Independent Election Commission Bylaws

Article I. Name and Purpose

(a) The Independent Election Commission shall hereby be referred to as the Commission. The purpose of the Commission shall be to ensure that all elections, special elections, and referenda of the Student Association (hereafter referred to as the SA) are run in an open, secure, transparent, and fair process with maximum student participation.

Article II. Composition, Duties, and Authorities of the Commission

Section 2.01 Composition

(a) The Commission shall be composed of five at-large students, one member of faculty, one member of academic staff, one member of classified staff, and one member of University Administration. The Commission shall organize itself in a manner so that at-large students make up no less than a simple majority (50% + 1) of its membership.

(i) At-large students shall be appointed through the shared governance process, as outlined below in Section 2.02.

(ii) All other members shall be selected through their respective processes.

(iii) Under no circumstances shall a member of the Oversight and Appeals Commission (hereafter referred to as the OAC) serve as an acting, provisional, interim, or ex-officio member of the Commission.

(iv) No member of the Commission may hold or have held any other concurrent elected or appointed position within any branch of the Student Association or its committees during the current term.

(v) Under no circumstances may a member of the Commission run for an open position in an election nor may they be appointed to an official position within the SA during the next immediate term.
Section 2.02 Commission Appointment Timeline

(a) The SA, through its shared governance structure, shall actively market appointments to the Commission and make applications publicly available to all enrolled students no later than the first week of the fall semester.

(b) The SA Senate shall approve student appointments to the Commission and verify proper appointment processes.

Section 2.03 Duties

(a) The Commission shall run all regular, special, and recall SA elections and referenda in an online, fair, democratic, and secure manner.

(b) The Commission shall conduct itself in accordance with the most recent edition of Robert's Rules of Order, Newly Revised.

(i) Meetings of the Commission require a minimum of three student members and two non-student members present in order to meet quorum.

(ii) A majority is defined as 50% +1 of student members and two non-student members voting in the affirmative.

(c) At its first meeting, the Commission shall elect a Head Commissioner from its at-large student membership.

(d) The Commission shall be responsible for creating candidate signature forms and making them available to all in accordance with the timeline set forth in Addendum 2.

(e) The Commission shall, in coordination with the Student Association Professional Staff (hereafter referred to as SAPS) Office and Union Marketing, actively advertise any general or special election no less than 30 days prior to the election.

(f) The Commission shall make publicly available equal, unbiased, nonpartisan media, with information submitted by all eligible candidates, through a presentation format to be determined by the Commission, about all eligible candidates.

(i) Under no circumstances shall a member of the Commission endorse or campaign on behalf of a candidate.

(g) The commission shall, in collaboration with SAPS, ensure that online ballots are uniform and secure.

(h) The Commission shall create and make publicly available campaign violation reporting forms.
The Commission shall publicly announce, via an all-student email, a press release, and an organized press conference, the winners of the elections no more than 24 hours following the closure of polls.

The commission shall organize no less than three campaign events, as outlined in Addendum 1 to these bylaws.

Section 2.04  Authorities

(a) In the event that a candidate has committed a violation listed in Addendum 1 after polls have opened, the Commission shall have the authority to overturn the results of an election for an individual office and give the position to the individual with the next largest number of votes. This decision is subject to a 2/3 majority vote by the Commission.

(i) In the event of a tie, the Commission shall hold a run-off election for that position on the next Tuesday, preceded by a re-opening of the campaign period, subject to the same rules and regulations of the regular election. There shall be no option for write-in candidates or reopening of nominations on a run-off ballot.

(b) The Commission shall have the authority to enforce all candidate and campaign regulations, as outlined in Addendum 1 to these bylaws.

(c) The Commission shall have the authority to solicit equal, unbiased, and nonpartisan votes from students.

(d) The Commission shall have the authority to hear and process candidate eligibility appeals as its members deem necessary.

(e) The Commission shall have the authority to remove candidates from the ballot as a consequence of campaign violations as outlined in Addendum 1 to these bylaws.

(f) The Commission shall, subject to a 2/3 majority vote, have the authority to remove its members.

Section 2.05  Duties of the Head Commissioner

(a) The Head Commissioner shall act as the Chair of the Commission.

Article III.  Candidate Eligibility

(a) SAPS shall check all candidates for eligibility, based upon the below academic and non-academic requirements, and inform the Commission which candidates are eligible to run. Under no circumstances shall SAPS inform the Commission for what reason a candidate is ineligible.
(b) In the event that a candidate becomes ineligible to run for office during the campaign or election season, their name will immediately be removed from the ballot.

**Section 3.01 Academic Eligibility**

(a) Candidates must maintain a minimum cumulative GPA of 2.5 in order to be eligible to seek an elected position.

**Section 3.02 Non-Academic Eligibility**

(a) Candidates must be in good non-academic standing with the University of Wisconsin Milwaukee.

(b) Any currently enrolled, degree-seeking, fee-paying student is eligible to run for any open seat in an election, provided that they are a member of the constituency they seek to represent and meet the above eligibility requirements.

**Section 3.03 Signatures**

(a) Candidates must collect the necessary number of signatures, as outlined below, from students who are currently enrolled at UWM. A signature must consist of a student’s printed and signed name, school or college, student ID number, and UWM email address to be considered for validation.

(i) 100 validated signatures shall be required to be placed on the ballot for the Presidential or Vice Presidential tickets.

(ii) 50 validated signatures shall be required to be placed on the ballot for an at-Large Senate or Advocacy seat.

(iii) 25 validated signatures shall be required to be placed on the ballot for any other school or college Senate seat other than the School of Information Sciences.

(iv) 10 validated signatures shall be required to be placed on the ballot for the School of Information Sciences.

**Section 3.04 Signature Validation**

(a) All signature sheets shall be turned into SAPS. This office shall validate signatures and forward them to the Commission. The office shall track the order of received signatures. The Commission shall not, under any circumstances, have the authority to validate or invalidate signatures.

**Section 3.05 Candidate Training**

(a) All eligible candidates must attend a campaign training session, coordinated and facilitated by SAPS, to learn about positive, fair, effective, and clean campaign practices.
Article IV. Write-In Candidates

(a) For all SA elections, the Commission shall include one of the following for each available position:

(i) Option for a write-in candidate:

1) In this case, a write-in candidate option will be provided for each of the available seats for that position.

2) Write-in candidates shall be subject to the same eligibility requirements and campaign rules and regulations as regular ballot candidates.

3) Should the Commission find write-in candidates to have violated campaign rules and regulations, they may be prohibited from taking a seat subject to the campaign rules and regulations.

4) Write-in candidates must obtain at least as many votes as their sought position requires signatures, subject to Article III, Section 3.03, to be elected (e.g. If a seat requires 50 signatures to be included on the ballot and a write-in candidate receives 49 or less votes, they shall not be considered elected. If the student receives 50 or more votes, they shall be considered elected, provided they have more votes than the other candidates).

5) If the write-in candidate(s) and ballot candidate(s) are tied at the closing of polls, a run-off election shall be held subject to Article II, Section 2.04 (a) (i), with all tied candidates appearing on the ballot.

6) If two or more write-in candidates are tied at the closing of polls, a run-off election shall be held subject to Article II, Section 2.04 (a) (i), with all tied candidates appearing on the ballot.

(ii) Option to reopen nominations:

1) In this case, a checkbox shall be provided. Should "Reopen nominations" receive more votes than any candidate, the Commission shall hold a special election within one month of the polls closing. Special elections shall only be held for positions where "Reopen nominations" received more votes than candidates. All other positions will stand elected.

(b) The Commission shall, subject to a majority vote, decide which of the two above-mentioned options to include on the ballot prior to nominations opening.

Article V. Referenda

Section 5.01 Constitutional Referenda
A constitutional referendum may be requested according to the process outlined in the SA Constitution.

(i) Only the Commission shall be authorized to conduct referenda.

(ii) In the event that 5% of SA members request a constitutional referendum:

1) Signatures shall be turned in to the SAPS office by the petitioner for verification.

2) Signatures shall not be considered if the petitioners did not provide signatories with reasonable access to the proposed amended constitution prior to signature collection.

3) SAPS shall have three school weeks to verify the signatures.

4) Within one month of the signature verification, the Commission shall hold a referendum open to all members of SA to vote on the adoption of the amended constitution.

(iii) In the event that the SA Senate votes to request a constitutional referendum:

1) Within one month of the senate vote, the Commission shall hold a referendum open to all members of SA to vote on the adoption of the amended constitution.

(iv) No referendum shall be held until Student involvement has approved the proposed constitutional amendment, subject to University policy, which requires that all student organization governing documents be approved by Student Involvement.

(v) All referenda must be advertised to the student body, and the proposed amendments made available for voting members to review both prior to and during the referendum.

(vi) The Commission shall provide the proposed constitutional amendment in both its original form, and in the form of a brief executive summary of the changes.

(vii) Results of the referendum shall be communicated within 24 hours of the polls closing.

Section 5.02 Non-constitutional referenda

(a) Any non-constitutional referenda shall be conducted after a majority vote of the Commission, following referral from the Senate.

(b) Following referral from the Senate, the Commission shall have one week to meet and vote on whether or not to hold the referendum.
(c) Following the Commission vote, the Commission shall have one month to advertise and hold the referendum.

(d) Results of the referendum shall be communicated within 24 hours of the polls closing.

Article VI. Appeals

(a) All students have the right to appeal to the Commission regarding its decision. Students may make a final appeal to the OAC.

Article VII. Election Timeline Requirements

Section 7.01 Regular Elections

(a) At the beginning of the election cycle, signature forms shall be made available.

(b) Candidates shall have at least three weeks to obtain signatures.

(c) SAPS shall have no less than one week to complete signature validation and candidate training.

(d) Eligible candidates shall have at least four school weeks to campaign.

(e) A Commission-sponsored elections kickoff event shall mark the end of the campaign period.

(f) The polling period shall take place over three days, the last of which shall be no later than the last Thursday of spring semester classes.

Section 7.02 Freshman and Special Elections

(a) Candidates shall have one week to collect signatures.

(b) SAPS shall have one week to complete signature validation.

(c) Eligible candidates shall have one week to campaign.

(d) The polling period shall take place over one school day. Freshman elections shall take place in October.

Article VIII. Addenda

(a) Addendum 1 – Campaign Rules

(b) Addendum 2 – Election Timeline
Article IX. Amendments

(a) Amendments to these bylaws shall be made by a two-thirds (2/3) majority vote of the Student Association Senate. Amendments shall not take effect in the same academic year in which they were made. Amendments may not be made in the period between a general election and the elected Senate taking office, pursuant to Article X, Section 10.01 (b) and (c) of the Student Association Constitution.

(b) Amendments to addenda created by these bylaws shall require a majority vote of the Commission.

Article X. Enactment

(a) These bylaws shall supersede all previous Commission bylaws. These bylaws shall take effect upon approval of the Student Association Board of Trustees by a two-thirds (2/3) majority vote.

[Signature]
Nik Rettinger III
SA Board of Trustees Chair

4/27/14
Date

AYE: 12

NAY: 0

Legislative History

December 8, 2013: Approved by the Student Association Board of Trustees
April 25th, 2014: Amendments authored by Independent Election Commission Chair Carla Greve
April 27th, 2014: Presented to the Board of Trustees
Independent Election Commission Bylaws – Executive Summary of Amendments

- Lines 1-6: Added purpose of Commission: “to ensure that all elections, special elections, and referenda of the Student Association (hereafter referred to as the SA) are run in an open, secure, transparent, and fair process with maximum student participation.”
- Line 113: “Issues” to “Advocacy”
- All instances of “University Student Court” or “USC” to “Oversight and Appeals Commission” or “OAC”
- Formatted to reflect current legislative template
- Article IV: Write-in Candidates (lines 127-158)
  - Write-in candidates will be held to the same standards as candidates on the ballot, and must receive the same number of votes as the amount of validated signatures they would have been required to obtain in order to get placed on the ballot (see Article IV, (a) (i) 4) for more details – lines 139-144)
- Article V: Referenda (lines 159-197)
- Changed Article IX to reflect SA Constitution

04/27/2014