positions in the UPUA. If a member of the Steering Committee is in any way involved in an election, they shall recuse themselves from any involvement with the Commission.

§3.12.2 The Elections Commission may also remove the individual in question from the Commission by a majority vote. The individual in question shall not vote on their removal. Removal from the Commission shall not be construed to mean removal from any of the individual's other positions in UPUA.

§3.12.3 Replacements of Commissioner shall be selected from the remaining members of the UPUA Judicial Board by the Head Elections Commissioner (Chief Justice).

cl. I If the Head Elections Commissioner is removed, the remaining Commissioners shall select a new Head Elections Commissioner by a majority vote of the full Commission. The new Head Commissioner shall choose a replacement for themselves from the remaining members of the UPUA Judicial Board.

- cl. II If there are no remaining members of the UPUA Judicial Board to fill the position, the Head Elections Commissioner shall assign the vacant role to an existing Commissioner as an additional responsibility.

§3.13 Discharge of Commission's duties shall be effective after the Elections Report is finalized.

Article IV

Registration and Candidacy

- §4.1 The Registration Period shall begin on the eighth (8th) academic Monday of the Spring semester at 7:00 AM and end at 5:00 PM Eastern Time on the tenth (10th) academic Monday.
- §4.2 A Potential Candidate may only submit their registration to the Commission during the Registration Period.
- §4.3 A Potential Candidate may register for one (1) legislative seat and/or as part of one (1) Executive Ticket.
 - §4.3.1 Potential Candidates may not register for a legislative seat nor an Executive Ticket if they have already been elected as a Community Group Representative for the upcoming Assembly.
 - §4.3.2 If a Potential Candidate registers for a legislative seat and as a part of an Executive Ticket, becomes a Candidate for both positions, and is elected to both positions, they are disqualified from the legislative position. The Candidate with the next-highest number of votes shall be awarded the seat.
- §4.4 To be placed on the election ballot and become a Candidate, Potential Candidates and Potential Executive Tickets shall fully complete and submit an electronic Candidacy Registration form to the Commission before the end of the Registration Period. The Candidacy Registration form shall include:
 - §4.4.1 Potential Candidate's first name, last name, phone number, Penn State email, and expected graduation semester and year.
 - §4.4.2 A legible photocopy, scan, or picture of the Potential Candidate's Penn State ID+ card.
 - §4.4.3 Enrollment Verification from LionPath indicating current good academic standing as an undergraduate degree-seeking student attending classes at University Park or proof of participation in an Education Abroad Program approved by the University.
 - §4.4.4 If registering for an office under §2.2.2, proof of membership during the term of Office in that Academic College.

- cl. I Membership in the DUS is defined as anyone who is currently a student in the DUS or was previously a student in the DUS within one (1) Academic Year.
- §4.4.5 A photograph of the Potential Candidate to be uploaded and published to the online Elections Information website.
- §4.4.6 A Candidate Biography, not to exceed 500 words, to be uploaded and published to the online Elections Information website.
- §4.4.7 A list of all organizations in which the Potential Candidate is an active member at the time of registration.
- cl. I Active membership is defined as any organization that lists the candidate as a member on OrgCentral, or any organization where the advisor or an executive member of the organization can affirm the candidate's involvement within the organization within the past academic year.
 - cl. II Candidates are not obligated to disclose organizations that fall under one of the categories listed under Penn State policy AD 91.
 - pt. a AD 91: "It is the policy of the University to maintain an environment free of harassment and free of discrimination against any person because of age, race, color, ancestry, national origin, sex, sexual orientation, gender, perceived gender, gender identity, physical or mental disability, religion, creed, service in the uniformed services (as defined in state and federal law), veteran status, marital or family status, pregnancy, pregnancy-related conditions, genetic information or political ideas."
 - cl. III Misrepresentation or omission of involvement in a Student Organization may result in immediate disqualification of a Candidate.
- §4.4.8 A signed pledge to attend an Executive Debate if registering as part of an Executive Ticket, or a signed pledge to attend at one (1) Meet the Candidates Event if registering for an At-Large Representative seat.
- §4.4.9 If running for an Executive Ticket, a legible photocopy, scan, or picture of a Nominating Petition with one hundred (100) valid signatures from undergraduate degree-seeking students at University Park:
- cl. I For a signature to be counted as valid, the Nominating Petition must have the signer's printed first name and last name, the signer's Access ID (ex: abc123), the signer's signature, and the date of signing. Signatures missing any of those factors shall not be counted towards the signature total.

§4.4.10 A signed written statement detailing the Potential Candidate's understanding of the expected time commitments of their position.

§4.4.11 A signed written statement giving the Head Elections Commissioner the authority to communicate with the Penn State Office of Student Conduct through the UPUA Advisor to ensure all the Potential Candidate is not currently on probation with a notation on their transcript for offenses including, but not limited to sexual misconduct, hazing, and/or harassment, nor have they been previously suspended by the University.

cl. I Failure to sign the statement, discovery of a transcript notation, and/or discovery of a previous suspension by the University are errors that shall result in immediate disqualification of the Potential Candidate.

§4.5 For the purposes of registration, candidacy, voting, and all other matters, the Offices of President and Vice President shall be a joint Executive Ticket. An Executive must include a Potential Candidate for President and Vice President. No individual may run on more than one Executive Ticket, nor run for both President and Vice President on a single Executive Ticket. The individuals on an Executive Ticket shall be joint and severally liable for each other, and the disqualification, withdrawal, or removal of one member of the Executive Ticket shall void the ticket as a whole.

§4.6 Upon submission to and validation by the Commission of the electronic Candidacy Registration, a Potential Candidate or Potential Executive Ticket shall be considered registered for the Elections and becomes a Candidate or Executive Ticket.

§4.7 During the Registration Period, Candidates may take any or all actions permitted as campaigning under Article 5.

§4.8 Once a Potential Candidate becomes a Candidate for (a) specific Office(s), the Candidate may not change their registration, except if they change their Academic College and wish to run for a different Office. If this happens, the Candidate must withdraw from the election, upon which they become a Potential Candidate and must then resubmit a Candidacy Registration.

§4.9 A Candidate may withdraw from their race at any time via a letter and/or an email detailing their intentions delivered by the Candidate to an Elections Commissioner. Withdrawals are effective immediately upon receipt of the letter or email.

§4.10 Any undergraduate degree-seeking student with the intent to run as a write-in candidate, and who wishes to campaign before or on Election Day, must email the Elections Commission to convey their intent to run no later than twenty-four (24) hours prior to the opening of polls on election day. Upon receipt of the email, the student shall be considered a Candidate, but their name shall not appear on the Elections Ballot. No student may be elected without registering as a Candidate with the Commission.

Article V

Campaigning

- §5.1 Campaigning is defined as any action undertaken by a Candidate or on behalf of a Candidate by a Campaign Staff Member, or by an individual or entity which endorsed said Candidate, that in a public manner deliberately or inadvertently:
- §5.1.1 Increases recognition of a Candidate's name or platform among some or all members of the student body.
 - §5.1.2 Displays or distributes any information about the Candidate or the position for which they are a Candidate.
 - §5.1.3 Utilizes stamped campaign materials pursuant to §5.2.
- §5.2 Anything in a fixed, tangible form that is non-living and accomplishes anything in §5.1 must be registered with the Commission on any financial statements.
- §5.3 Candidates and Campaigns shall be required to adhere to all University Policies and shall not engage in any of the following:
- §5.3.1 Making defamatory remarks in the public about another Candidate or encouraging others to make such remarks. For a statement to be defamatory, it must be a false statement, portrayed as fact, made to the public, which has caused some harm to the reputation of the person or entity who is the subject of the statement.
 - §5.3.2 Fostering prejudice against another Candidate because of membership in any class protected by the Penn State non-discrimination statement or by law.
 - §5.3.3 Engaging in the removal, destruction, or mutilation of another Candidate's campaign paraphernalia or encouraging others to perform such acts.
- §5.4 It shall be prohibited to campaign on the second (2nd) and third (3rd) floors of the HUB, in any area of the Residence Halls, and in eating areas within Dining Commons, unless all Candidates are granted explicit permission in advance of Election Day by the Commission, or within ten (10) feet of entrances and exits to computer labs or official Commission polling places.
- §5.4.1 Clothing that campaigns for a Candidate or Executive Ticket may be worn in a classroom while the individual wearing the clothing is attending a class that they are registered for, and in all University buildings, unless otherwise specified in this Code.
 - §5.4.2 Candidates may not accept assistance from any person who is not an undergraduate degree-seeking student at Penn State University Park for the purpose of collecting votes in-person on Election Day. Any Candidate who knowingly allows an outside party to assist them in collecting votes for their campaign shall be eligible for disqualification by the Commission.

- §5.5 Candidates and Executive Tickets may have a Campaign Manager, who may serve as a contact point for the Commission and who may be authorized by the Candidate to submit financial statements.
- §5.6 Campaigning shall be limited in duration from submission of qualifications for Candidacy until the close of the polls on Election Day.
- §5.7 Offices throughout the University of any kind may, at their discretion, register with the Commission as Campaign-Free Zones. It is a violation of the Code to engage in campaigning in a Campaign-Free Zone. The office of the Commission, the UPUA offices, and all official UPUA functions are Campaign Free-Zones.

Article VI

Accounting

- §6.1 Candidates shall complete financial statements and submit them to the Commission on a running electronic document monitored by the Commission.
- §6.2 Candidates shall be limited in the value of their campaign materials. Limits on the total value of a campaign shall be:
 - §6.2.1 One thousand dollars (\$1,000) jointly for an Executive Ticket.
 - §6.2.2 Two hundred dollars (\$200) for all other offices in §2.2.
- §6.3 Candidates and campaigns shall account for any and all of the following assets:
 - §6.3.1 All goods and services purchased or obtained through non-monetary exchanges. In the case of rentals, only the value in proportion to use in campaigning shall be required to be assessed.
 - §6.3.2 Any other tangible or intangible assignable to a Candidate/campaign which can be separated from the Candidate/campaign, assessed a monetary value.
- §6.4 Candidates shall be eligible to receive reimbursement for campaign expenses up to one-quarter (1/4) of their office's maximum campaign budget, as outlined in §6.2.
 - §6.4.1 Receipts will be accepted starting the day after Election Day and must be submitted no later than 11:59pm on the last day of the Spring semester.
 - §6.4.2 The Commission shall allocate all unspent election funds up to two thousand dollars (\$2,000) for reimbursement of Candidates.
 - §6.4.3 In the event that all the allocated funds are not used for reimbursement, the Commission shall have the ability to allocate the remaining funds to Candidates who request it, up to the whole amount spent amount by that Candidate.

- §6.5 No Candidate may accept monetary payment or donation from any University or non-University affiliated organization for the express purpose of running for office that is in excess of the Candidate's spending limit.
- §6.5.1 Financial assistance must be disclosed on a publicly available form with the specifications of organization name, amount, and date of transaction.
- §6.5.2 Any Candidate who knowingly accepts payment or donation from any University or non-University affiliated organization for their campaign shall be eligible for disqualification by the Elections Commission.
- §6.6 Assets shall be initially valued at the Fair Market Value set by the Commission. The Commission shall have authority to determine the value based on the information obtained. Fair Market Value shall be determined in the following fashion:
- §6.6.1 Prior to the start of the campaign period, the Commission shall set the fair market value price for all campaign items (i.e.: shirts, websites, posters, paper, copies, etc.) based upon written quotes of price which shall be uniform for all candidates on all financial statements.
- §6.6.2 This information must be updated and distributed to each Candidate within 3 days of their registration.
- §6.7 The following goods and services shall be exempt from financial assessment:
- §6.7.1 Professional services, consulting, performance, or design rendered by non-Penn State students without charge, unless prohibited by this Code.
- cl. I These services, while exempt from monetary assessment, must be disclosed on a publicly available form.
- §6.7.2 Production equipment owned by the Candidate or Campaign Manager that is used to generate campaign paraphernalia.
- §6.7.3 The use of resources on the Internet that are in the public domain.
- §6.8 Candidates must submit the values of items to their financial statement prior to the stamping of said items.

Article VII

Enforcement, Penalties, and Disqualification

- §7.1 All persons affiliated with the University are permitted to seek action against a Candidate for a Violation of this Code ("Violation"). No individual other than a Commissioner may enforce this Code.

- §7.2 Claims of a Violation shall be received by the Head Elections Commissioner and promptly investigated. Frivolous claims shall be dismissed by a simple majority vote of the Commission.
- §7.2.1 The Head Commissioner shall notify the Candidate(s) in question of the alleged Violation and shall provide necessary assistance and information. All information gathering shall be done within two (2) days of the report of the alleged Violation.
- §7.2.2 If enough evidence exists, as determined by the full Commission, they shall schedule an Initial Review Conference and may at that time levy a charge against the Candidate. All charges shall be explained in detail in writing.
- cl. I At the time of the Initial Review Conference the Candidate may bring any and all evidence to contest the charges.
- §7.2.3 The Candidate or Executive Ticket shall submit a plea of Responsible or Not Responsible to the charge(s) within two (2) academic days of the Initial Review Conference.
- §7.2.4 If, after a plea is submitted, the Commission determines that a Violation has been committed, the Head Commissioner shall notify all Candidates of the Violation.
- §7.3 Candidates who violate this Code shall be penalized in two forms: campaign spending reduction and accrual of points.
- §7.3.1 Candidates shall have their campaign's spending limit reduced according to the discretion of the Commission.
- §7.3.2 Candidates can accrue up to 10 violation points before becoming automatically disqualified. The Commission shall have sole discretion of assigning points for violations and shall provide a guide to outline example violations.
- §7.4 If at any point in time a Candidate or Executive Ticket exceeds the value limit imposed by §6.2, or if a Candidate's or Executive Ticket's accrued point total exceeds the point limit, the Commission shall disqualify their candidacy.
- §7.5 Voter fraud or voter impersonation shall be grounds for immediate disqualification.
- §7.6 A Candidate and/or Executive Ticket may be removed from the Elections by the Commission if it determines that the Candidate and/or Executive Ticket does not meet the requirements for candidacy or has intentionally violated the guidelines outlined in this Code.

Article VIII

Voting

- §8.1 The official voting system for the Elections is <https://orgcentral.psu.edu>. The Commission shall administer, observe, and review voting from this site. The official Elections Information website for the UPUA is vote.psu.edu. This site is the primary information source for all Elections matters.
- §8.1.1 On the day of the UPUA Elections, the Commission shall simultaneously hold Elections for UPAC, ARHS, and the Faculty Senate (depending on the Academic Unit's selection process) via <https://orgcentral.psu.edu>.
- §8.2 Prior to Election Day, the Deputy Commissioners for Information Technology shall obtain from Student Affairs Information Technology, a standard operating procedure of the voting system and paper version of the ballot and shall review these items to ensure compliance with the provisions of this code. Within three (3) academic days prior to the Elections, the Commission shall ensure that the online voting system is fully functional.
- §8.3 The voting system shall accept votes from 9:00 AM Eastern Time until 9:00 PM Eastern Time on Election Day.
- §8.4 The Elections Information website (vote.psu.edu.) shall list each position for which the student is eligible to vote with the Candidates in order that they registered, with links to platform statements and campaign websites. Additionally, any printed media shall list Candidates in the order that they registered.
- §8.5 Candidates' names on the ballot shall be listed in random order. Once Candidate has been placed on a ballot, their name may not be removed from the ballot.
- §8.6 Each Candidate's Candidate Biography submitted during the Registration Period shall be linked to the Candidate's name on the ballot.
- §8.7 After the listing of Candidates, there shall be a means to cast a write-in vote for each office.
- §8.8 Write-in votes shall be aggregated based on reasonable assurance of voter intent.
- §8.8.1 A vote shall only count once per ballot for each office, regardless of the number of times that name appears on a single ballot.
- §8.9 If a voter fails to vote for enough candidates to fill all available seats for a specific Office, then the votes cast are valid, but the votes not cast shall be forfeited.
- §8.10 Voters may cast as many votes for candidates as there are positions to be filled.
- §8.11 Voters shall not be able to cast more than one ballot. Voters found to have cast more than one ballot shall have none of their ballots counted.
- §8.12 At the conclusion of the Elections, the Deputy Commissioners for Information and Logistics shall compile a report listing all of the candidates for each office and the number of votes

received. The Commission shall meet to approve the report and compile the preliminary results, but no person shall be entitled to office on the basis of these preliminary results.

§8.13 For any given office, there may only be as many winners as there are available seats. No person shall be eligible to take a seat if for whatever reason there is a dispute involving too many winners. In the cases which affect who may be declared a winner, the tie shall be broken in a Runoff Election held within one week in accordance with the UPUA Constitution. The Runoff Election shall follow the provisions of this Code where appropriate.

§8.14 The following shall govern the request for recounts:

§8.14.1 The Commission may take a recount at the written demand of any of the following: One thirds of the Commission, two-thirds of the sitting Assembly, or two-fifths of all Candidates running for any position in the Elections.

§8.14.2 A recount may not be called after the certification deadline.

§8.15 The following procedure shall be used in the recounting of votes:

§8.15.1 The recount shall begin within thirty-six (36) hours of demand.

§8.15.2 The Commission shall post the time and place of the recount in a public place and the recount shall be open to the public, including the media, though the number of members of the public and media may be limited. Candidates shall be permitted to attend the recount.

§8.15.3 The Commission shall conduct the recount.

§8.15.4 Prior to the start of the recount, the Commission shall print all of the electronic ballots.

§8.16 Should no recount be called, the certification deadline is 11:59 PM Eastern Time on the first Friday following the Elections. The Commission shall certify the Elections results and record the results on vote.psu.edu.

§8.17 Should a recount be called, the certification deadline is no later than 48 hours after the final tallying of the recounted votes. Once the recount is concluded, the Commission shall certify the Elections results and record the results on vote.psu.edu.

§8.18 Should an office be awarded to and declined by a Candidate prior to their installation, the Candidate receiving the next highest number of votes shall be entitled to the office.

§8.19 No individual or organization may offer benefits or impose penalties to any other individual or organization for voting or refraining from voting in the UPUA elections, or for voting or withholding their vote for any Candidate or Executive Ticket. Violation of this clause is grounds for immediate disqualification of (a) Candidate(s) before the election and is grounds for removal

from office after the election pursuant to all relevant procedures in the UPUA Constitution and Bylaws.

§8.20 During the time in which the polls are open, all voters shall be entitled the following rights. If a voter feels these rights have been violated, they shall be entitled to seek recourse with the Commission.

§8.20.1 The right to vote for any eligible Candidate.

§8.20.2 The right to have one's vote recorded, tallied, and reported accurately as part of the Elections results.

§8.20.3 The right to vote anonymously.

§8.20.4 The right to inquire with the Commission into the rules and interpretations of this Code.

§8.20.5 Voters shall be entitled to exercise these rights freely and without fear of harm.

Article IX

Endorsements

§9.1 Candidates and Executive Tickets shall not knowingly give the impression that an endorsement exists if it does not and shall not accept nor appear to accept an ineligible endorsement. Anything to the contrary shall be considered a Violation.

§9.2 No entity of the UPUA may endorse Candidates or Executive Tickets.

§9.2.1 Any member of the UPUA not running in the election may endorse Candidates, with the prominent disclaimer that their personal endorsement does not represent the endorsement of the UPUA nor any entity thereof.

§9.3 Candidates and Executive Tickets shall not endorse any other Candidate or Executive Ticket.

§9.4 Registered Student Organizations may endorse candidates for At-Large Representatives, Academic College candidates, and Executive Tickets in whichever manner they wish.

§9.3.1 The following organizations shall not be eligible to endorse candidates:

cl i. University Affiliated Organizations without a filled liaison position

cl ii. University-Associated Offices

§9.5 Undergraduate degree-seeking students at University Park may individually endorse Candidates and/or Executive Tickets in whatever manner they wish, subject to any limitations in this Code.

Individuals who are not undergraduate degree-seeking students at University Park shall be ineligible to endorse Candidates and Executive Tickets.

- §9.6 Undergraduate degree-seeking student members of the Penn State administration, Board of Trustees, faculty, and/or staff shall not endorse candidates in their official capacity as members of their bodies.
- §9.7 Organizational and individual endorsements shall be communicated to the Commission in writing by promptly submitting an Endorsement Form.

Article X

Community Group Representative Elections

- §10.1 Community Group Seats shall be elected in a democratic manner by the respective organization these Representatives represent by the start of the UPUA Elections Season as defined by the UPUA Governing Documents. The process must fulfill the following criteria to considered democratic:
- §10.1.1 Each undergraduate degree-seeking member of the Community Group must have the ability to vote in the election.
- §10.1.2 The Election must be public.
- §10.1.3 All Candidates must be nominated by any member of the Community Group.
- §10.1.4 All Individuals must be given an opportunity to accept or deny a nomination.
- §10.1.5 Each Candidate shall give a speech detailing why they are the most qualified for the role.
- §10.1.6 There must be a time for voters to ask questions to the Candidates.
- §10.1.7 There must be a discussion among voters for who the most qualified Candidate is, starting with an explanation of why the individual was nominated by the nominator.
- §10.2 Community Group Candidates shall be subject to Academic Verification from LionPath indicating current good academic standing as a degree-seeking undergraduate student attending classes at University Park or proof of participation in an Education Abroad Program approved by the University.
- §10.3 For the Election of Community Group Representatives, campaigning shall be decided by the organization hosting the election process but must follow all University Policy and cannot violate the spirit of the UPUA Elections Code.

- §10.4 Financial and Accounting Policy of Community Group Representatives Elections shall be dictated by the organization hosting the election process but must follow all University Policy and cannot violate the spirit of the UPUA Elections Code.
- §10.5 The Voting Policy of Community Group Representatives Elections shall be dictated by the organization hosting the election process but must follow all University Policy and cannot go against the spirit of the UPUA Elections Code.
- §10.5.1 All undergraduate degree-seeking members of the Community Group must have the ability to vote in the election.
- §10.6 The organizations electing Candidates will have jurisdiction over all powers not enumerated to the Elections Commission in Article X of the Elections Code so long as the spirit of the Elections Code is not violated.

Article XI

Ratification and Amendments

- §11.1 The Assembly may, in initial consideration of this Code, make amendments with a majority vote of those present and voting.
- §11.2 A two-thirds (2/3rds) majority of those present and voting in the Assembly shall be sufficient for ratification of this Code and subsequent authorization for the carrying out of its content.
- §11.3 Amendments made after ratification shall require a two-thirds (2/3rds) majority of those present and voting.