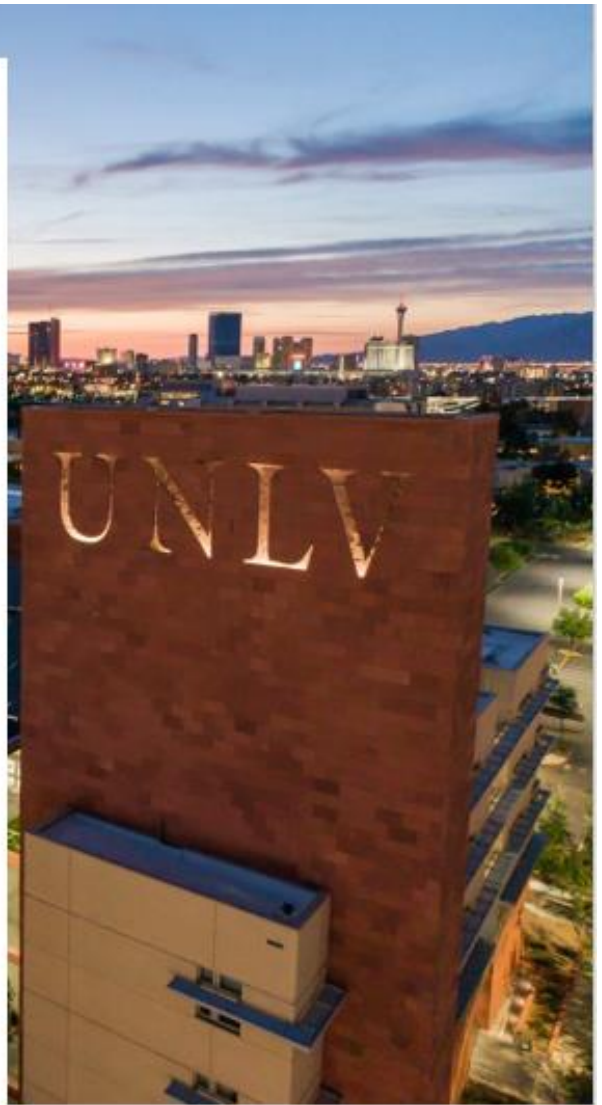


2023 Election Rules



Academic Year
2022 – 2023

Graduate & Professional Student Association
University of Nevada, Las Vegas
gpsaelections@unlv.edu



2023 GPSA Election Rules

Preamble

The Elections Rules shall specify regulations and procedures for the elections of the graduate and professional student government (GPSA) of the University of Nevada, Las Vegas. The Elections Commission is the primary authority to enforce these rules. Any materials distributed by the Elections Commission are intended to facilitate the fair execution of GPSA elections, but are not to be thought of as substitutes for these rules. Should instances arise where materials distributed by the Elections Commission appear to conflict with these rules, the rules shall prevail.

Definitions

- A. **campaign-related activity**: Any activity designed to promote a candidate for GPSA office.
- B. **campaign materials**: Any materials designed to promote a candidate for GPSA office.
- C. **candidate**: Any person seeking an office in GPSA who has met the qualifications outlined in the GPSA Constitution, GPSA Bylaws, and this document and has submitted all necessary filing paperwork by the established deadlines.
- D. **academic/business day**: Any day other than a Saturday, Sunday, or campus holiday where campus business operations are closed.
- E. **calendar day**: Every day on the calendar (all 365 days of the year or 366 if it is a leap year).
- F. **physical campaigning**: Any public campaign-related activity which involves the distribution of physical materials including, but not limited to, posters, flyers and t-shirts.
- G. **verbal campaigning**: Any public campaign-related activity via spoken word that does not include private conversations with acquaintances.
- H. **electronic campaigning**: Any campaign-related activity via digital media including, but not limited to, websites, social media, e-mail and text messages.
- I. **endorsement**: Any person or group which engages in campaign-related activity OR uses funds to support any campaign-related activity on behalf of a candidate(s).
- J. **sanctions**: Means of enforcement used to provide incentives for obedience with the GPSA election rules and regulations.
- K. **penalty**: Penalties are imposed on parties by the Elections Commission who disobey the GPSA election rules and regulations. A penalty could be candidate disqualification.
- L. **GPSA officers**: president, vice president, treasurer, and secretary.
- M. **student body**: all students admitted into a graduate or professional program or graduate-level certificate program at UNLV AND enrolled in at least one (1) credit hour the semester the election is held.
- N. **listserv**: electronic mailing list software application

Section I. General Rules

- A. Any person who wishes to become a candidate for an electable executive board office must complete and submit an official declaration of candidacy application during the filing period specified in the elections schedule.
- B. A candidate's application must specify which office they wish to run for, AND a candidate may only run for one office.
- C. All candidates and campaigns will be subject to the University of Nevada, Las Vegas (henceforth "university") policies. Violation of any university policy by a candidate or campaign worker may, at the discretion of the Elections Commission, result in disqualification of the candidate.
- D. Candidates are required to adhere to UNLV's Student Conduct Code, located here: <https://www.unlv.edu/studentconduct/student-conduct>. If the code of conduct is violated, offenders will be referred to the Office of Student Conduct by the GPSA professional staff.
- E. The use of campus buildings and open spaces for campaign-related activity must meet the requirements set forth in UNLV's Guidelines for Scheduling University Facilities, which includes UNLV's posting policies (Section II, Subsection 15) located here: <https://www.unlv.edu/campuslife/scheduling-guidelines>.
- F. Candidates are required to adhere to all federal, state, and local laws. NOTE: The Elections Commission will not pass judgment on any unlawful conduct, as it is outside our jurisdiction. Potential violations of federal, state, or local laws filed with the GPSA Elections Commission will be transferred to the UNLV Office of General Counsel for review and possible legal action.
- G. Any individual who does not meet the requirements set forth in this document will not be considered a candidate in this election.
- H. Failure to abide by the regulations set forth in this document is not excused by ignorance.

Section II. Eligibility

- A. Anyone serving on the Elections Commission cannot run for GPSA Executive Board. Elections Commission members who decide to run for Executive Board must resign at least 30 calendar days before the filing period begins.
- B. Candidates for the GPSA Executive Board must meet the following criteria:
 - Enrolled and admitted into a graduate or professional program or graduate-level certificate program at UNLV
 - In good academic standing with the university
 - Cannot have any open student conduct investigations
 - Cannot be on academic probation
 - Must have a minimum 3.0 GPA

Section III. Campaigning

- A. All campaigning will be conducted in a manner that will not interfere with the classroom or business activities of the campus.
- B. Campaign-related activities are permitted from the time all candidates are announced on March 27, 2023, through 5:00 PM April 12, 2023.
- C. Any UNLV- or GPSA-owned, -supported, or -managed, social media accounts or pages, logos, or other resources are strictly prohibited in the creation of campaign materials or for campaign-related activity. GPSA officers and officials, and their respective position titles, are not considered property of GPSA.
 - a. This provision includes the UNLV Scarlet and Gray Free Press and other university publications, and KUNV and its general programming;
 - b. But excludes the UNLV Scarlet and Gray Free Press candidate profile section, the use of GPSA marketing materials available to all students, privately purchased UNLV attire, and student-run shows broadcast on KUNV.
 - c. Campaign materials requested through the Elections Commission are not considered GPSA-owned property once the candidate obtains requested materials.
- D. Candidates are not permitted to create their own polling place or voting location by allowing others to use personal laptops, cell phones, or other electronic devices to cast votes.
- E. No campaign-related activity is permitted in the following areas:
 - a. Graduate Student Commons on the second floor of Lied Library (LLB 2141) or in the elevators.
 - b. Graduate College, second floor of the Gateway Building (GTW) or in the elevators.
 - i. This includes the GTW Graduate Commons space.
 - c. On yard signs
 - d. Newspaper stands
 - e. Any off-campus location
- F. Electronic campaigning is subject to all policies and procedures outlined in this document.
 - a. Campaign-related materials **without graphics** such as social media posts must be ethical and do not require prior approval by the Elections Commission. The Elections Commission will review reported posts of questionable misconduct, outlined in Section V, Subsection F of this document.
- G. Physical and verbal campaigning may only take place within UNLV's campus, and in accordance with university policies and procedures.
 - a. All campaign-related materials **with graphics, images, or videos** must be submitted to and approved by the GPSA Elections Commission before being distributed, posted, or displayed by a candidate. Failure to provide materials to the Elections Commission prior to posting or posting unapproved materials will result in a penalty. A member of the Elections Commission will approve or deny any submitted material within three (3) business days. In the event that materials are denied, the Elections Commission will include a brief explanation.
 - b. Once approved, all campaign-related materials must be accompanied by an expenditure report before posting. This expense report must include receipts for materials or explanations if no receipt can be provided. See Section III, Subsection I for more information on campaign financing.

H. Campaign Material Provisions

- a. Campaign materials and promotional resources must be equitably accessible by all candidates.
- b. The Elections Commission will use the GPSA listserv to the student body to announce GPSA elections, the candidates, the voting period, and how students may cast their vote. The Elections Commission may not advocate any specific candidate.
- c. Candidates may not use or be promoted by:
 - i. departmental or program listservs
 - ii. college or school listservs
 - iii. university listservs
 - iv. listservs obtained through the Registrar's Office or any other university administrative unit
 - v. other official university channel not equally accessible by other candidates

I. Campaign Financing

- a. Expenditures – \$250 limit on campaign expenditures is placed on all candidates.
- b. The limit on campaign expenditures includes all contributions of funds, services, and donations to the candidate and personal expenditures by the candidate. (Candidates must be able to directly trace their funds).
- c. Candidates may not purchase materials/donate funds for another candidate's campaign.
- d. All campaign-related materials must be approved by the Elections Commission and an expenditure report must be submitted before posting using the online form on the GPSA Elections webpage, <https://www.unlv.edu/gpsa/elections>. This expense report must include receipts for materials or explanation if no receipt can be provided.
 - i. Example of no receipt explanation: Flyer printed on campus would cost \$0.03 for black & white pages, \$0.25 for color pages. The expense report should state "8 ½ by 11-inch flyer, 50 color printed, 100 B&W printed, 50 flyers at \$0.25 per page for \$12.50, 100 @ \$0.03 per page for \$3.00, totals \$15.50"
 - ii. If flyers are printed at home, estimate costs for 8.5x11 inch flyer as follows: black & white at \$0.03 per page, \$0.25 cents per page for color.
 - iii. Candidates should provide sources for how they estimated other costs without receipts.
 - iv. Failure to produce real-time expenditure tracking will result in a penalty and will be escalated to the Elections Commission for review.

J. Ballot Ticketing

- a. Tickets - Students may campaign together informally. The GPSA Elections Commission does not recognize formal campaign tickets. Students are not required to run for election with another student. All votes cast are for one candidate per position, not the ticket.
- b. Any physical or purchased campaign materials must promote only one candidate.

Section IV. Voting

- A. Election Dates: see GPSA Bylaws Article VII, Section I, Subsection j.
- B. Polling Locations
 - a. All polling locations are classified as either a “physical polling location” or an “electronic polling location.”
 - b. Physical Polling Location: Any location on campus in which GPSA facilitates voting in an election using online voting methods.
 - i. The Graduate Students Commons, LLB 2141, on the second floor of the Lied Library is a physical polling location.
 - c. Electronic Polling Location: Any active device through which GPSA election ballots may be distributed including, but not limited to, laptop computers, mobile phones, and computer workstations.
 - d. Votes may be cast entirely online and without the use of any physical polling locations offered by the GPSA.
- C. The GPSA uses electronic voting only. Electronic voting will be conducted via an online voting service approved by the GPSA Council. (The GPSA uses CollegiateLink via the UNLV Involvement Center).
- D. No person shall be prevented from voting within the scheduled voting period. Any issues involving voting should be escalated to the GPSA Manager in a timely manner (within at least 2 hours before the polls close).
- E. Voter’s Guide. This packet will be created by the Elections Commission with the assistance of the GPSA Manager. The Voter’s Guide will be disbursed to the electorate by the Elections Commission when the candidates are announced on March 27, 2023. The Voter’s Guide shall include relevant election information including, but not limited to, election dates, each candidate’s declaration of candidacy materials, how to cast a vote, and how to register an election complaint or report a violation.
- F. Qualifications of Voters
 - a. A person must be a GPSA member to be eligible to vote in a GPSA election.
 - i. All students that meet the criteria listed below are considered members of the Graduate & Professional Student Association (GPSA)
 - ii. admitted into a graduate or professional program or graduate-level certificate program at UNLV AND
 - iii. Enrolled in at least one (1) credit hour AND
 - iv. Paid the GPSA semesterly student fee (included as part of the “tuition and fees” paid at the beginning of each semester)
 - b. Students shall provide valid ACE account credentials to electronic polling locations in order to access the ballot via the Involvement Center.
- G. Counting of the Ballots
 - a. The GPSA Manager shall count the votes in the presence of two (2) members of the Elections Commission.
 - b. The GPSA Manager and two members of the Elections Commission will sign the ballot count to certify the election results.
 - c. In the case of a tie, the Elections Commission will notify the tied candidates and notify the electorate that a run-off election will be held. The run-off election will begin at 8:00 AM the following academic day after the ballot count and will continue for two calendar days concluding at 5:00 PM. No candidates may campaign during this period.

The Elections Commission will be responsible for communicating all information surrounding the run-off election to the candidates and to the electorate.

Section V. Election Complaints and Violations

A. Standing Meetings

- a. The Elections Commission shall establish three (3) dates for standing meetings to review submitted complaints. The dates of these meetings will be announced to the GPSA Council and included in election materials distributed to the candidates.
- b. The content of each meeting must be considered five business days in advance on a case-by-case basis to be in accordance with Nevada Open Meeting Law.
- c. If there are no new complaints to review three (3) business days before a set meeting time, the standing meeting will be canceled unless it is used for a judicial proceeding.

B. Establishment of a Complaint Review

- a. Election complaints must be submitted through the GPSA Election Complaint Portal.
- b. All parties will be notified as soon as possible (automatic email through the electronic portal is preferred) that a complaint has been filed and the date when the complaint will be reviewed by the Elections Commission.
- c. Complaints are reviewed at the standing Elections Commission meetings.
- d. The Election Commission may dismiss complaints they deem to be spurious or out of order by a majority vote. In the event of a dismissal, a member of the Elections Commission will inform the complainant of the dismissal and provide a brief explanation.
- e. Upon receiving and approving a complaint, the Elections Commission will contact the complainant and the involved candidate and inform them of the date of the judicial hearing in which the complaint will be reviewed further if the penalty cannot be determined during the standing meeting.

C. Complaint Review Requirements

- a. The Elections Commission will prepare an agenda of any complaints to be reviewed in the standing meeting three (3) business days prior to the meeting.
- b. A quorum (50% plus 1) of Elections Commission members must be present. Any decision by the Elections Commission shall be a majority vote of the seated membership in attendance.
- c. A member of the Elections Commission will keep minutes for the meeting and record the results of any complaint reviews.

D. Complaint Review Process

- a. During a complaint review in one of the standing meetings, an Elections Commission member will read the details of the complaint in full.
- b. The complainant and the involved candidate (in this order) will then be given equal time (15-minute limit) to discuss the details of the complaint and argue its merit. Any party not present at the meeting forfeits their right to speak. Absent parties may submit a written statement if they cannot attend the meeting. This statement will be read publicly by a member of the Elections Commission.
- c. The complainant and the involved candidate (in this order) will then be given equal time (5-minute limit) to suggest a fair penalty should the Elections Commission rule in favor of the complainant.
- d. The complainant and the involved candidate will then be dismissed from the meeting while the Elections Commission deliberates on a ruling and potential penalties (closed to the public).

- e. After deliberation, the Elections Commission will vote whether there is clear and convincing evidence to rule in favor of the complainant.
- f. If a majority of the present members of the Elections Commission rule in favor of the complainant, the Elections Commission will discuss a penalty to impose on the involved candidate. The approved penalty imposed requires a majority vote of the present members of the Election Commission.
- g. The complainant and the involved candidate will then be invited to return to the meeting and a member of the Elections Commission will read the decision and any penalties imposed.

E. Appeal Process

- a. The complainant or the involved candidate may appeal the Elections Commission's decision, or any penalty imposed to the GPSA Rules and Ethics Committee.
- b. The Rules and Ethics Committee shall schedule an appeal meeting where the appealing party, a representative from the Elections Commission, and the other party from the original complaint will be invited to the appeal.
- c. The Elections Commission representative will present the original complaint and explain the ruling and potential penalty imposed at the original complaint's review.
- d. The appealing party will then be given 15 minutes to discuss why they disagree with the decision and believe it warrants an appeal. The other party will be given equal time to discuss their position on the decision from the original complaint review meeting.
- e. The Rules and Ethics Committee will then privately discuss the merits of the appeal before rendering a decision on whether to overturn the initial decision and/or any associated penalties. The Chair of the Rules and Ethics Committee shall abstain from a vote except to break a tie.
- f. At least a two thirds majority (66% of voting members) is required to overturn the decision of the Elections Commission.
- g. The Rules and Ethics Committee may decide to add, reduce, or eliminate penalties for an involved party. Such a decision requires a two thirds majority vote (at least 66% of voting members).

F. Sanctions

- a. The GPSA Elections Commission shall review questionable misconduct which includes, but is not limited to the following:
 - i. Threatening, harassing, and bribing any member of the GPSA Elections Commission, other candidates, students, UNLV faculty, staff and representatives, and eligible voters;
 - ii. Defacing, removing, destroying, altering, or covering another candidate's campaign materials;
 - iii. Slanderous, libelous, crude, distasteful, vulgar, or personal attacks against another candidate or candidates.
 - iv. Any of these acts of misconduct may result in a candidate's disqualification.
- b. Penalties the Elections Commission may enforce could include but are not limited to:
 - i. A verbal or written warning
 - ii. Revoke candidate's right to distribute campaign materials
 - iii. Fines
 - iv. Disqualification from the election

Section VI. 2023 GPSA Executive Board Officer Election Schedule

- A. All times are local (Pacific Time/PT)

- B. The candidate filing period will open at least three (3) weeks prior to the first date of the election.
- C. Candidates will be announced at least one (1) week prior to the first date of the election.
- D. Any person who wishes to become a candidate for an electable executive board office must file by completing and submitting the official declaration of candidacy application before the deadline specified in the elections schedule.
- E. To file, complete and submit this online form:
https://unlv.co1.qualtrics.com/jfe/form/SV_3F9htOKuXwghdEa
- F. Please see the timeline below for important dates and details surrounding the GPSA 2023-2024 GPSA Executive Board Elections.

GPSA Executive Board Elections Spring 2023 Semester Timeline

February 2: Formation of the Elections Commission (GPSA Council Meeting, 42-07).

February 6: Deadline for members of Elections Commission to formally resign, in writing to gpsa@unlv.edu, if they intend to run for the GPSA Executive Board.

March 8-21: Filing Period. Declaration of Candidacy Application Portal is open.

March 22-24: Vetting of candidacy applications to confirm eligibility.

March 27: Candidates for GPSA Executive Board announced by the Elections Commission.

March 27: Voter's Guide distributed to the electorate by the Elections Commission.

March 27-April 12: Designated campaigning period.

April 6-April 12: Voting. Vote casting begins at the conclusion of the GPSA Council meeting on April 6th (7:00 PM) and concludes at 5:00 PM on April 12th.

April 19: Pending any outstanding election complaint hearings, election results will be certified (finalized) within one week after voting concludes and announced to the student body by the Elections Commission.

Section VII. The Elections Commission

The Elections Commission oversees all GPSA elections. They enforce election and campaign rules and principles, which are set forth by the Rules & Ethics Committee each year. The Elections Commission will update the GPSA Council of applications received for candidacy, election dates, and election/campaign protocols. Additionally, the Commission will oversee all election related activities and communications, such as informing the graduate and professional student population of election dates and procedures, as well as receiving and adjudicating reported violations through a judicial hearing. The Elections Commission shall certify that the election has been conducted equitably in accordance with GPSA's election rules and regulations, the GPSA Constitution, and the GPSA Bylaws.

NOTE: Nevada Open Meeting Law OML permits a public body to close its meeting to the public to consider a person's character, alleged misconduct, professional competence, or physical or mental health. Such a session, whether open or closed, cannot be held unless the subject of the meeting has been given written notice of the time and place of the meeting by certified mail at least 21 days prior to the meeting, or by personal service at least five days prior to the meeting.

Source:

https://ag.nv.gov/About/Governmental_Affairs/OML/#:~:text=Nevada%20law%20provides%20for%20some,the%20legislature%20and%20legislative%20committees.

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