



The Joint Code of the Student Government of the University of North Carolina at Chapel Hill

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Title I.

General Regulations

Chapter 1. Student Government

Article I. Purpose of Student Government

§110. Purpose of Student Government

Student Government is the means by which students can participate in the decision-making process within the University of North Carolina at Chapel Hill. Students are able to voice their opinions with university administration; develop and implement policies that impact student life; and allocate student fee money to campus organizations. Through these activities, Student Government endeavors to enrich each student's experience at the University of North Carolina at Chapel Hill.

Article II. Composition of Student Government

§120. Governing Bodies of the Joint Student Government

The Joint Student Government shall consist of the Student Body President (SBP), the Joint Governance Council (JGC), the Student Supreme Court (SSC), the Undergraduate Student Government (USG), The Graduate and Professional Student Government (GPSG), the Board of Elections, designated Independent Agencies, and appointees to external organizations.

§121. Independent Agencies

- A. Independent Agencies shall fulfill specific directives and responsibilities as established in the Student Constitution and Code.
- B. In addition to any other Independent Agencies designated in the Student Code, the Independent Agencies shall specifically include the following:
 1. Campus Recreation Board,
 2. Carolina Athletics Association,
 3. Carolina Union Board of Directors,
 4. Chancellor's Child Care Advisory Committee,
 5. Committee on Student Conduct,
 6. Hardship Parking Committee,
 7. Renewable Energy Special Projects Committee,

- 8. Residence Hall Association,
 - 9. Student Advisory Committee to the Chancellor,
 - 10. Student Fee Audit Committee,
 - 11. Student Grievance Committee,
 - 12. Student Leadership Advisory Committee to the Vice Chancellor of Student Affairs,
 - 13. Student Legal Services Board of Directors,
 - 14. Student Library Advisory Board,
 - 15. Student Safety and Security Committee,
 - 16. Student Television Board of Directors, and
 - 17. WXYC Board of Directors.
- C. Membership for the Independent Agencies shall be in proportion to the number of undergraduate and graduate/professional students in the Student Body, unless superseded by another law.
 - D. If a dispute occurs regarding the proportionality of appointees, the decision lies with the legislative members of the Joint Government Council.
 - 1. Any appeal will be heard by the Supreme Court.
 - E. Members of Independent Agencies shall be appointed in the manner prescribed in the constituency-specific (USG and GPSG) Student Codes

Article III. Student Government Inclusivity

§130. Non-Discrimination Policy

Student Government shall not discriminate on the basis of age, gender, race, color, national origin, religion, creed, political ideology, political affiliation, political party, disability, veteran status, sexual orientation, gender identity, gender expression, or genetic information.

§131. Free Speech Policy

Student Government will not discriminate on the basis of ideological differences in the disbursement of student fees, in accordance with University policy and state law.

Article IV. Student Government Public Accountability & Public Record Policies

§140. Open Meetings

- A. Student Government organizations shall be subject to the laws pertaining to the Meetings of Public Bodies (Article 33C of Chapter 143 of the North Carolina General Statutes).
- B. The date, time, location, and agenda of all Student Government meetings shall be published no later than forty-eight (48) hours before the meeting by means of the website reserved for the Body or Agency holding the meeting.

§141. Public Records and Archives

- A. The minutes of all meetings and all legislation and resolutions passed by Student Government Bodies and Agencies shall be considered Public Record.
- B. Full and accurate minutes—including a record of all votes taken—shall be taken at all Student Government meetings.
- C. Each Student Government Body or Agency shall maintain a public website and/or Heellife website which shall host an up-to-date list of officers, the minutes of the Body or Agency's meetings, and all relevant governing documents, including but not limited to resolutions, legislations, and operating documents.

Article V. Student Government Officers

§150. Qualifications of Officers

- A. All officers of Student Government must be enrolled as a fee-paying student at the University of North Carolina at Chapel Hill.
- B. All officers shall belong to the constituency which they represent.

§151. Oath of Officers

- A. Each officer of Student Government shall take an Oath of Office.
- B. The Oath of Office shall be: "I, (full name), do affirm that I will preserve, protect, and defend the general welfare of the Student Body at the University of North Carolina at Chapel Hill and its Constitution and all laws enacted under its authority."

- C. The Oath of Office shall be administered either verbally or in writing.
- D. The Oath of Office shall be administered by the Chief Justice of the Supreme Court or by another officer of Student Government who stands above the new officer in the Student Governmental hierarchy.

§152. Dual Service of Officers

- A. The Senate of the Undergraduate Student Government and The GPSG shall determine the dual-service guidelines for their respective governments except where guidelines have already been established by the Constitution or Joint Code.
- B. The Student Body President shall jointly hold the office of either Undergraduate Student Government President or The GPSG President, depending on the constituency from which they come, and shall hold no other office concurrently.
- C. Whichever Constituency President—the Undergraduate Student Government President or The GPSG President—is not serving as Student Body President shall hold no other office concurrently.
- D. The following Joint Governance officers shall not hold another office concurrently with their position:
 - 1. Chair of the Joint Governance Council,
 - 2. The Student Body President Executive Secretary,
 - 3. The Student Body President Executive Advisors,
 - 4. Members of the Board of Elections,
 - 5. Justices of the Supreme Court,
 - 6. The Graduate and Undergraduate Attorneys General,
 - 7. The Graduate and Undergraduate Honor Court Chairs,
 - 8. The GPSG and Undergraduate Solicitors General,
 - 9. The President of the Residence Hall Association, and
 - 10. The President of the Carolina Athletic Association.

- E. Any officer holding a position that is prohibited from holding two offices under this Code who accepts another such position shall be deemed resigned from the position that the person first held.

§153. Compensation of Officers

- A. The Undergraduate and The GPS Senates shall determine which offices of their government are stipended and the amount of stipends.
 - 1. Exception: The President serving as Student Body President shall not be paid less than the president of the other constituency.
 - 2. Exception: If the Joint Governance Council determines that other Joint Positions should be stipended, the stipend for the same office (e.g., the Justices of the Supreme Court) shall be the same.
 - 3. Exception: If the Joint Governance Council determines that other Joint Positions should be stipended and those positions do not naturally divide along the constituencies, Joint Legislation shall be passed delineating responsibilities for payment.
- B. No member of Student Government shall be entitled to nor shall they accept a stipend, salary, or any other form of compensation for the purpose of holding a position within Student Government from any other source other than the Undergraduate or The GPS Senates.
- C. No person shall be entitled to nor shall they accept two or more sources of stipend, salary, or any other form of compensation originating from Student Fees.

Chapter 2. Student Government Appointments

Article I. General Appointments

§210. Definitions

- A. A **nomination** shall be defined as the act of nominating a nominee to a committee, board, or other position within Student Government.
- B. An **appointment** shall be defined as the act of placing a person in office following their corresponding confirmation process.
- C. A **nominee** shall be defined as any student who receives a nomination by an authorized official or body as described by this Code.
- D. An **appointee** shall be defined as any student who receives an appointment by an authorized official or body as provided by this Code.
- E. An **undergraduate executive appointee** is defined as any appointee who represents the undergraduate executive branch.
- F. A **GPSG executive appointee** is defined as any appointee who represents The GPSG executive branch.
- G. An **undergraduate senate appointee** is defined as any appointee who represents the undergraduate senate.
- H. A **GPS Senate appointee** is defined as any appointee who represents the GPS Senate.
- I. **Discretionary appointees** shall consist of the appointees of the undergraduate senate, GPS Senate, undergraduate executive branch, and GPSG executive branch.
- J. An **appointer** shall be defined as the officer who had nominated the appointee.

§211. Discretionary Appointee

- A. Discretionary appointees shall provide their respective appointer with information relevant to the appointee's status as a student (including college of enrollment, terms of enrollment, and expected graduate date).
- B. A discretionary appointee shall update the appointer about the activities of their relevant committee or board.

- C. An appointer shall ensure that an appointee is familiar with their responsibilities.

§212. *Approval Process*

- A. All Student Government appointees identified in this title shall be confirmed according to the process outlined by their respective Senates.
- B. Unless otherwise stated, the term of all appointments may not exceed one year. However, when a student fills a vacant appointment, their term may not exceed the remainder of the term of the original appointee.

§213. *Review Process*

- A. Independent Agencies shall record in the official minutes the attendance record of all discretionary appointees from Student Government. That record will be made available to respective appointers.
- B. At any time, an appointer can instigate a review of their discretionary appointee on that appointee's attendance, performance, or the concern of others within the respective committee or board.

§214. *Vacancy in Leadership*

- A. In the event of a vacancy in the leadership of an independent agency, the bylaws or other rules governing the agency shall determine which individual in the agency shall assume the responsibilities of the vacant leadership position.
- B. If the bylaws or other rules governing the agency do not clearly designate an individual in the agency to assume the responsibilities of the vacant leadership position a provisional appointment shall be made by the relevant appointer within seven (7) calendar days of the vacancy.

§215. *Appointments*

- A. The following appointments shall be confirmed by the respective constituencies:
 - 1. Four (4) Undergraduate members and two (2) GAPS members on the Committee on Student Conduct (COSC)
 - 2. Nine (9) undergraduate members and five (5) GAPS members on the Student Advisory Committee to the Chancellor not including two (2) co-chairs, one of which will be a GAP and the other a USG member (SACC);

3. Three (3) undergraduate members and three (3) GAPS members on the Student Grievance Committee to serve until they graduate from their respective degree program.
 4. Two (2) undergraduate members and two (2) GAPS members on the Student Legal Services (SLS) Board of Directors
 5. One (4) undergraduate member and one (1) GAPS member on the WXYZ Board of Directors;
 6. One (2) undergraduate members and one (1) GAPS member on the STV Board of Directors;
 7. Four (4) undergraduate members and two (2) GAPS members on the Student Library Advisory Board (SLAB)
 8. One (1) undergraduate member and one (1) GAPS member on the Chancellor's Childcare Advisory Committee
- B. Additional appointments outlined elsewhere in the Joint Code shall be subject to the same appointment process.

Chapter 3. Summer Student Government

Article I. Joint Governance Summer Government

§310. *Student Body President*

- A. The Student Body President shall be required to maintain the duties of their office and shall be liable to *The Instrument of Student Judicial Governance* between the Spring and Fall semesters.
- B. The Student Body President shall not be required to enroll in classes during the summer term.

§311. *Joint Governance Council*

- A. The Joint Governance Council (JGC) shall not meet regularly between the Spring and Fall semesters.
- B. The Chairperson of the JGC shall be empowered to call an Emergency Session with the approval of both the Student Body President and the constituent president not serving as Student Body President.
 1. Members shall be able to attend and vote at a Summer Emergency Session of the JGC via electronic video or voice conferencing.
 2. Quorum for an Emergency Session shall be seven (7) members, including the Chairperson, the Presidents of both constituencies (or their proxies), and at least two other members from both constituencies, including at least one member from each Senate.
 - a. At least four (4) members of the legislative members of the Joint Governance Council shall be present if the session is called to consider Joint Legislation.
 3. Approval of business and legislation shall require a majority vote but shall not be approved solely by a vote of a single constituency.
 - a. In circumstances where a majority vote is achieved by a single constituency, business and/or legislation shall pass once they achieve one (1) vote in agreement from the other constituency.
 - b. If the majority is unable to obtain one (1) vote from the other constituency, the matter shall be tabled until a future meeting.

Chapter 4. The Student Fee Audit Committee

Article I. The Student Fee Audit Committee

§410. The Student Fee Audit Committee

- A. The Student Fee Audit Committee (SFAC) shall be an independent agency of both the Undergraduate Student Government and The GPSG and shall suggest changes in student fees and inspect all financial records of any organization receiving funds from either student government branch.
- B. The primary purpose of SFAC is to ensure that all fee levels are justified and that students receive the greatest return in quality of services for the investment of fee dollars. The Committee shall strive for responsible accounting of student fees in accordance with Board of Governors policies, but shall not operate or conduct business with an adversarial spirit.
- C. The Committee shall receive SAFO accounting services fee directly from the Student Government for all organizations receiving Student Government funds. This fee shall not be a direct Student Government Appropriation.
- D. The Committee shall have the power to inspect the financial records of any recipient of student fees and make appropriate recommendations to the appropriate bodies, including, but not limited to, the legislative branches of the Undergraduate Student Government and GPSG, the Student Fee Advisory Subcommittee (SFAS), and the organization being reviewed. Any student may petition any committee member to commence such an inspection.

Article II. Authority

§420. Oversight of the University-sponsored Financial Institution Housing Student Government Funds

The Student Fee Audit Committee shall:

- A. Act as a trustee for students, managing SAFO and its financial relationships with the University, student government, and University community;
- B. Approve the operating budget of SAFO no later than April 30 of each year for the following fiscal year;
- C. Receive an operating statement from the Director of SAFO reflecting budgeted versus actual income and expenditures from the current fiscal year prior to approving the operating budget for the next fiscal year;

- D. Review, approve, or reject all major operational changes and expenditures of SAFO;
- E. Upon the vacancy of the Director of SAFO, the committee shall consult with the Vice Chancellor of Student Affairs in selection of an applicant for the position. The University retains final authority for such a decision.
- F. Assist the University in the periodic performance evaluations of the Director of SAFO;
- G. Approve and review schedules of all fees charged to client organizations for the services of SAFO;
- H. Review or recommend termination of accounts failing to meet the standards of SAFO;
- I. Arbitrate disputes between SAFO and organizations holding accounts in SAFO;
- J. Advise and assist the Director of SAFO upon request;
- K. Inspect the records of any organization voluntarily keeping funds at SAFO and, if necessary, require an audit of any account within SAFO;
- L. Cooperate with periodic independent audits of SAFO as initiated by the University;
- M. Inspect, review, or approve the financial records of any organization receiving student activity fees.

§421. Levying and Expenditure of Student Fees

The Student Fee Audit Committee shall:

- A. Review, levy, and expend all student fees including the general fees levied against all students, including the Education and Technology Fee, Athletic Fee, Health Services Fee, and Student Activity Fee, as well as other special fees levied on specific populations of the student body;
- B. Evaluate the present allocation of fees and propose recommendations to the appropriate body regarding the action deemed appropriate by the committee;
- C. Seek to ensure that students are the primary beneficiaries of services rendered and that the quality of services justifies the level of the fee;

- D. Review any proposal to initiate an increase or decrease in student fees and evaluate the appropriateness of the proposal in the best interest of the student body.
- E. Collaborate with the Office of Finance and Administrator to determine the timeline for the fee review process.

Article III. Composition

§430. Committee Composition

- A. The committee shall consist of the following members:
 - 1. Undergraduate Student Government Treasurer (Co-Chair, ex-officio);
 - 2. GPSG Treasurer (Co-Chair, ex-officio)
 - 3. Undergraduate Student Government President
 - 4. Undergraduate Student Government Vice President
 - 5. Speaker of the Undergraduate Senate
 - 6. Finance Committee Chair - Undergraduate Senate
 - 7. Oversight & Advocacy Committee Chair - Undergraduate Senate
 - 8. GPSG President
 - 9. GPSG Vice President
 - 10. GPSG President Pro Tempore
 - 11. GPSG Finance Committee Chair
 - 12. Director of the Student Union (ex-officio, non-voting)
 - 13. Director of the financial institution housing student government funds (ex-officio, non-voting)
 - 14. Three (3) undergraduate appointees of the Undergraduate Student Government President
 - 15. Two (2) graduate/professional appointees of the GPSG President
- B. Appointees of the Undergraduate Student Government President, GPSG President, or students from each respective constituency shall serve for

one academic year but are not limited to one year of membership on the committee.

- C. The following characteristics shall be used to determine priority of selecting discretionary appointees of SFAC:
 - 1. A treasurer of an organization who has undergone student financial training;
 - 2. An Executive Assistant to either the Undergraduate Student Government Treasurer or GPSG Treasurer;
 - 3. Member of the Finance Committee of Undergraduate Senate or the Finance Committee of GPSG;
 - 4. Former member of SFAC;
 - 5. Previously certified treasurer of an organization who has undergone student financial training;
 - 6. Individual with other experiences and talents that uniquely qualify them.

Article IV. Meeting Practices

§440. General Practices

- A. The Committee shall hold regular meetings at least once per month during the academic year, not including summer sessions.
- B. The co-chairs of the Committee shall call special meetings of the committee when deemed necessary, or when requested by two-thirds of the membership of the committee.
- C. A quorum shall consist of a majority of qualified voting members of the committee and shall be required for conducting any business of the committee.
- D. All meetings of the Committee shall comply with North Carolina Open Meetings Laws.
- E. Notices stating the date, time, location, and purpose of all meetings of the Committee shall be published no later than forty-eight (48) hours prior to a meeting of the committee.
- F. Full and accurate minutes, including a record of all votes taken, shall be taken at all Committee meetings. The minutes of all meetings shall be

public record, unless public inspection would obstruct the purpose of the closed session. Minutes of all meetings shall be published online via each Student Government's website no later than seven (7) days following the meeting.

§441. *Voting*

- A. Recommendations of the Committee shall be required to be reached by majority vote.
- B. The co-chairs of the Committee shall vote only in the event of a tie vote.
- C. In the event that either chair is a member of a group being reviewed, he/she shall relinquish his/her duties as Chair until discussion/action is taken on that group. The Committee shall elect a co-chair to conduct the review of the group in question.
- D. No member of the committee shall vote on a matter concerning an organization in which he/she is a member.

§442. *Reports*

Following the action of the committee, the chairs for each respective student government shall present a report of the committee's activities to their respective student legislative branch in its next meeting following the actions of the committee.

Chapter 5. Hardship Parking Committee

Article I. Purpose

§510. Purpose of the Hardship Parking Committee

The Hardship Parking Committee (HPC) shall be an independent agency of Student Government and shall recommend a plan for distributing student parking permits, evaluate Hardship Parking Permit applications, recommend a plan for allocating Hardship Parking Permits, and hear any Hardship Parking appeals.

Article II. Membership of the Hardship Parking Committee

§520. Appointed Student Membership

The HPC shall consist of ten (10) members:

1. The GPSG Senior Vice President or their designee,
2. The GPSG Vice President for Advocacy and Government Affairs or their designee,
3. The GPSG Chief of Staff or their designee,
4. The GPSG Director of Safety and Security, or a designee identified by the GPSG Chief of Staff,
5. The GPSG Vice President for Finance or their designee,
6. The Undergraduate Vice President or their designee,
7. The Undergraduate Chief of Staff or their designee,
8. The Undergraduate Senate Speaker or their designee,
9. The Undergraduate Senate Oversight and Advocacy Chair or their designee, and
10. The Undergraduate Treasurer or their designee.

Article III. Structure and Officers of the Hardship Parking Committee

§530. *Leadership of the Hardship Parking Committee*

The HPC shall be administered by a Chairperson and Vice-Chairperson.

1. The Chairperson and Vice-Chairperson shall be elected by the HPC members at the first meeting.
2. The Vice-Chairperson shall be chosen from among the HPC members of the constituency (Undergraduate or Graduate and Professional) to which the Chairperson does not belong.

§531. *Duties of Hardship Parking Committee Leadership*

A. The Chairperson shall...

1. Preside over meetings of the HPC,
2. Serve as point person for communication concerning the HPC, and
3. Ensure the responsibilities of the HPC are being accomplished,

- B. The Vice-Chairperson shall assist the Chairperson in their duties and shall serve as acting Chairperson in the absence of the Chairperson.

§532. *Powers of Hardship Parking Committee Leadership*

- A. In the case where the Department of Parking and Transportation creates an altered timeline for hardship parking permits,
 - 1. The committee reserves the right to limit the number of appeals heard, and
 - 2. Each constituency shall provide up to two (2) additional members to read applications on the Hardship Parking Committee and hear appeals
- B. Special provisions may be made for the application process, direction, and communication of Hardship Parking Permits under the guidance of the Chair of the Hardship Parking Committee.

Article IV. The Hardship Parking Permit Process

§540. *The Hardship Parking Permit*

A Hardship Parking Permit provides a student, resident or commuter, with the privilege of paying for a parking spot on campus if they meet the Hardship Parking criteria.

§541. *General Requirements*

- A. The following are the general requirements for Hardship Parking Permit allocation:
 - 1. **Ownership of Vehicle**
 - a. Permits shall only be allocated to students who own a vehicle or have access to a vehicle through some formal and permanent relationship.
 - b. Permanent relationships shall include genetic relationships, marriages, and domestic partnerships.
 - 2. **Access to Vehicle**

Students who have access to a vehicle through a roommate, friend or non-formalized “significant other” shall not be eligible for a permit by this process; and
 - 3. **License and Registration**

- a. A Driver's License and a legible photocopy of a Vehicle Registration Card must be submitted upon the purchase of a Hardship Parking permit.
 - b. If the vehicle is registered to someone other than the applicant, an explanation of the relationship between the student and the owner must be included at the time of purchasing a Hardship Parking permit.
- B. The applicant has the responsibility of knowing all deadlines and public announcements listed on the application and the Transportation and Parking website.

§542. *Hardship Parking Criteria*

- A. The following are considered appropriate claims of Hardship Parking Permits:
1. **Familial Obligations.**
 - a. The familial obligation criterion applies to a student who has family members in need of legitimate assistance and require the student to travel off campus regularly to provide that assistance.
 - b. Familial obligations shall include children, elderly, spouses, domestic partner or disabled family member care.
 - c. Legal guardianships shall be classified under familial obligation if substantiated by formal documentation.
 2. **Work-Internships-Clinical Requirements**
 - a. The work-internship-clinical criterion applies to a student with career or professional opportunities which requires the student the need of transportation to and from campus.
 - b. Students who are obliged to work in order to maintain their relationship with the University (i.e. to pay tuition, to provide for personal needs such as housing, meals and transportation) or to receive University credit (i.e. clinical hours to earn a degree) shall be given the highest priority consideration regardless of the number of hours worked.
 - c. Applications which are filed under this category shall require a work site which is off-campus and at a distance from campus that necessitates the student to drive if an on-campus resident.

3. **Significant Extracurricular Involvement**

- a. The significant extracurricular involvement criterion applies to a student engaged in activities outside of school, which require the need for transportation to and from campus.
- b. Applications which are filed under this category shall require ten (10) or more hours per week devoted to involvement in extracurricular activities in a group or organization which is recognized by the Division of Student Affairs.

4. **Other Hardships**

- a. A student may have mitigating circumstances, which, upon review, may be acceptable as a claim of hardship.
- b. Applications which are filed under this category are subject to irrefutable substantiation and the committee reserves the right to require an interview.

B. **First-Year Undergraduate Student Policy**

1. According to official University policy, first-year undergraduate students are not allowed to park on campus. However, first-year students may apply for Hardship Parking if and only when they meet the family obligation criterion or they have a housing contract waiver.
2. If a first-year applicant meets the Hardship Parking criterion, they are only applicable to receive parking permit for locations specified per University policy.
3. Any appeals by first-year applicants should be directed to the Hardship Parking advisor from the Office of the Dean of Students.

§543. Documentation

- A. All claims shall be substantiated by some form of documentation, regardless of the nature of the claim.
- B. The Hardship Parking Committee may not request any documentation as proof of hardship that would violate HIPPA and/or FERPA policies. Supporting documentation should not include confidential information such as medical history specific conditions, social security numbers, etc.
- C. The following shall be considered appropriate forms of documentation which must be submitted for each category of criteria:

1. **Familial Obligations**

- a. **Children.** A signed statement from a medical professional or school administrator establishing the need for care of the individual for whom the student claims responsibility.
- b. **Elderly, Indigent or Disabled Family Member.** A signed statement from a medical professional establishing the need for care of the individual for whom the student claims responsibility.

2. **Work-Internships-Clinical Requirement**

- a. A signed statement from the student's supervisor, program director, or advisor substantiating the work relationship and outlining the student's tentative work schedule for the school year must be submitted.

3. **Significant Extracurricular Involvement**

- a. A signed statement from the organization's presiding officer or advisor which substantiates the student's involvement with the group and estimates the time per week the student spends engaged in the organization's activities.

4. **Housing Contract Waiver**

- a. For first year students, a waiver received from Carolina Housing indicating that they will not be living on campus.

5. **Other Hardships**

- a. Any documentation necessary to substantiate the claim of hardship including, but not limited to, legal or public records, witnesses, or statements from appropriately associated professionals supporting the student's claim must be submitted; and
- b. Contact information for any individuals making the statement supporting the student's claim.

D. Additional documentation which must be provided with every application includes:

1. Schedule with Applicable Criteria:

- a. All applicants must provide a schedule of their classes and the hours of their hardship criteria which will require the use of their permits.
- b. This schedule shall be used to determine the frequency that the requested parking spot will be used.

§544. *Application and Allocation Timelines*

- A. **Fall Semester.** The following timeline shall be met in order to complete the Hardship Parking application and allocation process efficiently for the fall academic semester:
1. The Chair of the Hardship Parking Committee shall report to the Director of the Transportation and Parking Department and the Manager of Parking for the Transportation and Parking Department no later than the first week of July to create a parking plan for the upcoming year.
 - a. The plan shall specify the numbers of permits from those available to be awarded to each student parking constituency for each lot and a system for prioritizing permit requests.
 - b. The plan shall also specify the negotiated platform for the Hardship Parking application.
 2. The Hardship Parking application shall be posted and announced no later than the second week of July and closed no later than the week before the start of the academic school year.
 3. The Hardship Parking committee shall review all applications and publicly post all permit assignments no later than two (2) weeks after closing the Hardship Parking application.
 4. All Hardship Parking recipients must purchase and claim their permits five (5) days following the posting of all permits.
 - a. Any permits not purchased five (5) days after the Hardship Parking Committee's allocation list is publicly posted shall be reallocated during the appeal process, unless an extension is granted by the Committee.
 5. All Hardship Parking appeals must take place no later than three (3) days following the permit claim deadline.
 - a. All appeal allocations must be posted two (2) days following appeals and permit recipients have five (5) days to purchase and claim their permits.
 - b. Any permits not purchased five (5) days after the Hardship Parking Committee's appeals allocation list is publicly posted shall be reallocated for the spring academic semester, unless an extension is granted by the Committee.

B. **Spring Semester.** The following timeline shall be met in order to complete the Hardship Parking application and allocation process efficiently for the spring academic semester:

1. The Chair of the Hardship Parking Committee shall report to the Director of the Transportation and Parking Department and the Manager of Parking for the Transportation and Parking Department no later than the last week of October to create a parking plan for the spring semester.
 - a. The plan shall specify the numbers of permits from those leftover to be awarded to each student parking constituency for each lot and a system for prioritizing permit requests.
2. The Hardship Parking application shall be posted and announced no later than the last week of November and closed no later than the week before the start of the second semester.
3. The Hardship Parking committee shall review all applications and publicly post all permit assignments no later than two (2) weeks after closing the Hardship Parking application.
4. All Hardship Parking recipients must purchase and claim their permits five (5) days following the posting of all permits.
 - a. Any permits not purchased five (5) days after the Hardship Parking Committee's allocation list is publicly posted shall be reallocated during the appeal process, unless an extension is granted by the Committee.
5. All Hardship Parking appeals must take place no later than three (3) days following the permit claim deadline.
 - a. All appeal allocations must be posted two days (2) following appeals and permit recipients have five (5) days to purchase and claim their permits, unless an extension is granted by the Committee.

§545. *Application Review Process*

- A. The following procedure shall be used to review claims for Hardship Parking Permits:
1. Applications shall be randomly distributed to committee members who shall evaluate the hardship parking claims.

2. An application shall not be reviewed by an individual who has a conflict of interest which could affect the outcome of the evaluation of the application.
 - a. This prohibition applies whether the conflict would have a negative or positive impact on the evaluation.
 - b. The only exception to this rule shall be when a fellow member of the Hardship Parking Committee member submits an application.
3. Each application shall be independently reviewed by a minimum of two committee members and ranked based on a prioritization scale of 0-5 in which 5 represents the highest recommendation for consideration.
 - a. The reviewers shall include at least one member of each constituency (undergraduate and graduate and professional).
 - b. The Chair shall participate in the review process.
 - c. Applications shall be reviewed and returned to the Chair within forty-eight (48) hours of distribution by each reviewer.
 - d. When the reviewers disagree, the application shall be randomly distributed to and reviewed by a third committee member and the advisor of the Hardship Parking Committee.
 - e. Reviewer recommendations shall be averaged to provide a final order of consideration for applications with higher averages receiving first consideration.
4. When a Student Hardship Parking Committee member submits an application,
 - a. The committee shall consider the application like any other application.
 - b. A committee member shall not review their own application.
5. At least the chair and two other committee members must agree on the final decision before granting Hardship Parking Permits.
 - a. The minimum required for a final decision shall include members from each constituency, undergraduate and graduate and professional.

6. Student Identification numbers shall be used to generate an allocation list of Hardship Parking Permit recipients through both the application review and appeal process.
7. The allocation list shall be posted publicly at locations indicated on the applications and on the Transportation and Parking website, after being submitted to the Parking Manager of the Transportation and Parking Department.
 - a. The Chair of the Hardship Parking Committee shall be responsible for submitting and posting the allocation list.
 - b. If deemed feasible, the Chair of the Hardship Parking Committee may also email all applicants with the allocation list. The email should be sent from the official Hardship Parking email address.

§546. *Appeals Process*

- A. The following procedure shall be used to appeal claims for Hardship Parking Permits:
 1. Any permits not purchased five (5) days after the Hardship Parking Committee's permit allocation list is publicly posted for both the fall and spring semester shall be reallocated during the appeal process.
 2. If an individual who had been previously denied a Hardship Parking Permit submits a petition for appeal which reveals new information, then they have the right to be granted an interview.
 3. The Hardship Parking Committee shall review the original application and the petition for appeal before the interview with said applicant.
 4. The Chair of the Hardship Parking Committee shall arrange interviews with all applicants who request the opportunity of arguing their case before the committee.
 5. During the appeals process, decisions on permit allocation shall be based on the same criteria as used during the original review process.
 6. After the interviews are conducted, committee members shall rank applications based on the prioritization scale of 0-5.
 7. At least the chair and two (2) other committee members must agree on the final decision before granting Hardship Parking Permits.

- a. The minimum required for a final decision shall include members from each constituency, undergraduate and graduate and professional.
8. The Chair of the Hardship Parking Committee shall be responsible for releasing the appeals allocation list (with the Student Identification numbers and permit allotted of each applicant) and submitting a copy to the Transportation and Parking Department.
 - a. If deemed feasible, the Chair of the Hardship Parking Committee may also email all appeals applicants with the appeals allocation list. The email should be sent from the official Hardship Parking email address.

Chapter 6. Student Safety and Security Committee

Article I. Purpose

§610. Purpose of the Student Safety & Security Committee

The Student Safety and Security Committee shall be an independent agency of Student Government and shall maintain and appropriate the Student Safety and Security Fee to campus organizations and university departments to promote student safety at UNC Chapel Hill.

Article II. Membership of Student Safety and Security Committee

§620. Appointed Membership

- A. The SSSC shall consist of ten (10) appointed members, six (6) undergraduate members and four (4) graduate and professional student members.
- B. The decision on how to divide these appointed members between the executive and legislative branches shall be determined by the individual constituent Senates.
- C. All appointees shall be vetted and approved via the appointee's constituent Senate.

§621. Ex-Officio Membership

The Undergraduate Student Government Treasurer and The GPSG Treasurer shall be ex-officio, non-voting members of the SSSC.

Article III. Structure and Officers of the Student Safety and Security Committee

§630. Leadership of the Student Safety and Security Committee

- A. The SSSC shall be administered by a Chairperson and Vice-Chairperson
 - 1. The Chairperson and Vice-Chairperson shall be elected by the SSSC members, at the first meeting following all appointees' senatorial approval.
 - 2. The Vice-Chairperson shall be chosen from among the SSSC members of the constituency (Undergraduate or Graduate and Professional) to which the Chairperson does not belong

§631. *Duties of the Student Safety and Security Committee Leadership*

A. The Chairperson shall...

1. Preside over meetings of the SSSC,
2. Serve as point person for communication concerning the SSSC,
3. Ensure the responsibilities of the SSSC are being accomplished, and
4. Provide the Speaker of the UGS Senate and the Vice President of the GPSG with a report detailing the disbursement and balances of the prior month such that this report may be disseminated to the respective Senates.

B. The Vice-Chairperson shall assist the Chairperson in their duties and shall serve as acting Chairperson in the absence of the Chairperson.

Article IV. Practices and Procedures of the Student Safety and Security Committee

§640. *Quorum*

Quorum for conducting the business of the SSSC shall be 7 of the 10 appointed members of the Committee, including at least one member of the Committee's leadership, the Chairperson, or Vice-Chairperson.

§641. *Presence of Ex-Officio Members*

- A. At least one of the ex-officio appointees to the Committee, the Undergraduate Student Government Treasurer, or The Treasurer, shall be present at all meetings of the SSSC.
- B. Ex-officio members shall be required to attend 75% of the SSSC's meetings.

§642. *Approval of Business and Appropriations*

- A. A 2/3 majority vote of the SSSC shall be required to approve all committee appropriations and business.
- B. For any business and appropriations to be approved, the 2/3 majority must include members (at least one) from both constituencies (undergraduate and graduate and professional).
- C. Members may not vote via proxy or electronic methods.

§643. *Frequency of Meetings*

The SSSC shall hold at least one meeting per month during the academic year.

Article V. Management of Budget and Fees

§650. Budgeting of the Student Safety and Security Fee

- A. The SSSC shall maintain only three accounts: the “SSSC Reserve Fund,” the “Carolina Student Safety and Security Fund,” and the “Survivor’s Assistance Fund.”
- B. The Student Safety and Security Fee shall be allocated among these funds as follows:
 - 1. The SSSC Reserve Fund shall be maintained at a minimum level of 10% of the allocated funds for the SSSC for the fiscal year.
 - a. If the SSSC Reserve Fund is not at its minimum at the beginning of the year, the SSSC shall first raise the SSSC Reserve Fund to its minimum prior to allocating fees to the other Funds.
 - b. If the SSSC Reserve Fund is above the minimum at the beginning of the year, the SSSC may add the amount of the minimum to the funds for the year upon a 2/3 majority vote of the Committee signed off on by the Undergraduate Student Government Treasurer and the GPSG Treasurer.
 - 2. The Carolina Student Safety and Security Fund shall receive 75% of all allocated funds for each fiscal year after the SSSC Reserve Fund minimum is met.
 - 3. The Survivor’s Assistance Fund shall receive 25% of all funds for each fiscal year after the SSSC Reserve Fund minimum is met.

§651. Appropriation Limits

- A. No single organization or department shall receive more than 33.33% of the SSSC’s allocated funds within one fiscal year.
- B. In order to receive funds, an organization or department cannot duplicate or attempt to duplicate pre-existing programs, organizations, or departments which have already received funding for the corresponding fiscal year. Otherwise, the organization or department shall not receive funding for the duplicated program, project, or event.

1. By a majority vote of SSSC, the committee shall determine whether an organization meets these criteria.
- C. Funding requests must be submitted in the current fiscal year to be eligible for SSSC allocated funds.
- D. An exception to the preceding limitations (Section 731, A and B) may be permissible to a new organization during the first year in which the organization submits a funding request.
1. This exception terminates after the first fiscal year of the initial appropriation and cannot be renewed in subsequent fiscal years.
 2. By a 2/3 majority vote of SSSC, the committee shall determine whether an organization qualifies for this exception.
 3. When a program, organization, or department is granted an exception, that corresponding organization shall receive no more than 50% of the SSSC's allocated funds for that fiscal year.
- E. No fund shall be allocated that would result in individual gain.
1. This includes allocating funds to for-profit businesses and organizations.
 2. No exception shall be made to this rule.

§652. Expenditure of Reserve Funds

- A. To spend down the SSSC Reserve Fund below the minimum required maintenance level, a *State of Emergency* shall be declared.
1. The declaration of a State of Emergency shall require the approval of the Student Body President, the constituent president not serving as the Student Body President, the Undergraduate Student Government Treasurer, and The GPSG Treasurer.
 2. A declaration of a State of Emergency shall be a formal and public document with a stated reason for the Declaration of Emergency, define any limits within which the reserve funding shall be spent down, and bear the signature of the officers approving the Declaration of Emergency.
 3. Both constituency Senates shall be immediately notified of a declaration of State of Emergency allowing the spending down of the SSSC Reserve.

Article VI. Duties of the Student Safety and Security Committee

§660. Review of the Department of Public Safety

A. The Student and Safety Committee shall...

1. Examine and evaluate all warnings and notifications issued by Alert Carolina for the merit of their content, level of warning, and timeliness;
2. Compile their evaluations monthly into brief reports that shall be presented to the Undergraduate Senate Oversight and Advocacy Committee and The GPS Senate Finance Committee as part of the SSSC update and available for public access on the SSSC website;
3. Provide a means for students to submit complaints regarding Alert Carolina that may be incorporated into said reports; and
4. Issue an end-of-the-year report on all of Alert Carolina's activities.

§661. Maintenance of Records

The SSSC shall keep all public records (including but not limited to reports, minutes, and appropriation approvals) online for at least three years, maintain internal committee documents, and provide for appropriate archival of committee documents in keeping with the Joint Code, Title I, Chapter 1, Article IV, §131.

Chapter 7. Carolina Athletic Association (CAA)

Article I. Mission and Scope

§710. *Mission and Purpose:*

The Carolina Athletic Association (CAA) represents the student body's voice to the UNC Athletic Department and the CAA President, elected by the entire student body and serves as a member of the Athletic Council. The CAA serves as the liaison by which the student body can express, and voice, concerns to the Athletic Department regarding varsity athletics. The CAA also aids in development of all athletic ticket distribution policies pertaining to the general student body.

Article II. Membership and Officers

§720. *Association Membership:*

By virtue of the student athletic fee, that all registered students pay to the university, all duly registered students at the University of North Carolina at Chapel Hill are members of the CAA.

§721. *President of Carolina Association*

The President of the Carolina Athletic Association shall:

1. Be elected by the student body at large in accordance with Title II of the Joint Student Code;
2. Oversee all CAA policies, projects, and events;
3. Represent the concerns of the student body;
4. Sit on the UNC Chapel Hill Athletic Council;
5. Appoint the Vice President, Treasurer, Secretary, and Chairs of Sports Marketing, Ticketing, Campus Relations, Special Events, and Community Service of the CAA, subject to the majority approval of members present and voting in the Undergraduate Government Student Senate and The GPS Senate.
6. In the event that one constituency fails to approve the appointees of the CAA, the issue will go before the Joint Governance Council.

§722. *Officers of CAA:*

The CAA will have the following officers:

1. Vice President;
2. Treasurer;
3. Secretary;
4. Sports Marketing co-chairs;
5. Ticketing chairperson;
6. Campus Relations co-chairs;
7. Special Events chairperson;
8. Community service chairperson.

The CAA can appoint additional officers as necessary. All officer descriptions will be described in the CAA bylaws.

§723. *General Regulations*

- A. The CAA President may appoint multiple students to serve as Chairs, subject to the unanimous approval of the CAA Cabinet members participating in the selection process;
- B. The CAA President shall have the authority to remove any CAA Cabinet member with ^{SEP}sufficient cause and provocation. Any member removed from the CAA cabinet may appeal the decision of the CAA President to the Student Supreme Court.

§724. *Vacancies and Succession*

- A. In the event of the incapacity or vacancy of the CAA President, the CAA Vice President shall become acting CAA President until a time when a special election is held;
- B. In the event that the Vice President assumes the role of CAA President after the Spring General Election, a special election shall not be called and the Vice President shall serve as the CAA President until the inauguration ceremony of the next CAA President;
- C. Should a vacancy occur in the office of Treasurer, Secretary, or Chair of a Committee, the CAA President shall appoint a person to the vacant

position, subject to the majority approval of members present and voting in the Undergraduate Student Government and The GPS Senates.

Chapter 8. CUBD

Article I. CUBD

§810. CUBD

The power of general oversight of the Union shall be vested in the CUBD whose duties shall include:

1. Selection of the Carolina Union Board of Directors Chair
2. Participation in the selection of the Union Director
3. Review, evaluation, and approval of Union finances
4. Long range planning for the Union, including consideration and recommendation of necessary fee increases to the appropriate parties
5. Establishment of Union policy with regard to facilities use, programming, finances, and such other areas as the Board deems appropriate
6. Final arbitration of disputes arising over Union policy except in instances where conflict occurs between the Student Code and the Union bylaws.

§811. CUBD Composition

The CUBD shall be comprised of:

1. The Carolina Union Board of Directors Chair
 - a. The Carolina Union Board of Directors Chair will Chair the CUBD unless they designate a substitute.
2. The Carolina Union Executive Director, non-voting, ex-officio
 - a. The Carolina Union Executive Director will maintain the minutes of the CUBD' meetings and the records of the Board's proceedings unless the Director delegates this responsibility to a member of the Union staff.
3. The CUBD Chair – Select (non-voting)
4. The students holding the following seven (7) positions (or their designee):

- a. The Undergraduate Student Government President
 - b. The Speaker of Undergraduate Senatmembers
 - c. The President of the Graduate and Professional Student Government
 - d. One representative of the Graduate and Professional Student Government
 - e. The President of the Carolina Union Activities Board (CUAB)
 - f. The President of the Residence Hall Association
 - g. One (1) Carolina Union student employee representative
 - h. The President of the Carolina Athletics Association
5. Four (4) representatives from four (4) unique Registered Student Organizations, selected according to the CUBD bylaws
 - a. If an organization fails to provide representation of three consecutive board meetings, the Board may vote using quorum to revoke the right of that organization to have a representative on the Board.
 6. Two (2) faculty and two (2) staff members, selected according to the CUBD bylaws
 - a. One or more of the members must originate from Student Affairs or an equivalent overarching, student development focused department.
 7. Two (2) student members at large, selected according to the CUBD bylaws
 8. One (1) representative from each tenant of the Union
 9. Two (2) students appointed by the Chair
 10. One (1) student representative from Fraternity and Sorority Life, selected according to the CUBD bylaws

§812. Carolina Board of Directors Terms

The term of each member of the CUBD shall be one (1) year, beginning in the last regularly scheduled meeting of the spring semester. The term of ex-officio members shall not be distinct from the term of their main office.

§813. *CUBD Member Removal and Vacancies*

1. Any appointed student member, appointed RSO representative, or faculty and staff member of the Board may be removed by a three-fourths vote of the Board on a motion by any member in the event that the member in contempt has missed two or more consecutive meetings without sending an official proxy. Vacancies will be filled in accordance with the normal appointment procedure appropriate to the vacancy being filled.
2. The CUBD must notify the appointing body of any student prior to removal from the CUBD.

§814. *Quarterly Administrative Reports*

The Carolina Union Director or their designee shall present the financial status of the Carolina Union on a quarterly basis. This report is to ensure that the CUBD is fully aware of the financial well-being of the Carolina Union.

§815. *Semester Administrative Reports*

The Carolina Union Director, the Carolina Union Activities Board, and the Carolina Union Standing Committees shall present comprehensive semester reports at the final meetings of the fall and spring semesters informing the Board as to the activities, functions, and financial status of their independent units. These reports are to ensure that the CUBD is fully aware of the current status of the Carolina Union and its programming.

§816. *Reports to Student Government*

Monthly, the Carolina Union Board of Directors Chair shall be required to submit a report to the Undergraduate Senate and the Graduate and Professional Student Government Senate for dissemination within their respective branch of Student Government.

Article II. The Carolina Union Director

§820. *Carolina Union Director*

The Carolina Union Director will report to the CUBD as its chief executive officer. Their duties will include:

1. Implement and establish policies of the Board as the Board deems appropriate.

2. Advise the Carolina Union Board of Directors Chair and the Carolina Union Activities Board.
3. Submit any proposal for a non-recurring expenditure from the Frank Porter Graham Building Fund in excess \$5,000 to the Board before any such purchase is made.
4. Manage Union facilities, personnel matters, financial operations, and implement general University policies in Union affairs.

§821. Carolina Union Director Selection

The University administration is responsible for appointing the Carolina Union Director. Three (3) candidates, unless otherwise specified by those administrators, will be nominated by a search committee appointed by the Vice Chancellor for Student Affairs in consultation with the Chair of the Board. One half of the search committee must be students, and a majority of these students must be members of the CUBD. The Carolina Union Board of Directors Chair will be member of the search committee.

Article III. Carolina Union Board of Directors Chair

§830. Carolina Union Board of Directors Chair

The CUBD Chair shall be responsible to the CUBD for the execution, policies, and programs of the Union and will receive a stipend, changes to which will be determined by the CUBD, provided any alterations will not affect the current President or President-Elect. The duties of the Carolina Union Board of Directors Chair include:

1. Serve as a liaison between the Carolina Union, Carolina Union Activities Board, and all campus groups;
2. Chair the CUBD unless otherwise specified;
3. Sit on all committees mentioned in the Carolina Union Constitution;
4. Author a comprehensive annual report assessing Union affairs Appoint and/or remove any Programming Committee Chairs and Activities Board Officers to the Carolina Union Activities Board;
5. Call and preside at meetings of the Carolina Union Activities Board;
6. Serve as an ex-officio member of all Programming Committees of the Carolina Union Activities Board.

§831. *Carolina Union Board of Directors Chair Selection*

The CUBD will appoint a committee to review applicants for the Carolina Union Presidency. Any registered, full-time student may apply for consideration. The applicants selected for the presidency will be designated "Carolina Union Board of Directors Chair--Elect" until the close of the meeting of the spring semester.

§832. *Carolina Union Board of Directors Chair Removal and Vacancies*

The Carolina Union Board of Directors Chair and Union Board of Directors Chair--Elect may be removed from office by a three-fourths vote of the CUBD at any regular meeting. In the event of a vacancy to the CUBD Chair position, the CUBD will designate a member of the Carolina Union Activities Board to serve as Union Board of Directors Interim Chair. The Carolina Union Director will serve as Interim Chair until this selection is made.

Article IV. Carolina Union Activities Board

§840. *Carolina Union Activities Board*

The Carolina Union Activities Board shall be vested with the authority to execute Carolina Union Programs. The Activities Board's duties shall include:

1. Organize programs in areas assigned to programming committees and implement those not assigned to such areas as necessary
2. Review and approve or reject all changes in programming
3. Administer the Carolina Union Activities Board programming fund
4. Recommend policies to the CUBD

§841. *Carolina Union Activities Board Composition*

The Carolina Union Activities Board shall be comprised of:

1. The Carolina Union Board of Directors Chair
2. The Chairs of the Carolina Union Activities Board Programming Committees and Officers of the Carolina Union Activities Board
 - a. The number of Programming Committees and Officers shall not exceed twelve (12) persons

3. The members of the Carolina Union Activities Board programming committees, non-voting
4. The Carolina Union Director or up to two designated representatives, non-voting, ex-officio

§842. Carolina Union Board Officers

Officers of the Carolina Union Activities Board shall be appointed by the Carolina Union President as needed for matters outside of program planning. Such Officers shall serve a one-year term starting at the transition meeting of the Carolina Union Activities Board.

§843. Carolina union Activities Board Selection, Removal and Vacancies

The Programming Committee Chairs and Officers of the Carolina Union Activities Board shall be selected immediately following the selection of the CUBD Chair. Vacancies shall be filled according to the bylaws of CUAB.

Article V. Amendments to the Union Constitution

§850. Amendment Concerning the CUBD

All amendments to the Carolina Union bylaws concerning the CUBD shall require approval in the manner outlined in the UNC Student Constitution (Chapter 1, Article V, Section 2).

§851. Amendment Concerning the Carolina Union Activities Board

All amendments to the Carolina Union bylaws concerning the Carolina Union Activities Board shall require approval in the manner outlined in the UNC Student Constitution (Chapter 1, Article V, Section 2).

Title II.
The Board of Elections and
Election Regulations

Chapter 1. The Board of Elections

Article I. Purpose

§110. Purpose of the Board of Elections

The Board of Elections shall conduct fair and impartial student elections in accordance with the Student Government election regulations.

Article II. Membership

§120. Membership of the Board of Elections

- A. The Board of Elections (BOE) shall consist of three (3) undergraduate students and three (3) graduate or professional students.
- B. Undergraduate student members shall be appointed by the USG President and shall be confirmed by a two-thirds (2/3) vote of the present and voting members of the USG Senate at a regular meeting of the Senate and a majority vote of the Joint Governance Council.
- C. Graduate and professional student members shall be appointed by The GPSG President and shall be confirmed by a two-thirds (2/3) vote of the present and voting members of The GPS Senate at a regular meeting of the Senate and a majority vote of the Joint Governance Council.

§121. Term of the Members of the Board of Elections

Each member of the BOE, having been appointed and confirmed, shall hold their position until they graduate, resign, or cannot physically be at the University of North Carolina at Chapel Hill campus for longer than a semester (excluding Summer Semesters), or is otherwise removed from office.

§122. Interim Membership on the Board of Elections

- A. Interim Members of the BOE shall be appointed if needed, provided that a legislative body is not in session to approve a nominee before a legally mandated election.
- B. Interim Members may serve no more than one term as an Interim Member and must be confirmed at the next legislative meeting.
 1. A term for an Interim Member, except for during the Summer or University holidays, shall not exceed the time limited by the following formula: the average time between the meetings of a constituency's

legislative body plus the additional time to the next Joint Governance Council meeting.

2. During periods affected by the Summer or University holidays, an Interim Member may serve up until their respective legislative body next meets plus the additional time to the next Joint Governance Council meeting.

§123. Membership Limitations

- A. No member of the Board of Elections shall serve in any elected position in the UNC Chapel Hill Student Government.
- B. A member of the Board of Elections shall resign from the BOE prior to running for elections at least thirty (30) calendar days to prior to the elections in which they intend to run.
- C. A member of the Board of Elections may serve in an appointed position in the UNC Chapel Hill Student Government as long as...
 1. The appointment is permissible under the code of their respective constituency and
 2. The appointment is determined by their respective Senate not to impinge on their duties and/or impartiality as a member of the Board of Elections.

Article III. Structure and Officers of the Board of Elections

§130. Structure of the Board of Elections

- A. The Board of Elections shall be administered by a Chairperson and a Vice-Chairperson.
- B. The Chairperson and Vice-Chairperson shall be elected by the BOE from amongst its members once all members have been appointed and approved.
 1. Upon the vacancy of the Chairperson of the BOE seat, an election for the new Chairperson shall not be held until all six (6) seats of the BOE have been filled.
 2. The Vice-Chairperson shall be chosen from among the members of the constituency (Undergraduate or Graduate and Professional) to which the Chairperson does not belong.

§131. Duties of the Board of Elections Leadership

- A. The Chairperson shall...
 - 1. Preside over meetings of the Board of Elections,
 - 2. Serve as point person for communication with the constituency concerning elections and the BOE, and
 - 3. Ensure that the responsibilities of the BOE are being accomplished as referenced in Article IV, Section 931.
- B. The Vice-Chairperson shall assist the Chairperson in their duties and shall serve as acting Chairperson in the absence of the Chairperson of the BOE.

§132. Duties of Regular Members of the Board of Elections

Members of the BOE shall assist the Chair in conducting student elections and other duties as necessary.

§133. Impeachment Proceedings of Members of the Board of Elections

- A. Legislation call for the impeachment of a Member of the Board of Elections can originate in either Senate. A two-thirds (2/3) vote of either Senate shall prompt impeach consideration by the Joint Governance Council.
- B. A simple majority vote of the Joint Council's legislative members would confirm the impeachment of a Member of the Board of Elections.
- C. Nonfeasance, misfeasance, and malfeasance shall be grounds for impeachment.

Article IV. Operation and Responsibilities of the Board of Elections

§140. Quorum

Quorum for conducting official business of the Board of Elections shall be a majority of BOE members.

§141. Responsibilities

The Board of Elections shall...

- 1. Publicize elections and voting procedures;
- 2. Certify election results by a majority vote of a quorum of their membership;
- 3. Interpret elections regulations;

4. Maintain accessible materials regarding all provisions of elections and election districts on the Board of Election website;
5. Establish that the computer voting system is operable and accessible at least seven (7) calendar days prior to an election;
6. Approve candidates and referenda campaigns to be placed on election ballots;
7. Provide paper provisional ballots at its office and all polling places;
8. Settle disputes through a hearing process culminating in a final opinion;
9. Have the authority of issuing final opinions after a hearing process that punish—and even disqualify—candidates and referendum campaigns;
10. Have the ability to call for a re-election if a violation occurred that might have affected the outcome or compromised the integrity of the election;
11. Publicize all Student Government elections by using a combination of mediums so that members of the corresponding constituencies are aware of elections in which they are eligible to vote;
12. Document and publicly release all final opinions of the BOE;
13. Keep all documentation from current and previous elections for at least three years;
14. Submit relevant documentation to the Library Archives for preservation;
15. Publicly release the results of elections and notify all participants of elections; and
16. Issue an end-of-year report about the activities of the BOE.
17. Compile a non-partisan voters' guide which will include the name of certified candidates and/or referendum campaigns, links to their respective campaign websites, and any campaign statement required as part of the candidate or referendum registration process.
18. Host one (1) debate the night before the election at 6:00 pm with questions submitted by the student body and reviewed by the BOE.
19. Keep a list of registered debates hosted by campus organizations and published on the BOE website.

§142. *Use of Appropriate Election Regulations*

- A. Three sections of the Student Code shall contain regulations concerning election regulations: the Joint Student Government Code, the Undergraduate Student Government Code, and The GPSG Code.
- B. In conducting elections, hearings, or associated decisions, the Board of Elections shall apply regulations in accordance with the constituency impacted, such that...
 - 1. The Joint Student Government Code shall be used when an election or referendum concerns the whole student body,
 - 2. The Undergraduate Student Government Code shall be used when an election or referendum concerns only members of the undergraduate student body, and
 - 3. The GPSG Code shall be used when an election or referendum concerns only members of the graduate and professional student body.
- C. In conducting elections, no change to election regulations made within thirty (30) days of an election shall be in effect for the then-current election. Such regulations shall go into effect in the following election.

§143. *Provisional Ballots*

- A. Provisional ballots shall be provided for all elections during operational hours (9 am – 5 pm, EST) at the office of the Board of Elections or polling places in case voters experience errors or technical difficulties during the voting process.
- B. Provisional ballots must include spaces for entry of all required voter information (name, PID #, class, and district), the voter's signature with the Honor Pledge, and the voter's choices for each office that they wish to vote in the election.
- C. All provisional ballots shall be certified if the student has provided correct and complete information.

§144. *Papers*

All filed papers, including election complaints, answers, and final opinions, shall be public record immediately after being received by the BOE or issued by the BOE.

§145. *Hearings*

- A. The burden of proof shall rest on the plaintiff to establish that a violation to an election regulation has occurred.
- B. BOE hearings shall be conducted in accordance with the procedures established in the appropriate section of the Student Code (See §932)

§146. *Training of Members of the Board of Elections*

- 1. The Board of Elections shall establish a training mechanism, in conjunction with the Office of Student Life and Leadership, to familiarize new members with their duties and train them on the election software.
- 2. All members of the BOE shall undergo this training mechanism prior to participating in official BOE business.

Chapter 2. Statement of Purpose and Definitions

Article I. Purpose and Definitions

§210. Purpose

“The purpose of the remainder of this Title is to establish the Joint Student Government Election Laws for the University of North Carolina at Chapel Hill. These laws shall apply to elections which pertain to both undergraduate and graduate and professional students. For elections concerning only one constituency, constituency-specific election laws shall be codified under the section of the Code applicable only to those constituencies.”

§211. Definitions

- A. **Ballot Petition** is defined as a petition document that a declared candidate, referendum contact, or their respective supporters, fills with signatures in order for a candidate or referendum to appear on an election ballot.
- B. **Campaign** is defined as the actions taken by a candidate, whether certified or not, or candidate supporter in order to assist in their goal of obtaining office. This includes hall-storming, pit-sitting, a-frames, fliers, posters, and any other activity deemed relevant by the Board of Elections and Student Supreme Court
- C. **Campaign Materials and Campaign Expenditures** are defined in the Chapter 6, Article 1, Section 600 under “Campaign Finance Definitions.
- D. **Forms of Campaigning:**
 - 1. **Electronic Campaigning** is defined as the use of electronic resources for the goal of obtaining office, including, but not limited to, emails, social networks, Internet advertisements, websites, and listservs.
 - 2. **Private Campaigning** is defined as pre-declaration preparation of campaign materials and private recruitment, by the candidate, of campaign workers. See Joint Code, Title II, Chapter 4, Article 1, Section 403.
 - 3. **Public Campaigning** is defined as any in-person campaigning by a candidate or the campaign workers of a candidate’s campaign or a referenda campaign for the goal of obtaining office.

- E. **Candidate Supporter** is defined as any student who assists a candidate in their campaign endeavors. This can be in official capacity, such as a campaign manager, or unofficial capacity.
- F. **Certified Candidate** is defined as a student who has been certified by the Board of Elections to appear on the ballot
- G. **Constituency** is defined as the pool of eligible voters for each respective office.
 - 1. The constituency for the President of the Student Body is all duly registered fee-paying students.
 - 2. The constituency for the President of the Carolina Athletic Association is all duly registered fee-paying students.
 - 3. The constituency for the President of the Residence Hall Association is all duly registered fee-paying students residing in campus residence halls or Granville Towers.
 - 4. The constituency for the Homecoming Court is all duly registered fee-paying students.
 - 5. The constituency for a student-body referendum is all duly registered fee-paying students.
- H. **Declaration of Candidacy** is defined as the official document submitted by a student declaring their intent to run for office. [Moved to § 303(G)(C)]
- I. **Declared Candidate** is defined as a student who has submitted their Declaration of Candidacy and is pending certification by the Board of Elections.
- J. **Elections** are defined as votes taken by members of the student body of UNC-Chapel Hill to determine the outcome of a race or referendum.
 - 1. **Re-Elections** are elections held in the event that the results of a previous election are voided by the Board of Elections or the Student Supreme Court.
 - 2. **Regular Elections** are the elections to fill campus-wide offices, including the fall elections, held within the week before the Homecoming Game for Homecoming Court Elections, and spring elections.

3. **Run-Off Elections** are elections held when a specific candidate, which requires a majority of the cast certified votes, fails to receive such votes in a regular, special, or re-election.
 4. **Special Elections** are the elections held to fill vacancies in campus-wide offices and/or to approve referendum not held during regular elections
- K. **Hallstorming** is the act of visiting campus residence halls operated by the Department of Housing & Residential Education or Granville Towers for the purpose of soliciting signatures or promoting a candidate's campaign for the office of Student Body President or Residence Hall Association President.
- L. **Instant Runoff Voting:** Instant Runoff Voting is an electoral system that requires voters to rank their preferences. Each first preference shall count as one vote. The candidate who holds the fewest first preferences is eliminated, and ballots assigned to the eliminated candidates are recounted and assigned to one of the remaining candidates based on the preference of each ballot. The process is continued until one candidate holds a majority. Ballots that exhaust all of their ranked preferences are set aside.
- M. **Referendum** is defined as
1. A student fee referendum that creates, increases, or decreases student fees;
 2. An issue referendum that adopts a position on a specific issue;
 3. An amendment to the Constitution of The Code of Permanent Laws of the Student Government of the University of North Carolina at Chapel Hill; or
- N. **Referendum Campaign** is defined as the actions taken in order to assist in their goal of passing or defeating a referendum. This includes dorm-storming, pit-sitting, a-frames, fliers, posters, and any other activity deemed relevant by the Board of Elections and Student Supreme Court.
- O. **Referendum Contact** is defined as the individual designated to represent a referendum to the Board of Elections. Each referendum must have a referendum contact in order to be placed on the ballot.
- P. **Referendum Worker** is defined as an individual campaigning in opposition to or in favor of a referendum issue, either in official or unofficial capacity.

Chapter 3. Election Cycle

Article I. Election Cycles

§310. *Spring General Election*

- A. The Spring General Election shall be held on the second Tuesday of February from 12:00 a.m. (midnight) until 11:59 p.m. If the election would occur during a student break, the first day of school following the break will be the election. If this occurs, the Board of Elections reserves the right to adjust all election-related dates as necessary. Where more than two eligible candidates appear on the ballot for a particular office, the election shall be decided via Instant Runoff Voting. The election shall fill vacant student offices and vote on referenda:
1. The President of the Student Body;
[Moved to § 201L]
 2. The President of the Carolina Athletic Association; and
 3. The President of the Residence Hall Association.
- B. The following shall be the timeline of the Spring General Election:
1. The Board of Elections may make available to the Student Body an approved election training mechanism twenty-one (21) days before the Spring General Election. If a training mechanism is approved, then completion of this training mechanism shall be mandatory for all students who declare candidacy and have not attended a “Declaration of Candidacy” meeting.
 2. The Board of elections shall conduct “Declaration of Candidacy” Meetings fifteen (15) and fourteen (14) days before the Spring General Election. Attendance at one of these meetings shall be mandatory for all students who declare candidacy and have not completed an election training mechanism approved by the Board of Elections.
 3. Ballot Petitions must be submitted to the Board of Elections no later than 5:00 p.m. seven (7) days before the Spring General Election.
 4. The Board of Elections shall release the list of Certified Candidates no later than twenty-four (24) hours after the Ballot Petitions are due. This occurs six (6) calendar days before the Spring General Election.

5. Declared Candidates and Campaigns that have petitions out of order shall have twenty-four (24) hours after the release of the list of Certified Candidates to correct their petitions and re-submit them to the Board of Elections. This occurs five (5) calendar days before the Spring General Election.
6. The Board of Elections shall release a final list of Certified Candidates four (4) days before the Spring General Election.
7. If needed, a Run-Off Election shall occur seven (7) calendar days after the Spring General Election.

§311. *Fall General Election*

- A. The Fall General Election shall be held eight (8) calendar days before the Homecoming Football Game from 12:00 a.m. (midnight) until 8:00 p.m. to elect the members of the Homecoming Court via Instant Runoff Voting and to fill vacant student offices and vote on referenda. If the election would occur during a student break, the first day of school following the break will be the election. If this occurs, the Board of Elections reserves the right to adjust all election-related dates as necessary.
- B. The following shall be the timeline of the Fall General Election:
 1. The Board of Elections may make available to the Student Body an approved election training mechanism twenty-one (21) calendar days before the Fall General Election. If a training mechanism is approved, then completion of this training mechanism shall be mandatory for all students who declare candidacy and have not attended a “Declaration of Candidacy” meeting.
 2. The Board of Elections shall conduct a “Declaration of Candidacy” meeting fifteen calendar (15) days before the Fall General Election. This meeting shall be mandatory for all students who declare candidacy and have not completed an election training mechanism approved by the Board of Elections.
 3. Ballot Petitions must be submitted to the Board of Elections no later than 5:00 p.m. seven (7) calendar days before the Fall General Election.
 4. The Board of Elections shall release the list of Certified Candidates no later than twenty-four (24) hours after the Ballot Petitions are due. This occurs six (6) days before the Fall General Election.
 5. Declared Candidates and Campaigns that have petitions out of order shall have twenty-four (24) hours after the release of the list of Certified Candidates to correct their petitions and re-submit them to

the Board of Elections. This occurs five (5) calendar days before the Fall General Election.

6. The Board of Elections shall release a final list of Certified Candidates four (4) calendar days before the Fall General Election.
7. The Fall General Election shall be held on the Friday before the Homecoming Football Game.
8. If needed, a Run-Off Election shall occur seven (7) days after the Fall General Election.

§312. *Constituency-specific Elections*

Elections concerning specific constituencies, including special elections, recalls, referendums, and reviews, shall be held in accordance with the timetables and procedures established in their respective codes.

§313. *Special Elections Concerning the Entire Student Body*

- A. Special Elections for matters concerning the entire student body shall be held to approve referendum not held during the Spring or Fall General Elections or recalls or reviews.
- B. Special Elections shall be held during the Fall and Spring semesters on a day when classes are in session.
- C. For the approval of referenda, the Board of Elections shall be responsible for seeing that all student-body-wide referenda are held on the date as provisioned by the Joint Governance Council.
- D. Special Elections for Student Body Recalls of the Student Body President, as outlined in the Constitution, Chapter One, Article II, Section 9, or other student-body-wide official, as outlined in the Constitution, Chapter One, Article VI, Section 7, shall be held no fewer than six (6) and no more than fifteen (15) calendar days after the petition for such review has been certified by the Board of Elections and is received by the Student Body President.
- E. Special Elections for Student-Body-initiated referendum impacting the whole student body, as outlined in the Student Body Constitution, Chapter One, Article VIII, Section 2, shall be held no fewer than six (6) and no more than fifteen (15) calendar days after the petition for such review has been certified by the Board of Elections and is received by the Student Body President.

- F. Special Elections for Student Body Reviews for matters affecting the entire student body, as outlined in the Constitution, Chapter One, Article VI, Section 9, shall be held no fewer than six (6) and no more than fifteen (15) calendar days after the petition for such review has been certified by the Board of Elections and is received by the Student Body President.
- G. The following shall be the timeline of Special Election(s) concerning the entire Student Body:
1. The Board of Elections may make available to the Student Body an approved election training mechanism twenty-one (21) calendar days before the Special Election. If a training mechanism is approved, then completion of this training mechanism shall be mandatory for all students who declare candidacy and have not attended a “Declaration of Candidacy” meeting.
 2. The Board of Elections shall conduct a “Declaration of Candidacy” Meeting no less than fourteen (14) calendar days before the Special Election. This meeting shall be mandatory for all students who declare candidacy and have not completed an election training mechanism approved by the Board of Elections.
 3. Each prospective candidate shall submit an official “Declaration of Candidacy” during this meeting or through a substitute training mechanism which has been unanimously approved by the sitting Board of Elections prior to the start of the election timeline in which it will be used. The Board shall exercise discretion in determining whether or not a prospective candidate qualifies for substitute training based on a legitimate excuse for missing the official meeting.
 4. Ballot Petitions must be submitted to the Board of Elections no later than 5:00 p.m. seven (7) calendar days before the Special Election.
 5. The Board of Elections shall release the list of Certified Candidates no later than twenty-four (24) hours after the Ballot Petitions are due. This occurs six (6) calendar days before the Special Election.
 6. Declared Candidates and Campaigns which have petitions ruled out of order shall have twenty-four (24) hours after the release of the list of Certified Candidates to correct their petitions and re-submit them to the Board of Elections. This occurs five (5) calendar days before the Special Elections.
 7. The Board of Elections shall release a final list of Certified Candidates four (4) days before the Special Elections.

8. If needed, a Run-Off Election shall occur seven (7) calendar days after the Special Election.

Chapter 4. Student Government Participation

Article I. Participation

§410. Limitation of Student Government Participation in Elections

A. Use of Student Government Resources

1. For the duration of the campaign for any elected position, no campaign materials may be displayed or stored in the offices of Student Government, including but not limited to the offices of the Executive and Legislative branches and the offices of the Honor Court and the Student Attorney General.
2. Beyond the exceptions provided under these regulations, no student government resources shall be used for campaigning.

B. Student Government Involvement in Campaigns.

1. The following Student Government members shall not participate in a campaign for any elected position, make public endorsement for any candidate, nor shall they make any statement for or against a referenda campaign or candidate:
 - a. Undergraduate Attorney General;
 - b. Graduate and Professional Attorney General;
 - c. Chairs of the Undergraduate and Graduate Honor Courts;
 - d. Members of the Student Supreme Court;
 - e. The Undergraduate and GPSG Student Solicitor Generals;
 - f. Members of the Board of Elections; and,
 - g. Members of the Student Legal Counsel (except in the case of legal hearings, pre-trials, trials, and legal papers).
2. When participating in student body elections or endorsing a particular candidate, it must be made clear that any Student Government official is speaking only on behalf of themselves and not for Student Government or any subsidiary thereof.

§411. Exceptions:

- A. Student Government listservs may be used, in a non-partisan manner, to notify constituents that elections are occurring.
 - 1. Referendum issues shall be described in accordance with the phrasing submitted to the Board of Elections upon the registration of the referendum.
 - 2. If a candidate's name is mentioned, all certified candidates running for that same office must also be mentioned, and the candidates shall be ordered alphabetically by last name.
 - 3. No statement supporting a candidate and/or campaign shall be included in such an email.
 - 4. The non-partisan nature of the voter's guide shall be affirmed in writing by the Board of Elections prior to its distribution by members of the Student Government.

- B. In conjunction with the Board of Elections, the USG and The GPS Senate shall be empowered to host a non-partisan forum for candidates.
 - 1. The Senates shall be empowered to formulate the rules for participation in their respective forums, in consultation with the Board of Elections.
 - 2. Candidates and campaigns participating in a forum shall be bound by the Forum Rules and persistent violation of those rules may result in the dismissal of the offending party from the Forum.
 - 3. If the Senate schedules necessitate that a forum occur prior to the deadline for candidate certification, candidates shall not be penalized for participating in the forum.

Chapter 5. Candidate Campaigns

Article I. Guidelines

§510. *Qualifications for Office*

1. The candidate must be duly registered fee-paying students in good standing at the University of North Carolina at Chapel Hill.
2. The candidate shall not be on probation for violation of the Honor Code or Campus Code of Conduct, nor shall they be on probation after conviction by a Student Court for an offense against the Student Body, nor may the candidate have filed for graduation.
3. The candidate shall be a constituent of the office for which they are candidates on the first day of the fall semester after the spring general election is held or at the time of running in a special election.
4. Incumbents facing recall shall have the right to be a candidate in the recall election.
5. No person shall be a candidate for more than one office simultaneously.
6. It shall be the duty of the Board of Elections with the support of the Division of Student Affairs to determine the standing of all candidates qualified for election by petition or write-in.
7. Only those students of the University of North Carolina at Chapel Hill who are living in member residence halls of the Residence Hall Association may be eligible to run for the office of Residence Hall Association President.

§511. *Pre-Declaration*

- A. Potential candidates and campaigns shall be subject to the laws governing elections and all restrictions herein.
- B. No campaign or candidate shall publicly campaign before the official Declaration of Intent to Run for Office. No candidate or campaign shall publicly declare their Intent to Run for Office before the mandatory Candidates' Meetings established in 200B(2) for the Spring General Elections, 201B(2) for the Fall General Elections and 203H(2) for Special Elections.
- C. Candidates may privately campaign before the official Declaration of Intent to Run for Office, subject to the definition in 101H. Additionally, campaign

workers may privately help prepare campaign materials before the Declaration of Intent to Run, so long as 403B and all other rules regarding private campaigning are upheld. Candidates may not publicly campaign, as defined 101D3 before the official Declaration of Intent to Run for Office.

§512. Campaigning for Declared Candidates

- A. Upon declaring the Intent to Run for Office, candidates and candidate supporters may publicly and electronically campaign for the purpose of obtaining candidacy.
- B. Any student who is eligible and intends to become a candidate for any office and desires to have their name appear on the ballot and receive student financing of their campaign may do so, provided that the candidate attends the mandatory candidates' meeting, submits the required ballot petition, and follows the schedule stipulated in Chapter 2.
- C. The number of constituents' signatures required to file a valid petition shall be as follows:
 1. At least one thousand one thousand (1000) unique -signatures for the President of the Student Body.
 - a. Of the 1000, at least 250 signatures must be unique, undergraduate signatures, and at least 250 must be unique, graduate signatures.
 - b. "Unique" signatures is a mandate for a candidate to obtain signatures from 1000 unique individuals but does not apply to the repetition of signatures between candidates.
 2. At least seven hundred fifty (750) unique signatures for the President of the Carolina Athletic Association.
 3. At least two hundred and fifty (250) unique signatures for the President of the Residence Hall Association.
 4. At least two hundred (200) signatures for Members of the Homecoming Court.
- D. A student may sign multiple petitions for each office but no student shall sign a single petition more than once. Non-constituent signatures shall be considered void. Candidates and their campaign workers shall inform the students of this stipulation.
- E. Each signature on the petition must be accompanied by the name and PID of the person signing the petition. These items must be filled out by the person signing the petition.

- F. Candidates and their campaign workers may gather signatures online to fulfill the signature requirement in Section 404 Subsection C. However, all online signatures must be ONYEN verified to be counted valid.
- G. **Hallstorming.** With the assistance of the Department of Housing & Residential Education, the Board of Elections shall develop an annual policy for hallstorming. Declared candidates or campaigns for the offices of Residence Hall Association President and Student Body President may participate in hallstorming to collect petition signatures, provided that the candidate or campaign follow all policies set by the Department of Housing & Residential Education and any Memoranda of Understanding between the Department and the Board of Elections.
- H. **Residence Hall Postings.** No candidate for any office shall be permitted to place fliers or campaign posters in the residence halls except through the appropriate mechanisms outlined in the policies of the Department of Housing and Residential Education and any Memoranda of Understanding between the Department and the Board of Elections.

§513. *Campaigning for Certified Candidate Campaigns*

- A. A Certified Candidate's Campaign may begin privately and publicly, as defined in Joint Code II, Chapter 1, Section 101A, once it has been certified by the Board of Elections.
- B. All candidates shall be responsible for the actions of their campaign workers whether or not the candidate has knowledge of such actions. If a violation(s) occurs without the knowledge of the candidate, the candidate must take the following actions upon discovery or notification of such violation(s):
 1. The candidate must try to nullify or correct the action causing the violation if possible;
 2. The candidate must suspend the worker from campaign work; and,
 3. The candidate must report the violation to the Chair of the Board of Elections within sixteen (16) hours of the candidate's notification of the violation.

§514. *Post-Election*

- A. All candidates running for office or a member of their campaign staff, including write-in candidates shall submit financial statements, on a format to be specified by the Chair of the Board of Elections, no later than 10:59 pm on the day of the election. The Chair of the Board of Elections may grant an extension of this time limit, not to exceed twenty-four (24)

hours in length, to any candidate who requests such extension before the original deadline. The candidate must demonstrate to the Chair's satisfaction that the candidate cannot, for a valid reason, submit their statement within the specified time limit. A financial statement must be submitted even if there are no campaign expenditures. The Board of Elections may not announce or verify results until after all financial statements have been submitted and reviewed.

1. Exception: If a candidate loses their election and does not wish to be reimbursed for their campaign expenditures, the losing candidate need not submit a financial statement so long as the losing candidate notifies the Board of Election that the losing candidate wishes to do so.
- B. The Board of Elections may request any candidate to produce additional financial evidence clarifying or justifying their statements.
- C. No election shall be certified until all winning candidates for that office have turned in their financial statements and had them verified or have been disqualified for failure to submit a financial statement.

§515. *Candidate and Campaign Responsibilities*

- A. Candidates, campaigns, and their campaign staffs are expected to know and obey the laws contained in Joint Code, Title II. Violations of campaign laws are to be filed as election complaints to the BOE. Any student who has knowledge of an election law violation has a responsibility to file an election complaint to the BOE.
- B. Candidates retain the right to all actions not explicitly prohibited or reasonably prohibited by Joint Code, Title II.
- C. All campaign materials which are produced by a particular candidate or their staff must have the candidate's name on it in the following manner: "sponsored by the [name] for [office] campaign."

§516. *Technology*

- A. Web pages. The following rules shall apply to candidate websites:
 1. URL(s) of candidate's web page(s) must be specified in the financial statement submitted by the campaign.
 2. No campaign-related material may be posted on the web until after a candidate has declared their Intent to Run to the Board of Elections.
3. No university-owned computers may be set to default a candidate's webpage, social network group, or other campaign-related documents.

4. Candidate web pages, including social networking groups, shall contain the same endorsement as any other campaign material, as defined in Joint Code, Title II, Chapter 4, Section 401B.

B. Email

1. Unsolicited e-mailing to mailing lists shall be permissible for campaigning, unless otherwise prohibited by the Board of Elections, once a candidate has been certified by the Board of Elections. The subject line of said e-mails must read: "Vote for [candidate] for [office]" and the message must include the e-mail address of the sender or other electronic reply address and may not be given a "high" or "URGENT" priority designation.
2. E-mail lists and social media/networking websites reserved for the use of Student Government officials or any party acting on behalf of Student Government may not be used to advance the candidacy of any individual or support the passage or failure of a referendum.

C. Social Media and Messaging

1. Social media, group messaging, and direct messaging shall be allowed for private campaigning among existing campaigns only in the case of preparing campaign material or privately recruiting campaign workers. Social media, group messaging, and direct messaging shall not be used for the purpose of persuasion.
2. Direct Messaging shall be direct communication to one individual;
3. Group Messaging shall be direct communication to more than one individual;
 - a. Unsolicited direct messaging or group messaging shall only be allowed for the purposes of recruitment of campaign workers.
4. Mass use of Social Media
 - a. Mass use of social media shall include, but not be limited to, posts, messages, groups, Facebook pages, Group Me, and other forms of public or open communication.
 - b. Mass use of social media shall not be allowed during the period of private campaigning.
 - c. Mass use of social media shall be allowed during the period of public campaigning.

D. Telephone services.

1. Mass use of voicemail is permissible for purposes of campaigning, once the candidate or campaign has been certified by the Board of Elections. The first words left in the message must be "THIS MESSAGE IS IN SUPPORT OF [candidate] FOR [Office]. REPLY TO [Phone number of sender]." The message shall be no longer than 30 seconds.
2. Mass SMS/MMS messages shall not be sent until a candidate becomes certified.

§517. *Operation of Polling Sites by BOE*

1. The Board of Elections is responsible for operating polling site(s), with the assistance of Student Government member(s) from Chapter III, Article I.
2. Candidates and campaigns are prohibited from operating a polling site.
3. A polling site shall be defined as a (group of) computer device(s) connected to the Internet that has been designated or advertised as a place to vote.

Chapter 6. Referenda Campaigns

Article I. Guidelines

§610. Regulations for Placing a Referendum on the Ballot

- A. Referenda campaigns wishing to have a referendum placed on the ballot must:
 - 1. Have the referendum placed on the ballot by the Joint Governance Council, in accordance with the Constitution, Chapter One, Article VIII, Section 1, or
 - 2. Collect a ballot petition with signatures from no less than 10% of the student body, in accordance with the Constitution, Chapter One, Article VIII, Section 2.
- B. The ballot petition process shall be governed by the following rules:
 - 1. Prior to collecting signatures for a ballot petition, referenda campaigns must declare their intent to place a referendum on the ballot to the Board of Elections signatures, register a Referendum Campaign Contact, and provide the BOE with a Signature-Campaign Timeline.
 - 2. Signature-Campaign Timelines
 - a. Referenda campaigns may collect signatures for a referendum ballot petition at any time during the academic year, as a referendum may appear on any ballot, including special elections.
 - b. Referenda campaigns shall register with the Board of Elections a signature-campaign timeline which shall define the period in which the campaign shall be actively collecting signatures.
 - c. A signature-campaign timeline shall not exceed fourteen (14) calendar days.
 - 3. The signatures for a referendum ballot petition may be collected...
 - a. Electronically by Onyen-verified electronic signatures, or
 - b. In hard copy, accompanied by a name, PID, department (graduate or professional student) or district and class (undergraduate student).
 - c. Signatures shall only be affixed to petitions by the constituents to whom they belong.

4. Campaigning for a Referendum Ballot Petition
 - a. Campaigning for a Referendum Ballot Petition may only begin once the intent to collect signatures, a Referendum Campaign Contact, and a Signature-Campaign Timeline are registered with the Board of Elections.
 - b. Campaigning for a Referendum Ballot Petition may not occur outside of the registered Signature-Campaign Period unless special dispensation is granted to the campaign by the Board of Elections under the rules herein.
 - c. All forms of communication permissible during the regular campaign shall be permissible during the Signature-Campaign Period, excepting...
 - i. All material shall contain the message “Sponsored by the Ballot Petition Campaign of [Name of Referendum],” and
 - ii. The subject line of email messages shall contain “Add [Referendum Name] to the Ballot.”
 - d. No campaign funding may be spent for the Ballot Petition process.
5. If a referendum campaign fails to collect sufficient signatures to appear on the ballot during their Signature-Collection Period, the Board of Elections shall render a decision on the basis of the number of signatures collected.
 - a. If the campaign is close to the requisite number to appear on the ballot, they may grant a short extension for the collection of signatures; or
 - b. If the campaign is not close, they shall end the signature period and impose a moratorium on the referendum for a time period not less than 30 days and not more than 90 days. At the end of the moratorium period, the referendum campaign must begin the campaign process again

§611. Regulations for Referenda on the Ballot

A. The Referendum Contact

1. All parties campaigning for or against a referendum campaign must register a referendum contact with the Board of Elections.

- a. Each party must name a registered UNC Chapel Hill student as the referendum contact in order to campaign for or against the referendum.
 - b. Should there be multiple parties who wish to campaign for or against a referendum and are unwilling to work together, the Board of Elections shall determine which party shall be the official referendum contact for that position.
 - c. Each party shall have its own, separate contact.
2. The referendum contact shall be held legally responsible in the case of any lawsuits arising from campaign violations.
 - a. All referendum contacts shall be responsible for the actions of their referendum workers whether or not the contact has knowledge of such actions.
 - b. If a violation(s) occurs without the knowledge of the contact, the contact must take the following actions upon discovery or notification of such violation(s):
 - i. The contact must try to nullify or correct the action causing the violation (if possible);
 - ii. The contact must remove the worker from campaign work; and
 - iii. The contact must report the violation to the Chair of the Board of Elections within twenty-four (24) hours of the contact's notification of the violation.
 - iv. Any further violations by that contact's workers may result in the prohibition of that party from further campaigning on the referendum, removal of said referendum from the ballot or other punishments deemed appropriate by the Board of Elections.
 3. The referendum contact for each party shall be responsible for filing a financial statement after the election.
- B. A referendum campaign may privately and publicly, as defined in Joint Code, Title II, Chapter 1, Article I, Section 101, D, 2-3, campaign once being placed on the ballot by the Board of Election
 - C. Referendum workers campaigning for or against a referendum must do so strictly on a volunteer (unpaid) basis.

D. Referendum Campaign Financial Limitations

1. The campaign spending limit of a referendum campaign shall be \$100.00 as defined in Title VI, Chapter 6.
2. Referendum campaign expenditures shall not be reimbursed by Student Government

E. Campaign Materials

1. All referendum campaign materials, hard copy or electronic, must visibly state "Sponsored by [referendum campaign name]."
 - a. On hard-copy materials, the statement must appear on the front of the item.
 - b. Electronic campaign materials shall include but not be limited to websites, social networking groups, emails, and other forms of electronic messaging.
2. Websites
 - a. URL(s) of referendum web page(s) must be specified in the financial statement submitted by the referendum contact.
 - b. No campaign material may be posted on the web until after a referendum contact has been registered with the Board of Elections.
 - c. Prior to registration, only private / secret / invitation-only websites may be utilized to communicate with referendum workers involved with the referendum campaign.
 - d. No university-owned computers may be set to default a referendum's web page, social network group, or other campaign-related documents.
3. E-mail
 - a. Unsolicited e-mailing to mailing lists shall be permissible for campaigning, unless otherwise prohibited by the Board of Elections, once a referendum contact is registered with the Board of Elections and a referendum contact has been declared.
 - i. The subject line of said e-mails must read: "Vote for/against [referendum name]" or "Vote Yes/No on [referendum name]."

- ii. The message must include the e-mail address of the sender or other electronic reply address.
 - iii. The message may not be given a “high” or “URGENT” priority designation.
- b. Messages sent via any website (including social networking websites, blogs, bulletin boards, etc.) shall be considered e-mail.
 - c. E-mail lists and social media/networking websites reserved for the use of Student Government officials or any party acting on behalf of Student Government may not be used to support the passage or failure of a referendum.
4. Telephone Services
- a. Mass use of voicemail is permissible for purposes of campaigning, once a referendum is placed on the ballot by the Board of Elections and a referendum contact has been declared.
 - i. The first words left in the message must be “THIS MESSAGE IS IN SUPPORT OF [Name of referendum]. REPLY TO [Phone number of sender].”
 - ii. The message shall be no longer than 30 seconds.
 - b. Mass SMS/MMS messages shall not be sent until a referendum contact has been registered.

§612. Post-Election Regulations

A. Financial Reporting

- 1. All referendum contacts shall submit a financial statement on their campaign expenditures.
 - a. The format shall be specified by the Chair of the Board of Elections.
 - i. The referendum contact must sign a sworn statement that they have not utilized student fee money in their campaign.
 - ii. The contact shall be required to turn over any financial documents requested by the Board of Elections.
 - b. A financial statement must be submitted even if there are no campaign expenditures.
- 2. Timeline for Post-Election Financial Reporting

- a. Campaign financial statements shall be submitted no later than five (5) p.m. the day after the regular, special, or run-off elections.
 - b. If the campaign contact demonstrates to the Chair's satisfaction that they cannot, for a valid reason, submit their statement within the specified time limit, the Chair of the Board of Elections may grant an extension of this time limit, not to exceed twenty-four (24) hours in length, to any contact who requests such extension before the original deadline.
3. If a referendum contact of the prevailing referenda position fails to submit a financial statement within the specified amount of time, including extensions if granted, the results from the referendum election shall be invalidated by the Board of Elections.
4. If a referendum contact of the prevailing referenda position knowingly falsifies a financial statement or list of referendum workers the results from the referendum election shall be invalidated by the Board of Elections.

Chapter 7. Campaign Financing

Article I. Campaign Financing Guidelines

§710. Campaign Finance Definitions

- A. Campaign materials and services are defined as materials or services produced, authorized, or initiated by a candidate, campaign, or campaign supporters, with the intent to campaign as defined in Joint Code, Title II, Chapter 1, Section 101D.
1. Materials shall be considered those items that are part of a final product used for the purpose of campaigning (ex: materials would be the wood, nails and paint that comprise an a-frame, not the paintbrush, hammer and other items used to make the a-frame). Objects used in the making of campaign materials that are reusable (hammer, paintbrush) are not considered part of the final product. For further clarification, the Board of Elections shall publish an example list of items that items “part of a final product” versus items “used in the making of a final product” at the beginning of each election cycle.
 - a. Materials that are purchased or donated already assembled (ex: professionally printed sign) shall be assessed at the fair-market value of the final product.
 - b. Items or services given to potential voters during a campaign, including food and beverages, shall be included in the definition of campaign materials and services.
 - c. Any services or resources used to design, create, or operate materials such as a website or social media page shall be included in the definition of campaign materials and resources.
 2. Excluded from the definition of campaign materials and services shall be materials and services used internally by a candidate, campaign, or candidate supporters.
 - a. Not excluded shall be any stipend or other remunerations (either financial or gift-in-kind) to members of a campaign team.
 - b. “Internally” shall be defined to be limited to use by individuals who are already supporters of the candidate or campaign who have a non-negligible level of agency in the campaign.
 - c. Labor, personally donated, is not applicable to the definition of campaign materials or services.

- B. E-mail, social media, texting, and telephone calls shall be assessed at a cost of zero, given that paid advertising online, paid mailing lists, and other similar services shall be assessed at their actual cost.
- C. A campaign expenditure in a given elections cycle shall be defined as any transaction of money, receipt of gifts-in-kind, or other economic exchange for any campaign materials or services distributed or used at any point following the last day of voting of the previous election valued at fair - market value
 - 1. Materials or services that were purchased before the last day of voting in the previous regular election shall be treated as gifts- in-kind from the owner.
 - 2. Materials or services that are borrowed shall be treated as a gift-in-kind.
 - 3. If campaign materials or services are given gratuitously or excessively below normal cost, the campaign shall submit to the Board of Elections a receipt for the goods or services provided. The said assessment shall be subject to revision by the Board of Elections and deliberate erroneous assessments may be subject to penalty.
 - 4. The Board of Elections shall have the power to determine the fair-market value of a campaign material or service, if such information is not readily available to the general public.

§711. Campaign Spending Limits

- A. The following are the maximum amounts that may be spent by the candidates, their campaign workers or other people on behalf of the candidates, for the following Student Government offices, including gratuities or services. A candidate will face discipline from the Board of Elections for exceeding maximum spending limit.
 - 1. Student Body President - \$250.00
 - 2. Carolina Athletic Association President - \$100.00
 - 3. Residence Hall Association President - \$100.00
 - 4. Mr. or Ms. UNC - \$50.00
- B. If a candidate is involved in a run-off election, the following spending limits shall apply to the run-off stage of the election:

1. Carolina Athletic Association President - \$100.00
 2. Residence Hall Association President \$100.00
 3. Mr. or Ms. UNC - \$50.00
- C. Write-In Candidates. The spending restrictions listed in this section shall also apply to all write-in candidates. These funds shall not be provided by student fee generated funds.
- D. Referenda Campaigns. A campaign for or against a referendum shall receive no student fee-generated funds.

§712. Exceptions to Campaign Expenditures

- A. **Endorsements publicized by Student Organizations.** A candidate shall not be penalized in the instance that said candidate is endorsed and that endorsement is publicized by recognized student organizations.
- B. Any materials or funds expended for or on behalf of a candidate shall not be considered a campaign expense if used without the knowledge of the candidate or their campaign.
- C. If the candidate obtains knowledge of a gratuity, service, or material that did not have their prior consent, the gratuity, service or material must be returned or officially declined within twenty-four (24) hours of their discovery of the expenditure or it will be deemed a campaign expenditure.
- D. Officially Declining a Campaign Expenditure. To decline a campaign expenditure a candidate must, to the satisfaction of the Chair of the Board of Elections, make a strong effort to remove or nullify an expenditure that did not have their prior consent. The candidate shall be entitled to all possible assistance from the Board of Elections in their effort. If the candidate makes such an effort and cannot remove or nullify the expenditure, the Board of Elections may decide to not consider the expenditure a campaign expense.
- E. Any student who expends material, funds, or gratuitous services for or on behalf of a candidate without gaining candidate's prior consent shall be immediately served a cease and desist warning from the Board of Elections. Failure to cease and desist shall constitute a violation of this act and grounds for punitive action, including but not limited to notification of the Student Attorney General.

§713. Student Government Financing of Election Expenditures

- A. **Student Government Financing.**

1. Any candidate whose name(s) shall appear on the ballot shall fund their campaign using only student government monies.
 2. Write-In candidates shall not be eligible for student government financing in regular elections, but may receive student government financing for a runoff.
 3. Referenda campaigns shall not be eligible for student government financing.
 4. Campaign spending limits and all other election laws shall apply to write-in candidates and referenda campaigns.
- B. **Eligibility for Student Government Financing.** The following actions shall be required of a candidate in order to receive Student Government financing of their campaign:
1. General Election
 - a. The candidate must attend all compulsory candidates' meetings.
 - b. The candidate's campaign must submit an official declaration of candidacy before collecting petition signatures, due at the mandatory candidates' meeting.
 - c. The candidate's campaign must submit a petition with the required number of signatures to the Board of Elections by the dates specified in Joint Code, Title II, Chapter 2
 - d. The candidate shall submit a financial statement to the Board of Elections as outlined in Joint Code, Title II, Chapter 4, Article I, Section 406A
 2. Run-Off Election
 - a. The candidate's campaign receives enough write-in votes to warrant a run-off.
 - b. The candidate shall submit a financial statement to the Board of Elections as outlined in Joint Code, Title II, Chapter 4, Article I, Section 406A
 - c. The candidate may receive Student Government financing for the run-off election up to the campaign spending limit for run-off elections as defined in Joint Code, Title II, Chapter 6, Section 600B only upon the submission of a written request for the SG funds and

their financial statement as outlined in Joint Code, Title II, Chapter 4, Article I, Section 406A.

- C. **Campaign Reimbursements.** Once a candidate has met the requirements in Joint Code, Title II, Section 600B, the Board of Elections Chair shall notify the appropriate financial officer concerning the need for a campaign reimbursement. That financial officer shall then process a reimbursement in keeping with the financial processes, regulations, and timelines under which the respective governmental institutions operate.
- D. **Additional Limitation on SG Campaign Funds.** Student Government Campaign Funds shall be used solely for campaign expenditures. The Board of Elections shall have the authority to determine whether expenses are campaign expenditures.
- E. **Sources of Campaign Financing.** Campaign financing shall be allocated for officer elections from the following student government sources:
 - 1. For the office of Student Body President, campaign financing shall be allocated from the government representing the candidate's constituency.
 - 2. For the office of Carolina Athletic Association President, in both the election and any resultant run-off, campaign financing shall be allocated from the government representing the candidate's constituency.
 - 3. For the Office of Residence Hall Association President, in both the election and any resultant run-off, campaign financing shall be allocated from the government representing the candidate's constituency.
 - 4. For the Office of Mr. or Ms. UNC, , in both the election and any resultant run-off, the campaign financing shall be allocated from the Undergraduate Student Senate.

Chapter 8. Regulations and Prohibited Activities

Article I. Regulations and Prohibited Activities

§810. *Disqualifying Actions*

- A. Pending conviction through due process, the following acts shall be considered acts worthy of immediate disqualification by the Board of Elections.
1. Intentionally or knowingly interfering with the polling, voting, or voter count mechanism.
 2. Engaging in the any of the following activities in relation to a campaign:
 - a. Physical Abuse, included but not limited to, Assault, Battery, Sexual Assault, Threats of Violence, Stalking, Hazing, Terrorizing Conduct, or other conduct that seriously threatens the health or safety of any person.
 - i. Sexual, Racial, or Other Forms of Harassment. Harassment is defined as verbal, electronic, or other conduct based on an individual's protected status that interfere with an individual's participation in a University program or activity, thereby creating a hostile environment.
 - ii. Illegal possession, use, or manufacture of destructive devices or weapons.
 - b. Larceny, Burglary, Fraud, Theft, Embezzlement, Extortion, Blackmail, Arson, or Destruction of Property.
 - c. Failure to attend the Mandatory Candidates Meeting, without a written excuse from the Chair of the Board of Elections, except in cases of write-in candidacy during elections.
 - d. Perjury, destroying evidence, tampering with evidence or witnesses, or intentionally or knowingly providing false information, evidence or testimony to the Board of Elections in a way that substantially affects the outcome or integrity of the electoral or judicial processes.
 - e. Exceeding the campaign finance spending limit by \$20.00 or more.
 - f. Failing to submit a financial statement within the specified amount of time, including extensions if granted.

- g. Intentionally or knowingly misrepresenting or failing to report expenditures to an extent which substantially affects the outcome or integrity of the election.
- h. Intentionally or knowingly submitting multiple ballots, modifying another student's ballot, or submitting a ballot for another person.
 - i. Bribing any group of voters. This section shall not be interpreted to preclude giving voters campaign branded items or non-monetary items, or items of negligible value such as buttons or small promotional items, worth less than five dollars (\$5) per voter.
 - j. Bribing, conspiring with, claiming endorsement of, or otherwise corruptly influencing a Board of Elections member or any other person involved with the operation of the election.
 - k. Intimidating, threatening, or retaliating against voters, parties to a Board of Elections or Supreme Court case, witnesses subpoenaed for a Supreme Court case, candidates, campaign workers, potential candidates, or other persons related to the elections.

§811. Prohibited Campaign Activities.

- A. **Defacement of Campaign Materials.** No person shall deface, destroy, alter or otherwise change any candidate's campaign materials before the election. No material of any candidate, unless in legally restricted areas, may be removed without the permission of the candidate. Materials in legally restricted areas may only be removed by members of and persons authorized by the Board of Elections. All campaign materials shall be considered the personal property of the campaign.
- B. **Misrepresentation of an Election Issue.** No person shall deliberately misrepresent any issue to be voted on by the Student Body in an election conducted under the auspices of this Act. Falsely defaming another campaign, including intentionally presenting falsities regarding the platform of another campaign, shall constitute misrepresentation of an election issue. Any misrepresentation resulting from intended satire shall not constitute such violation.
- C. **Restricted Private Campaigning Areas:** The following places may not be used for the purpose of private campaigning at any time.
 - 1. The Cubes (The Pit and behind the Campus Y);
 - 2. The interior of the Student Union and Student Union Annex;
 - 3. The interior of the University Student Stores

4. The exterior of all campus buildings (whether by poster, projection, or other method);
 5. The interior or exterior of all University or Chapel Hill Transit operated vehicles;
 6. Within fifty (50) feet of a University-operated computer facility, and,
 7. The private property of any individual who has not given prior consent
- D. Restricted Public Campaigning Areas: The following shall not be used on behalf of any candidate or referendum for the purpose of public campaigning or campaign recruitment at any time. This restriction does not prohibit the use of these locations for the purpose of private campaign meetings within existing campaign teams or the preparation of campaign materials.
1. The Cubes (The Pit and behind the Campus Y);
 2. The interior of the Student Union and Student Union Annex;
 3. The interior of the University Student Stores
 4. The exterior of all campus buildings (whether by poster, projection, or other method);
 5. The interior of all academic buildings;
 6. The interior of all campus libraries;
 7. The interior of all dining halls;
 8. The interior of all campus residence halls;
 9. The interior or exterior of all University or Chapel Hill Transit operated vehicles;
 10. Within fifty (50) feet of a University-operated computer facility, and,
 11. The private property of any individual who has not given prior consent.
- E. No candidate or referenda campaign can campaign by changing the wallpapers and/or homepages of University-owned computers.
- F. **Damage to University Property.** No campaign materials shall be placed on University property in such a way as to damage that property.

G. **Damage to Trees and Plants.** No campaign materials may be placed on trees, shrubs, or other plants on the University campus.

H. No candidate for any office, other than the office of Student Body President or Residence Hall Association President shall participate in hallstorming, as defined.

§812. *The Presence of Students on a Campaign.*

All students are bound by the Student Code, and thereby bound by these regulations. The presence of any students within activities undertaken by unregulated organizations, such as University Institutions or Departments, shall require that said activity be regulated by the Board of Elections, and all laws passed by Student Congress.

§813. *Post-Election Removal of Materials.*

All campaign materials must be removed from University property within ninety-six (96) hours after the close of the polls.

§814. *Section 703. Enforcement.*

These regulations shall be subject to enforcement, and violations subject to punitive of action, by the Board of Elections and Student Supreme Court pursuant to Joint Code, Title II, Chapter 8, and by the Honor Court pursuant to the Instrument of Student Judicial Governance.

Chapter 9. Enforcement Policy and Punitive Actions

Article I. Automatic Disqualifications

§910. *The Point System*

- A. The BOE shall issue points to campaigns and referendum campaigns in the final opinions of BOE hearings. The BOE shall reserve the ability to determine the severity of election violations to determine the final number of points issued to a candidate, within the specified limits, as stated below.
- B. If a candidate collects 15 points, they are automatically disqualified.
- C. If a referenda campaign in the pro-position collects 15 points, the referendum shall be removed from the ballot. The referenda may still be introduced again after initiating and completing the entire referenda process over again.
- D. If a referenda campaign in the con position collects 15 points, then any student at the University of North Carolina at Chapel Hill who continues to campaign against the referendum shall be reported to the University of North Carolina at Chapel Hill Honor Court, thus beginning the Honor Court process. Furthermore, the referenda contact may also be reported to the Honor Court if they are found responsible for continuing or encouraging further election violations.
- E. The following election violations categories shall be used:
 - 1. **Defacing campaign materials or school property.** This category shall include, but shall not be limited to, destroying campaign materials, placing campaign materials in unauthorized locations, ruining UNC property, and destroying wildlife.
 - 2. **Misrepresentation of an Election Issue.** This category shall include, but not be limited to, deliberate or intentional presentation of falsities regarding the platform of another campaign. Any misrepresentation resulting from intended satire or unintentional misrepresentation shall not constitute such violation.
 - 3. **False Start.** This category shall include, but shall not be limited to, beginning campaigning or collecting signatures before the official starting time.

4. **Location.** This category shall include, but not be limited to, campaigning in locations where you cannot campaign legally.
 5. **Technology.** This category shall include, but not be limited to, campaigning online in illegal ways.
 6. **Falsification.** This category shall include, but shall not be limited to, falsifying financial records, giving false information, and/or lying during hearings. The violation of falsification shall not be levied without clear evidence of intent to falsify.
 7. **Financial Problems.** This category shall include, but not limited to, spending more money than legally permitted.
 8. **Harmful or Malicious Behavior.** This category shall include, but not limited to, intentionally ruining an opponent's campaign irreversibly or maliciously.
- F. The following points shall be assigned to election violations per category per offense. At the discretion of the majority opinion of the BOE, multiple violations of the same offense may be compiled into a single election violation.
1. Defacing campaign materials or school property. 2 (± 1) points.
 2. Misrepresentation of an election issue. 2 (± 1) points.
 3. False Start. 3 (± 2) points.
 4. Location. 3 (± 2) points.
 5. Technology. 2 (± 2) points.
 6. Falsification. 6 (± 4) points.
 7. Financial Problems. 4 (± 3) points
 8. Harmful or Malicious Behavior. 8 (± 2) points.
 9. Should the candidate commit a violation, or a supporter commits a violation that the candidate should be reasonably aware of, that doesn't carry the option of increasing the offense to a ten point deduction occur in the timeframe immediately surrounding the general election and/or run-off, the complaint shall be heard by the Supreme Court. The Supreme Court will then decide if the violation had the potential to alter the outcome of the election. If so decided, the Supreme Court holds the right to disqualify the candidate.

- G. A candidate or referenda campaign which receives a point or points, as issued within the final opinion of a BOE hearing, shall also have their maximum spending limit decreased. Each point shall correspond to a three percent (3%) decrease from the original maximum spending limit for a candidate or campaign.

Article II. Pre-Hearing Procedures

§920. Election Complaints

- A. A BOE hearing shall commence after a plaintiff files an election complaint to the BOE against a candidate or referenda campaign.
 - 1. Members of the BOE may serve as plaintiffs in the event they personally witness or possess evidence of a violation.
 - 2. In the event a BOE member serves as a plaintiff, they must recuse themselves from voting proceedings related to the complaint.
- B. All complaints of violations of election regulations shall commence with a BOE hearing and be issued a final opinion of the BOE before such a complaint can be granted a pre-trial hearing and/or trial before the Student Supreme Court.
- C. The plaintiff must be a member of the constituency for the respective office of the candidate or referendum campaign in which the plaintiff is filing an election complaint against.
- D. Election complaints filed in the BOE shall contain in concise and clear language in separate, numbered paragraphs, with the following headings, the following:
 - 1. The name of the plaintiff;
 - 2. The respective constituency of the plaintiff;
 - 3. The name of the defendant;
 - 4. The respective category of the purported election violation;
 - 5. A description of the defendant's purported election violation; and
 - 6. Any evidence of the defendant's purported election violation.
- E. A complaint shall be signed by the plaintiff who shall indicate their address and telephone number, if any, and shall certify as follows, "I do affirm that I have read in full the foregoing complaint and that the allegations contained therein are true to the best of my knowledge and belief." If a

plaintiff is the member of an opposing campaign, this must be included in the complaint.

- F. A complaint submitted by a plaintiff represented by counsel shall also be signed by the counsel who shall indicate their address and telephone number, if any.

§921. *Answers*

- A. The BOE shall issue a time and place of the BOE hearing, make public the official copy of the election complaint immediately, and present a copy of the election complaint to the defendant. The BOE hearing shall take place at least forty-eight hours after the BOE provides a copy of the election violation complaint to the defendant.
- B. The defendant named in a complaint filed by the plaintiff is not obligated but maintains the right to file an answer to the BOE. Such answer must be filed within twenty-four hours after the BOE provides the defendant with a copy of the election violation complaint.
- C. Answers to complaints filed to the BOE shall contain in concise and clear language in separate, numbered paragraphs with headings, the following contents:
 - 1. The admission or denial of every allegation made in the complaint; and
 - 2. An allegation of any defense upon which the defendant relies.
- D. When preparing an answer, the defendant shall refer to the corresponding numbers of the paragraphs of the election complaint in which the allegations are made, and shall either:
 - 1. Admit the allegation;
 - 2. Admit the allegation in part, and deny it in part, specifying the part denied and the reason for denial;
 - 3. Admit the allegation, but request that the allegation be changed to a different punitive category; or
 - 4. Deny, specifying the reason for denial.
- E. If a defendant is without knowledge or information sufficient to form a belief as to the truth of an allegation made in an election complaint, the candidate shall so state, and this shall have the effect of a denial.

- F. Failure to answer all stipulated guidelines shall not be sufficient grounds to dismiss the answer.
- G. If the defendant fails to file an answer to the BOE within twenty-four hours, the Chair of the BOE:
 - 1. May grant the defendant an extension of time in which to file the answer if the Chair determines that there were circumstances beyond the control of the defendant justifying the delay;
 - 2. Shall assume that the defendant has chosen not to file an answer, upon the confirmation of the defendant's counsel.
- H. The BOE shall immediately make public the official copy of the answer and provide a copy of an answer to the plaintiff before the hearing.

Article III. Article III. Hearing Procedures

§930. General Procedures

- A. At the issued time and place of the BOE hearing, the BOE hearing shall commence with or without the attendance of the plaintiff and/or the defendant. The Chair of the BOE retains the ability to reschedule the BOE hearing to a later time and/or different location.
- B. The plaintiff shall have the right to present their argument against the defendant about the respective election violation.
- C. The defendant shall have the right to respond to any allegations against them.
- D. The plaintiff and defendant have the right to present witnesses to the BOE to defend their case.
- E. After the hearing, the BOE shall move into closed session to determine the final opinion of the BOE.

Article IV. Post-Hearing Procedures

§940. Punitive Actions against Candidates

- A. Within forty-eight hours of the conclusion of a BOE hearing, the BOE shall issue a final opinion.

- B. The final opinion must have the consensus of at least a majority of the BOE (50.01% of a quorum) present and voting of the BOE members before being issued.
- C. The final opinion shall state:
 - 1. Any punitive decisions – specifically indicating the number of points – against a candidate or campaign;
 - 2. The rationale of the decision(s) of the majority opinion of the BOE;
 - 3. The names of BOE members casting their votes in the affirmative of the final opinion; and
 - 4. The names of BOE members casting their votes in the dissent of the final opinion.
- D. Should the candidate be assessed ten (10) or more points by the BOE, the BOE shall include an asterisk next to the name of the candidate on the ballot explaining the violations they have been found guilty of committing.

§941. *Appeals*

- A. If the plaintiff or the defendant disagrees with the final opinion formed after the BOE hearing, they may appeal the decision of the BOE to the Student Supreme Court.
- B. Such appeal must be issued within forty-eight hours of the release of the final opinion of the BOE. If such appeal is not issued within such time constraints, then the decision of the BOE stands as binding and valid for the remainder of the election cycle.
- C. All Five (5) Justices of the Supreme Court shall receive a copy of the election complaint, the answer, the minutes of the BOE hearing, and the final opinion of the BOE before determining whether to appeal the ruling given in the final opinion of the BOE.
- D. A majority of the entire Supreme Court shall agree in the affirmative in order to consider the appeal before the Supreme Court of a ruling given in the final opinion of the BOE.
- E. If the Supreme Court votes to consider appealing a punitive decision as stated in the final opinion of the BOE, then the decision shall continue with the pre-trial process as described in **Title III, Chapter 7**. The plaintiff / defendant from the BOE hearing who filed the appeal shall be the plaintiff of the Supreme Court trial process; the other respective individual shall be the defendant of the Supreme Court trial process.

- F. If the Supreme Court votes not to consider appealing a punitive decision within the final opinion of the BOE, then the decision as stated in the final opinion of the BOE shall stand as binding and valid for the remainder of the election cycle. Additionally, the Supreme Court shall reject all complaints from plaintiff / defendant about the same decision of the Board of Elections.

Title III.
Judicial Regulations

Chapter 1. Definitions

Article I. General Definitions

§110. Definitions

- A. **Act** shall refer to a noun in the sense of a deed subject to judicial review under the jurisdiction of the Supreme Court, and includes a proposed act, a completed act, a continuing act, or a refusal to act.
1. **Executive Act** shall refer to an act by an official or agency of either the Undergraduate Executive Branch of Student Government or the Executive Branch of the Graduate and Professional Student Government, or an act of an executive nature by any other governmental official or independent agency of student government.
 2. **Legislative Act** or **Legislative Action** shall refer to any act passed by the Undergraduate Senate, The GPS Senate, or the Joint Governance Council; any resolution passed by the Undergraduate Senate, The GPS Senate, or Joint Governance Council; or any completed action of a legislative nature by any governmental official or independent agency of student government.
- B. **Action** shall refer to a suit and include all controversies and cases.
- C. **Jurisdiction** shall refer the legal power of the court to hear and decide an action.
- D. **Official Email Address** shall refer to the email address published in the latest version of the campus directory.
- E. **Standing** shall refer to the right of a particular student or student organization of the Student Body to bring an action before the Supreme Court.
- F. **Student Organization** shall refer to a student organization other than the Undergraduate Executive Branch, Undergraduate Senate, The GPSG Executive Branch, The GPS Senate, or independent agency of student government.

§111. Limitations of Definitions

The Definitions provided under §100 shall apply throughout this Title unless...

- A. A specific section or chapter indicates otherwise, or
- B. Context requires another definition.

Chapter 2. The Honor Court

Article I. The Instrument of Student Judicial Governance

§210. *Mission and Purpose*

The Instrument of Student Judicial Governance for the University of North Carolina at Chapel Hill shall:

- A. Provide for the Honor Court(s);
- B. Be approved by the Chancellor, the Student Body, and the Faculty Council;
- C. Shall be set forth in a document and provide for its own procedures to be amended by the Committee on Student Conduct;
- D. Provide a Code of Conduct for the Student Body and established officers, structures, and procedures by which the Code is implemented and offenses adjudicated; and,
- E. Establish jurisdiction of the Honor Court(s) to extend to student responsibilities under the Instrument, Campus, and Honor Codes.

Chapter 3. The Student Supreme Court

Article I. Administration

§310. *Composition*

The Student Supreme Court shall be composed of three (3) undergraduate students and two (2) graduate or professional students appointed by their respective presidents, approved by their respective Senates by a 2/3 majority vote, and approved by the Joint Governance Council by a majority vote.

§311. *The Membership of the Supreme Court*

The Members of the Student Supreme Court shall be composed of:

- A. The Chief Justice of the Supreme Court (Chief Justice); and
- B. Four (4) Associate Justices of the Supreme Court (Associate Justices).

§312. *Selection of the Chief Justice*

- A. The Justices shall select from amongst themselves the Chief Justice once all five members are approved.
- B. The Chief Justice shall maintain their seat until they are no longer able to hold their position (graduation, resignation, cannot physically be at the University for longer than a semester [excluding the summer], or removal from office).
- C. A new Chief Justice shall not be selected until all five (5) seats of the Supreme Court have been filled.

§313. *Seniority*

- A. Regardless of time served on the bench, the Chief Justice shall have the greatest seniority of the Supreme Court.
- B. An Associate Justice of the Supreme Court shall have greater seniority than those Associate Justices appointed after them. When two (2) or more Associate Justices of the Supreme court are appointed simultaneously, seniority among them shall be determined according to age with the older always having the greater seniority than the younger person.

§314. *The Presiding Justice*

- A. The Chief Justice shall be considered the Presiding Justice.

- B. Whenever the position of the Chief Justice is vacant or the Chief Justice is temporarily absent or unable to attend to their duties, the Associate Justice having the greatest seniority shall serve as the Presiding Justice.
- C. The Presiding Justice shall...
 - 1. Perform all responsibilities in which the Chief Justice may exercise or is to perform under the law and
 - 2. Have the ability to exercise all powers of the Chief Justice.

§315. *Prohibition of Behavior*

- A. Members of the Supreme Court shall refrain from...
 - 1. Rendering formal or informal advisory opinions as to questions of law,
 - 2. Making public statements out of court as to particular questions of law,
 - 3. Discussing out of court the merits and issues of controversies or cases before the court or to be before the court,
 - 4. Urging the amendment, passage, or defeat of any measure before the Student Congress or any other independent agency of Student Government,
 - 5. Campaigning or publicly endorsing any campus political candidate, constitutional amendment, or referenda, and
 - 6. Doing any act or making any statement out of court which would tend to disparage the impartiality of the Supreme Court.
- B. Nothing in subsection A of this section shall prohibit free discussion among the persons serving on the Supreme Court and among the persons serving on the Supreme Court and the court staff.
- C. Nothing in subsection A of this section shall be construed to prohibit the Chief Justice from discharging their responsibilities to administer the Court and speak on administrative questions to petitioners of the Court.
- D. The blatant or repeated commission by members of the Supreme Court of any of the acts prohibited by subsection A of this section may be grounds for impeachment and removal by the Student Congress. A lesser commission may be the basis for a member to recuse themselves from hearing a deciding a case on the matter in question.

§316. *Term*

The term of the Supreme Court shall begin on the inauguration day of the Student Body President and shall continue until the subsequent inauguration day.

§317. *Quorum*

Four (4) members of the Supreme Court shall constitute a quorum to hear and determine controversies and cases or to exercise any powers or perform any functions required of the Supreme Court by law.

Article II. Court Staff

§320. *Chief Clerk*

- A. The Chief Justice shall appoint a Chief Clerk of the Supreme Court (Chief Clerk), subject to the approval of the members of the Supreme Court serving on the Supreme Court at the time of the appointment.
- B. The Chief Justice may appoint an Acting Chief Clerk of the Supreme Court (Acting Chief Clerk) during the temporary absence or incapacity of the Chief Clerk.
- C. The Chief Clerk of the Supreme Court or an Acting Chief Clerk shall...
 - 1. Maintain an accurate record of the proceedings of the Supreme Court,
 - 2. Maintain an individual file for each controversy or case before the Supreme Court into which they shall place copies of all papers filed with the Supreme Court and any other relevant material, as deemed necessary by the Chief Justice,
 - 3. Ensure that the records of the Supreme Court are archived on the Supreme Court website as the materials become publicly available and at University Archives at the end of a Supreme Court term, and
 - 4. Exercise such other powers and perform such functions as may be required of them by the Chief Justice.
- D. The Chief Justice may remove the Chief Clerk at any time.

§321. *Prohibition of Behavior*

- A. The Chief Clerk and/or those acting in that capacity shall refrain from...
 - 1. Divulging any information learned by them concerning any controversy or case before the Supreme Court, except when the information is of general public knowledge,

2. Seeking to influence the outcome of any controversy or case before the Supreme Court or any issue to be decided by the Supreme Court, and
3. Doing any act or making any statement out of court which would tend to compromise the impartiality of the Supreme Court.

Chapter 4. Legal Counsel

Article I. Rights

§410. *Rights of the Student*

- A. Every student and student organization has the right to be represented by legal counsel when involved with a case before the Board of Elections and/or Supreme Court.
- B. Every student and student organization has the right to the assistance of counsel appointed by the Chief Legal Officer from the Student Legal Counsel to represent them in a case before the Board of Elections and/or Supreme Court.
- C. Should the student or student organization refuse the appointed member of the Student Legal Counsel, they may alternatively choose any member of the UNC Student Body to serve as their counsel, assuming the latter accepts responsibility.
- D. Once appointed, the Counsel will work with the student to file Board of Elections and Supreme Court papers, gather evidence, present findings to the Board of Elections and/or Supreme Court, and perform other duties necessary to effectively represent their party.

Article II. Student Legal Counsel

§420. *Obligation to Maintain Legal Counsel*

Both the Undergraduate Student Government and The GPSG shall maintain their own Office of Student Legal Counsel, selected in the manner dictated by their respective Codes, to serve their respective constituencies.

§421. *Structure of Student Legal Counsel*

Both Offices (USG/GPSG) of Student Legal Counsel shall consist of the following members:

- A. The Chief Legal Officer and
- B. Deputy Legal Officers

§422. *Duties of the Legal Officers*

The duties of the Legal Officers of the respective constituencies shall be detailed in their respective codes.

§423. Ethical Conduct of Legal Officers

A. Legal Officers shall...

1. Inform the Chief Legal Officer about any potential conflict of interest before accepting the responsibility of serving as legal counsel for a case,
2. Recuse themselves should a conflict of interest arise, and
3. Not discuss the case with anyone without the explicit consent of their represented party.

B. Failure to adhere to the instructions on ethical conduct set forth in subsection A shall result in the immediate removal from the case and the Student Legal Counsel. The Codes of the USG/GPSG may set forth further penalties for failure to abide by these rules.

Article III. Student Government Legal Counsel

§430. Selection of the Solicitors General

Both the Undergraduate Student Government and The GPSG shall appoint their own Solicitors General. Appointment of the Solicitors General shall be by their respective constituency presidents in the spring and shall be subject to approval of a 2/3 majority vote of their respective Senates.

§431. Duties of the Solicitors General

- A. The Solicitors General shall serve as the legal counsel for their respective student governments, their branches, and their agencies.
- B. Independent Agencies shall be able to receive counsel from either of the Solicitors General in Student Supreme Court cases, provided that they are not serving as counsel for their respective student governments.
1. If the other branches or independent agencies are unable to attain the services of one of the Solicitors General, they shall be able to obtain legal counsel from one of the Offices of Student Legal Counsel.
- C. Any other duties and responsibilities of the Solicitors General shall be outlined in the Codes of their respective governments.

§432. Hierarchy of Representation

Should a conflict arise between agencies or branches, the following hierarchy shall be used to determine which party the Solicitors General shall represent in an action before the Supreme Court:

- A. The Solicitor General's constituency president and/or Executive Branch
- B. The Solicitor General's constituency Legislative Branch
- C. Other independent agencies of Student Government (to be chosen at the discretion of the Solicitor General).

§433. *Right to Outside Counsel*

Any person, branch, or independent agency of Student Government shall reserve the right to other student counsel if a conflict may exist for their respective Student Solicitor General.

Chapter 5. Standards for Counsel

Article I. Counsel for Parties

§510. Conduct of Counsel

- A. Counsel appearing before the Board of Elections and/or Supreme Court serves in the capacity of officers of the court. Counsel shall have the responsibility of aiding the Board of Elections and/or Supreme Court in the just, speedy, and efficient performance of its duties and of refraining from knowingly misleading the Board of Elections and/or Supreme Court on any relevant fact or issue of law. Counsel's failure to cooperate with the Court may constitute a violation of the Honor Code.
- B. The Supreme Court may issue rules, consistent with law, governing the conduct and ethics of Supreme Court Counsels. Such rules shall have no retroactive effect.

§511. Enforcement of Standards of Counsel Conduct

The Board of Elections and the Supreme Court may refuse to permit a person to serve as a Counsel if they repeatedly or flagrantly violated the rules of conduct and ethics of Counsels as stipulated in this Title. Such a verdict shall only be made after the person in question is given full notice and the opportunity to be heard. A decision regarding a person's ability to serve as a Counsel shall be made by a majority vote of the involved body – either the Board of Elections or the Supreme Court. However, any party in an action before the Board of Elections and/or Supreme Court shall not be denied self-representation. The right to represent oneself shall be extended to members of Student Organizations serving as the group's representative.

Chapter 6. Jurisdiction and Standing

Article I. General Jurisdiction

§610. Jurisdiction over Controversies: Legal Power

A. The Jurisdiction of the Student Supreme Court shall...

1. Extend to controversies concerning student government actions,
2. Extend to questions of law arising under the Student Body Constitution, the laws enacted under its authority, the actions of the Joint Governance Council, the USG Executive Branch, The GPSG Executive Branch, the USG Legislative Branch, The GPSG Legislative Branch, the Board of Elections, and other independent agencies of Student Government, and the governing documents of all independent agencies of Student Government and all officially recognized student organizations, and
3. Be based on a substantial controversy in law.

B. The Supreme Court shall have no jurisdiction to render advisory opinions.

§611. Retention of Jurisdiction for Enforcement

If the Supreme Court determines that it has jurisdiction of an action and decides the issues raised therein, it may retain jurisdiction of the action for the purposes of enforcing its judgment and punishing for contempt of court.

§612. Jurisdiction Presumption and Burden of Proof

In any action before the Supreme Court, there shall be a presumption that the court has jurisdiction, and the party seeking to invalidate the jurisdiction of the Supreme Court shall have the burden of showing that the Supreme Court has no jurisdiction over the action.

§613. Consent of Parties to Jurisdiction Effective

The consent of the parties to submit themselves to the jurisdiction of the Supreme Court or the failure of the parties to raise the issue of jurisdiction shall be effective to give the Supreme Court jurisdiction in any action in which it otherwise lacks jurisdiction.

§614. Raising of Jurisdictional Issue

The issue of the jurisdiction of the Supreme Court over an action may be raised by any party to the action at any stage of the proceedings.

Article II. Legislative Actions and Standing to Challenge

§620. Standing Required to Bring Action

To bring an action before the Supreme Court, the party bringing the action must have the appropriate standing as provided by law, and no standing shall extend to any person in controversies arising from a proposed legislative act.

§621. Standing to Bring an Action Based on Legislative Act

A. Standing to bring an action before the Supreme Court based on the question of legitimacy of a legislative act by the Joint Governance Council, the USG Senate, and/or The GPS Senate shall extend to any student or officially recognized student organization whose powers, rights, privileges, benefits or immunities are adversely affected, restricted, impaired or diminished by the legislative act in question.

B. No standing shall extend to any student or organization arising from a proposed legislative act.

Article III. Executive Actions and Standing to Challenge

§630. Standing to Bring an Action Based on Executive Act

Standing to bring an action before the Supreme Court based on the invalidity or illegality of an act of a student body officer, member of the administration executive committee, cabinet or committee of the executive branch shall extend to any member of the student body except members of The GPSG Executive Board and members serving as the Undergraduate Student Government Officers of the USG Executive Branch.

Article IV. Board of Elections Actions, Standing to Challenge and Injunctions

§640. Standing to Bring Election Action

Standing to bring an action before the Supreme Court for an election error or fraud in the acts, decisions and rulings of the Board of Elections extends to Plaintiffs who must have their powers, rights, privileges, benefits or immunities adversely affected, restricted impaired or diminished and the Plaintiff must be...

A. A candidate or political party alleging injury through an election error or fraud,

- B. A student directly and adversely affected by a regulation, ruling, or determination of the Board of Elections, and/or
- C. A student alleging election error in relation to a constitutional referendum, a constitutional initiative, a special referendum, an initiative election, or a review election.

§641. Issuance of Injunctions by Supreme Court

- A. The Supreme Court may issue temporary injunctions against the Board of Elections stopping an election to protect the Court’s jurisdiction or to preserve the status quo until a judicial determination can be reached. The Supreme Court shall only issue elections injunctions in extreme circumstances and when necessary.
- B. If, in the opinion of the Chief Justice, there is insufficient time to convene the court in order to issue a temporary injunction, they may issue a temporary injunction in the name of the Supreme Court.
- C. The Supreme Court may issue permanent prohibitory or mandatory injunctions to preserve and execute the effect of its judicial determinations.

Article V. Actions of Other Committees/Organizations and Standing to Challenge

§650. Standing to Bring Other Action

Standing to bring an action before the Court based on the question of legitimacy or illegality of an act by an officer, official or agent of the Residence Hall Association, Carolina Athletic Association or other recognized organizations and committees or groups receiving funds from Student Fees extends to...

- A. Any student or officially recognized student organization whose powers, rights, privileges, benefits or immunities are adversely affected, restricted, impaired or diminished by the act in question,
- B. Any student who is a constituent of the Residence Hall Association, Carolina Athletic Association or other recognized organization and committee or group receiving funds from Student Fees.

§651. Definition of Constituent for Purposes of Standing

For the purposes of standing, a constituent is defined by:

- A. Any resident of the residence hall for the Residence Hall Association;
- B. Any full-time, fee paying student for the Carolina Athletic Association;

- C. A member of any other recognized organization and committee or group receiving funds from Student Fees; and
- D. The invitee to a program or event hosted by any of the listed groups (a-c).

Chapter 7. Pretrial

Article I. Commencement of Action (Pleadings)

§710. *Complaints: Preparing and Filing*

- A. Complaints filed in the Supreme Court shall contain in concise and clear language in separate, numbered paragraphs, with the following headings, the following five allegations:
1. **Jurisdiction.** An allegation of the grounds upon which the Supreme Court possesses jurisdiction;
 2. **Standing.** An allegation of the grounds upon which each Plaintiff claims standing to bring the action;
 3. **Necessary Defendants.** An allegation of the grounds upon which it is claimed that each of the Defendants is necessary to the action;
 4. **Relief.** An allegation of the grounds upon the Plaintiff claims they are entitled to relief; and
 5. **Demand for Judgment.** A Demand for Judgment for the relief to which the Plaintiff deems themselves entitled, which may consist of alternative demands for relief.
- B. Except as may be required by subsection A of this section, it shall be otherwise unnecessary for a Plaintiff to anticipate in their Complaint possible defenses of the Defendant by pleading matters showing a possible defense invalid.
- C. All allegations in a Complaint shall be made in numbered paragraphs the contents of each of which shall be limited, insofar as possible, to a statement of a single set of circumstances.
- D. A Complaint shall be signed by the Plaintiff who shall indicate their address and telephone number, if any, and shall certify as follows:
- “I do affirm that I have read in full the foregoing Complaint and that the allegations contained therein are true to the best of my knowledge and belief.”
- E. A Complaint submitted by a Plaintiff represented by counsel shall also be signed by the counsel who shall indicate their address and telephone number, if any.

§711. *Right of Defendant to Answer*

- A. Each Defendant named in a Complaint filed by the Plaintiff is not obligated but maintains the right to file an Answer as described below.
- B. Answers to Complaints filed in the Supreme Court shall contain in concise and clear language in separate, numbered paragraphs with headings, the following contents:
 - 1. An admission or denial of every allegation made in the Complaint;
 - 2. An allegation of any defense upon which the Defendant relies;
 - 3. An allegation of any grounds upon which the Defendant claims they are entitled to relief; and,
 - 4. A demand for judgment for any relief to which the Defendant deems themselves entitled, which may consist of alternative demands for relief.
- C. When preparing an Answer, the Defendant shall refer to the corresponding numbers of the paragraphs of the Complaint in which the allegations are made, and shall either...
 - 1. Admit the allegation,
 - 2. Admit the allegation in part, and deny it in part, specifying the part denied and the reason for denial, or
 - 3. Deny, specifying the reason for the denial.
- D. If a Defendant is without knowledge or information sufficient to form a belief as to the truth of an allegation made in a Complaint, they shall so state, and this shall have the effect of a denial.
- E. Failure to follow all stipulated guidelines shall not be sufficient grounds to dismiss the Answer.

§712. Filing an Answer

- A. An Answer to a Complaint shall be filed in the Supreme Court and served upon the Plaintiff and the counsel of each Plaintiff in the action or solely upon the Plaintiff if they are without counsel.
- B. An Answer to a Complaint shall be filed in the Supreme Court by submitting an electronic version to the Chief Justice.

§713. Limitation on Time in Which Answer Must Be Filed

The Defendant shall file an Answer within a timely manner as agreed upon with the Chief Justice so as not to significantly delay the adjudication of the action as would cause substantial injury to either party.

§714. *Extension of Time for Filing Answer*

If the Defendant fails to file an Answer to the Complaint in the time directed, the Chief Justice...

- A. May grant them an extension of time in which to file the Answer if the Chief Justice determines that there were circumstances beyond the control of the Defendant justifying the delay and the extension of time will not result in injury to the rights and remedies of the Plaintiff, or
- B. Shall assume that the Defendant has chosen not to file an Answer, upon the confirmation of the Defendant's Counsel.

§715. *Pleadings and Stipulations Binding on Parties*

Except for an allegation or admission of jurisdiction contained in a pleading or stipulation, a pleading or stipulation made by a party is binding upon that party. No offer of proof or claim for relief shall be made unless there is basis in the pleading of that party. No offer of proof shall be made by a party contrary to the pleading or stipulations of that party.

§716. *Necessary Defendants in Action Before the Supreme Court*

- A. In any action before the Student Supreme Court, the Plaintiff must name all necessary Defendants. Necessary Defendants include all students who caused or contributed to the Plaintiff's injury, officials or officers in charge of the student group that caused or contributed to the Plaintiff's injury and all students whose powers, rights, privileges, benefits or immunities would be affected if the Court grants the relief the Plaintiff requests.
- B. In any action before the Student Supreme Court, if...
 1. The suit is based on an act of one of the Senates, the necessary Defendants could include the following:
 - a. For acts of the Undergraduate Senate, the Undergraduate Student Government President, the Speaker of the Senate, and officers of any other student group affected, and
 - b. For acts of The GPS Senate, The GPSG President, The GPSG Vice President, and officers of any other student group affected;

2. The suit is based on an act of the Joint Governance Council, the necessary Defendants could include the Chair of the Joint Governance Council, the Presidents of the respective constituencies, and other members of the Joint Governance Council;
 3. The suit is based on an executive act of one of the constituent governments, the necessary Defendants could include the following:
 - a. For actions of the Undergraduate Executive Branch, the Undergraduate President, executive officers, cabinet officials and other members of the executive branch involved in the act, and
 - b. For actions of The GPSG Executive Branch, The GPSG President, executive officers, cabinet officials, and other members of the executive branch involved in the act;
 4. The suit is based on an election action, the necessary Defendants could include all parties who would be directly and adversely affected if the Complaint was upheld, or against whom an injunction would have to be issued; and
 - a. The Board of Elections Chairperson shall never be a formal party Defendant in any action.
 5. The suit is based on the act of an officer, official or agent of the Residence Hall Association, Carolina Athletic Association, or other recognized organizations and committees or groups receiving Student Fees, the necessary Defendants shall include officers of the group and any other affected students.
- C. The list in (B) is not exhaustive. Necessary Defendants include all those students that the Presiding Justice requires to be named.

§717. Improper Joinder of Defendant

- A. In an action before the Supreme Court, a Plaintiff may, by timely motion to the Supreme Court, move that a Defendant be dismissed from the action because they were improperly brought into the action as a Defendant. A Defendant also may, upon timely motion to the Supreme Court, move that they be dismissed from the action because they were improperly brought into the action as a Defendant. The Supreme Court shall grant or deny such motions upon their merits.
- B. The Supreme Court may dismiss an improper Defendant from an action before it on its own motion.

§718. Omission of Necessary Defendants

- A. In an action before the Supreme Court, a Plaintiff may, by timely motion to the Supreme Court, move that a party improperly omitted as a Defendant be brought into the action. A party may, upon timely motion to the Supreme Court, move that they be made a Defendant in an action in which they were improperly omitted as a Defendant. The Supreme Court shall grant or deny such motions upon their merits.
- B. The Supreme Court may dismiss any action in which a necessary Defendant has been omitted.

§719. *Intent to File*

An Intent to File an Action in the Supreme Court (Intent to File) shall be commenced by filing a written petition with the Chief Justice stating an intention to file a Complaint with the Chief Clerk of the Supreme Court. A written petition is defined as a letter or electronic mail to the Chief Justice’s official campus address. The Complaint must be filed within a time period to be determined by the Chief Justice, not longer than fourteen (14) days after submitting an Intent to File.

§720. *Statute of Limitations*

- A. An Intent to File shall be submitted in the Supreme Court no later than ninety-six (96) hours after acts of the Board of Elections.
- B. An Intent to File shall be submitted in the Supreme Court no later than fourteen (14) calendar days after the legislative, executive, or other act which causes injury.
 - 1. The Supreme Court shall be empowered to hear a case outside of this timeline by a majority vote.
- C. The period of limitation shall not run during any time in which the University is in recess for a scheduled University holiday but shall run during weekends.

Article II. Types of Court Documents

§720. *Supreme Court Documents*

Documents filed in the Student Supreme Court shall be, distributed to all parties to the suit and delivered with reasonable time accorded to opposing parties to respond before the Court makes a decision. Nothing in this Part or its Sections prevents the Court from using electronic mail to distribute Court Documents with the parties’ agreement, provided additional hard copies are made available to all parties at pretrial and trial proceedings

§721. *Types of Supreme Court Papers*

- A. In an action before the Supreme Court, the types of documents which may be submitted by the parties to the action are as follows:
 - 1. Complaints;
 - 2. Answers;
 - 3. Motions;
 - 4. Affidavits; and
 - 5. Briefs.
- B. In an action before the Supreme Court, the types of documents which may be issued by the Supreme Court or by its officers are as follows:
 - 1. Orders and
 - 2. Opinions

§722. *Motions*

- A. An application to the Supreme Court for an Order shall be made by Motion unless made in a Complaint or Answer. Motions shall be in writing.
- B. Motions shall contain in concise and clear language the following:
 - 1. An allegation of the grounds for the Order sought and
 - 2. The Order sought.
- C. A Motion shall be signed by the counsel of the party seeking the Order, or if the party is not represented by counsel, the Motion shall be signed by the party seeking the Order.
- D. Motions must be delivered to opposing counsel in advance. Opposing counsel can request and must be granted a reasonable period of time to prepare arguments opposing the Motion.
- E. All Motions to Dismiss a Complaint on any grounds, including summary judgment, must be delivered to opposing counsel forty-eight (48) hours before they are argued at pretrial or trial.
 - 1. The forty-eight period may only be waived by opposing counsel, not by the Justices or those filing the Motion.

§723. *Affidavits*

- A. Voluntary testimony in Supreme Court may be submitted in the form of written affidavits. A subpoenaed witness may not file an affidavit, nor is an affidavit a substitute for live testimony.
- B. The contents of an affidavit shall be confined to facts known firsthand by the affiant. Opinions and hearsay testimony shall be excluded.
- C. All statements made in an affidavit shall be made in numbered paragraphs the contents of each of which shall be limited, insofar as possible, to a statement of a single set of facts.
- D. An affidavit shall be signed by the affiant who shall indicate their address and telephone number and shall certify as follows:

“I do affirm that the statements made in this affidavit are true to the best of my knowledge and belief.”
- E. An affidavit shall be signed in the presence of a Notary Public or the Chief Clerk of the Supreme Court who shall certify the signing.

§724. *Briefs*

- A. Briefs filed in the Supreme Court shall contain in concise and clear language of the following:
 - 1. A table of contents;
 - 2. An index to statutory, judicial, and other authority cited within the brief;
 - 3. A statement of the facts of the controversy or case;
 - 4. A statement of the questions of law presented;
 - 5. The arguments of the party submitting the brief; and
 - 6. A conclusion consisting of a petition for the relief to which the party submitting the brief deems themselves entitled.
- B. A brief shall be signed by the counsel of the party submitting the brief, or if the party is not represented by counsel, the brief shall be signed by the party submitting the brief.

§725. *Orders*

- A. Orders may be issued by the Supreme Court or by its authority for the following purposes:
 - 1. To summon the Defendant to appear and defend in an action before the Supreme Court,
 - 2. To subpoena witnesses or evidence on the request of a party,
 - 3. To state preliminary and final decisions of the Supreme Court concerning actions before it,
 - 4. To issue a writ of mandamus; and/or
 - 5. To perform such other functions as may be appropriate and consistent with law.
- B. An Order shall be in writing and signed by the Chief Justice of the Supreme Court.

Article III. Types of Motions

§730. Subpoenas

Before trial of action, a party may file a Motion requesting that an Order be issued subpoenaing a student and requiring them to appear before the Supreme Court as a witness in the action or to submit material evidence in their possession. Failure to respond to a subpoena may constitute a violation of the Honor Code.

§731. Temporary Restraining Order

- A. Before trial of an action, a party may file a Motion requesting that an Order be issued restraining the other party from doing a particular act until the rights of the parties may be adjudged.
- B. A Motion requesting a Temporary Restraining Order shall be granted and the proper Order issued only if it is determined that...
 - 1. The granting of the Temporary Restraining Order is necessary to preserve the jurisdiction of the court or the rights and remedies of the party requesting the Order and
 - 2. The party requesting the Temporary Restraining Order be issued is clearly entitled to the relief requested under principles of justice.

§732. Disposal of Claim

- A. **Motion to Dismiss.** Before trial of an action, a party may file a Motion to Dismiss the Claim based on failures of the opposing party to comply with the requirements of this Title or any Sections or provisions under its authority, or if justice requires.
- B. **Summary Judgment.** Before trial of an action, a party may file a Motion for Summary Judgment. A Summary Judgment shall only be granted when there is no genuine issue of any material facts in the case and the moving party is entitled to a decision based on the law.

§733. *Amendment of Pleadings*

- A. Before trial of an action, a party may file a Motion requesting that an Order be issued amending their pleading.
- B. A Motion to Amend a Pleading shall be granted and the proper Order shall be issued if it is determined that the granting of the amendment will not result in prejudice or hardship to the other party.

§734. *Striking Matter from a Pleading*

- A. Before trial of an action, a party may file a Motion requesting that an Order be issued striking from the pleading of the adverse party matter which is immaterial, impertinent, scandalous, or redundant.
- B. A Motion to Strike Matter from a Pleading shall be granted and the proper Order shall be issued if it is determined that the matter to be stricken is clearly immaterial, impertinent, scandalous, or redundant.

Article IV. Form of All Documents Filed in the Court

§740. *General Form of Supreme Court Documents*

- A. All documents used in the Supreme Court should conform to the following style:
 - 1. They shall be formatted on a page with dimensions of eight and one-half (8 1/2) inches by eleven (11) inches and have a left margin of one and one-half (1 1/2) inches, a right margin of one-half (1/2) inch, and a top and bottom margin of at least one (1) inch.
 - 2. In documents of more than one (1) page, the pages shall be consecutively numbered in the center of the bottom margin.
 - 3. In printed documents, they shall be printed on white paper and be stapled at the top left margin.

- B. All papers used in the Supreme Court shall contain a caption at the top of the first page setting forth the name of the court, the file number of the action, the title of the action consisting of the names of the parties, and the type of paper, which shall generally conform to the following style:

IN THE SUPREME COURT)	
)	
Action No. _____)	
)	
A.B.)	
PLAINTIFF)	
)	
Versus)	[Type of Paper]
)	
C.D and E.F.)	
DEFENDANTS)	

- C. All papers filed in the Supreme Court by a party shall have at the end thereof a statement for the certification of the time of filing. The statement shall be as follows:

“Filed this the ____ day of ___, 20___, at : .m.”

- D. All papers issued by the Supreme Court or its members shall have at the end thereof a statement for the certification of the time of issuance. The statement shall be as follows:

“Done this the ____ day of ___, 20___, at : .m.”

§741. Examples of Supreme Court Papers

The Supreme Court may issue rules, consistent with law, providing examples of the form of various Supreme Court papers along with examples of particular types of allegations.

§742. Citation Form

The Supreme Court may issue rules establishing a uniform system of citation for statutory provisions, controversies, cases, and other material cited as authority in Supreme Court papers.

§743. Flaws in Papers

Failure of Supreme Court papers to conform to the specific requirements of form shall not be, in itself, sufficient grounds for dismissal.

Article V. Service of Process

§750. Issuance of Summons

- A. Upon the filing of a Complaint in the Supreme Court, the Chief Justice shall issue an Order directed to the Defendant in the action and summoning them to defend.
- B. Should the Defendant fail to provide an Answer, they shall be notified that the case shall proceed and that a judgment shall be made even if they choose not to submit an Answer.
- C. The Defendant shall be notified that upon their failure to appear and defend judgment shall be entered upon Plaintiff's pleadings and arguments.

§751. Form of Process

A copy of the summons and a copy of the Complaint shall be sent to the Defendant via electronic mail.

§752. Service of Process upon Defendant

- A. Within twenty-four (24) hours after the submission of a Complaint with the Supreme Court, a Justice of the Supreme Court shall make service of process upon each Defendant in the action.
- B. Valid service of process upon a Defendant shall consist of one (1) of the following:
 - 1. Personally handing the process to the Defendant;
 - 2. Personally handing the process to a person who maintains their sleeping quarters in the same room as does the person to be served;
 - 3. Leaving the process on the door of the room where the Defendant maintains their sleeping quarters; or
 - 4. Sending an electronic mail to the Defendant.

§753. Person to Be Served Process

Service of process shall be made to the following persons:

- A. On the individual Defendant if the Defendant is an individual person;
- B. On the chief officer of the student organization or association if the Defendant is a student organization or association; or,

C. On the President of the Student Body if the Defendant is the Student Body.

§754. Service of Answer upon Plaintiff

- A. If a Defendant is required to file an Answer to a Complaint or if they intend to file a voluntary Answer, they shall serve a copy of the Answer upon the counsel for the Plaintiff or upon the Plaintiff if they are without counsel and submit the Answer to the Court.
- B. Valid service of an Answer shall consist of one (1) of the following:
 - 1. Personally handing the Answer to the person to be served;
 - 2. Personally handing the Answer to a person who maintains their sleeping quarters in the same room as does the person to be served;
 - 3. Leaving the Answer on the door of the room where the person to be served maintains their sleeping quarters; and/or
 - 4. Electronic mail to the student.

Article VI. Pretrial Procedures

§760. Pre-Trial Hearing

- A. The Chief Justice shall convene a Pre-Trial Hearing to determine the merits of any Motion to be granted before trial of the action. The Pre-Trial Hearing shall be open to the public.
- B. Before trial of action, the Chief Justice shall convene a Pre-Trial Hearing before the Supreme Court in chambers to consider:
 - 1. The simplification of the issues,
 - 2. The necessity or desirability of amendments to the pleadings,
 - 3. The possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof,
 - 4. The limitation of the number of witnesses,
 - 5. The setting of the date for trial of the action, and/or
 - 6. Such other matters as may aid in the disposition of the action.
- C. Notice of the time and place of a Pre-Trial Hearing and the matter to be determined shall be given to the counsel for each of the parties or to the

party if they are without counsel. Each party shall have the right to appear and argue the merits of the matter to be determined.

- D. The Supreme Court shall issue an Order which recites the action taken at the conference, the amendments allowed to the pleadings, and the agreements made by the parties as to any of the matters considered, and which limits the issues for trial for those not disposed of by admissions or agreements of counsel.
1. Such an Order shall be determined by a three-fifths (3/5) majority decision of the entire Supreme Court.
 2. Such an Order shall control the subsequent course of the action unless modified at the trial to prevent manifest injustice.
 3. Such an Order shall be written by a member of the majority opinion of the Supreme Court and selected by the Chief Justice.

§761. Documents Delivered

If not delivered before the pretrial hearing, the Chief Justice shall email all papers to the Associate Justices sitting the case and the parties Plaintiff and parties Defendant.

§762. Setting Date for Trial

The date for the trial of an action before the Supreme Court shall be set by the Chief Justice who shall take into consideration the convenience of the parties, witnesses, and persons serving on the Supreme Court. Appropriate notice shall be given to the persons concerned and local media.

§763. Place of Trial

The Supreme Court shall convene for trial in the Kenan Courtroom of the Law School unless the Chief Justice shall designate another appropriate, accessible place. Trial proceedings shall be open to the public.

Chapter 8. Trial

Article I. Procedures

§810. *Convening of Court*

The trial of an action before the Supreme Court shall be opened by the call of the Presiding Justice of the Supreme Court.

§811. *Record of Proceedings*

The Clerk of the Supreme Court shall keep an accurate record of the proceedings at trial before the Supreme Court. This record shall be as nearly verbatim as possible.

§812. *Proof of Facts*

- A. In any action before the Supreme Court in which facts are in dispute, the parties shall provide any proof of the facts upon which their case relies.
- B. The Plaintiff shall proceed first with the offer of evidence of facts upon which he/she relies, after which the Defendant shall proceed with the offer of evidence of facts upon which he/she relies to dispute the Plaintiff's offer of proof and to support his/her own case.
- C. A party shall have the inalienable right to cross-examine witnesses of the adverse party after the examination of the witness by said party.

§813. *Calling Witnesses*

Witnesses shall be called first by the Plaintiff to testify as to facts in the Plaintiff's case. After the Plaintiff's witnesses have testified and been cross examined by the Defense, the Defense may call its witnesses. Upon the agreement of both parties and a 3/5 majority of the justices of the Supreme Court, however, this schedule may be altered in order to accommodate scheduling conflicts.

§814. *Oath or Affirmation of Witnesses*

All witnesses before the Supreme Court shall affirm an oath to tell the truth:

"I (name) do affirm to tell the truth, the whole truth, and nothing but the truth under penalty of violation of the Honor Code."

§815. *Arguments on Issues of Law*

- A. Following any proof of facts which may be made by the parties in an action before the Supreme Court, the Court shall then proceed to hear arguments on the issues of law involved in the action.
- B. The Supreme Court shall allot an equal amount of time to the Plaintiff and the Defendant for the purposes of oral arguments. The parties may reserve a portion of their allotted time, not to exceed one-fourth (1/4), to rebut the arguments made by the adverse party.
- C. The arguments shall proceed in the following order:
 - 1. Argument by the Plaintiff.
 - 2. Argument by the Defendant.
 - 3. Rebuttal by the parties if so reserved.
 - 4. The argument of a party may be interposed with questions from the justices.

§816. Court to Retire at Conclusion of Arguments

Following the conclusion of the arguments of the parties, the Supreme Court shall retire to confer on the merits of the action.

Article II. Burden of Proof

§820. Presumption of Law and Burden of Proof

Every act of an executive, legislative, election or other student government body that leads to an action before the Supreme Court shall be presumed legitimate and valid unless and until proven illegitimate. The burden of proof rests with the Plaintiff to demonstrate that an act is illegitimate.

§821. Standard of Proof Required

For an act to be held illegitimate, a Plaintiff must prove that there exists, to the satisfaction of the Court, a preponderance of evidence to demonstrate that an act is illegitimate as a matter of law. For an act to be held illegitimate, a Plaintiff must prove that there was an error as a matter of law, and there is a reasonable probability that the error caused the injury.

Article III. Conference

§830. Supreme Court Conference

- A. The Supreme Court Conference shall consist of the justices serving on the Supreme Court. The Conference shall seek to determine the validity of the

facts presented and appropriate action. No other person shall be permitted to be present in the meetings of the Conference and the proceedings of the Conference shall be confidential.

- B. The Supreme Court Conference shall be convened immediately at the conclusion of the trial.

§831. *Vote Required*

The concurrence of a majority of the Supreme Court Conference shall be necessary to make any decision.

§832. *Manner of Proceeding to Decision of Issues*

- A. The Chief Justice shall preside at the Supreme Court Conference and shall open the Conference with a formulation of the issues to be decided. The question of jurisdiction and standing to bring an action before the Court shall be formulated as issues in every action.
- B. Following the formulation of the issues in an action, the Supreme Court Conference shall proceed to discuss and determine each issue separately.
- C. Upon the conclusion of the discussion of an issue, open voting on the issue shall proceed with each member of the Supreme Court Conference voting in turn and expressing their reasons for voting in the manner in which they did, in order of seniority.

§833. *Effect of Finding of Lack of Jurisdiction*

Should it be determined that the Supreme Court lacks jurisdiction for a case, no further issues shall be determined and no judgment shall be rendered. The case will then be dismissed.

§834. *Assignment of a Justice to Write Main Opinion*

The Chief Justice shall assign a member of the Supreme Court to write the main opinion of the court stating the decision of the court on the issues raised and the reasoning of the court in reaching its decision. The justice assigned to write the main opinion shall have voted with the majority on the determination of every issue. The Chief Justice may assign themselves to write the opinion, provided they voted with the majority on the determination of every issue.

§835. *Opinions*

- A. The final disposition of an action before the Supreme Court shall be stated in a written opinion.

- B. The justice serving on the Supreme Court assigned to write the main opinion containing the decision of the Supreme Court shall include, prior to the actual opinion, a synopsis of the holdings of law reached by the Supreme Court in arriving at its decision. The main opinion shall contain the following:
 - 1. A statement of the relevant facts of the action,
 - 2. Reasoning supporting the decision of the Supreme Court including holds of law made to reach the decision, and
 - 3. The decision of the Supreme Court.
- C. A justice serving on the Supreme Court who agrees with the decision reached in a particular action but disagrees partially or completely with the reasoning supporting the decision as stated in the main opinion, may file a concurring opinion.
- D. A justice serving on the Supreme Court who disagrees partially or completely with the decision reached in a particular action may file a dissenting opinion.
- E. Each opinion shall indicate the justice who authored and delivered it and the other justices serving on the Supreme Court who joined in the reasoning stated by the opinion.

§836. *Announcement of Decision and Reading Opinions*

- A. Except as provided in subsection B of this section, the announcement of the decision of the Supreme Court in an action before it and the reading of the opinions shall not be made on the same day on which the trial of the action was held. The parties shall be informed as to the day on which the Supreme Court shall reconvene for the rendering of its decision and the reading of opinions and shall be required to be present. Rendering of decisions and the reading of opinions shall be made from the steps of South Building when possible and at the discretion of the court.
- B. If the Supreme Court determines that an immediate decision is necessary to preserve the rights and remedies of the parties, it may, after conference, announce its decision in the action on the same day on which the trial was held. The reading of opinions shall be made on another day to be announced by the Supreme Court and the parties shall be required to be present.

Chapter 9. Authority

Article I. Legal Authority of the Student Supreme Court

§910. *Limitation on Authorities Used for Decision*

- A. The statutes of the United States or any state, the decisions of the courts of the United States or any state, and treatises on the law of the United States or any state, shall not be used as authority for decision of any action in the Supreme Court of the Student Body.
- B. The Code of Permanent Laws of the Student Government of the University of North Carolina at Chapel Hill, consisting of the Constitution, the laws enacted under its authority and the governing documents of organizations and committees recognized under its authority, prior decisions of the Court and executive, legislative, and Board of Elections decisions are the proper sources of law, regulation, and administrative action in the Student Supreme Court.

§911. *Previous Decisions Binding: Stare Decisis*

Previous decisions of the Supreme Court on issues of law shall be binding on the Supreme Court in its determination on questions of law except...

- A. Where the statutory authority for the previous decision has been altered so as to require a different result,
- B. Where the factual circumstances of the different controversies or cases requires a different result, and/or
- C. Where the Supreme Court determines that the previous decision was erroneous.

§912. *Rules of Construction and Application*

- A. The provisions of this chapter shall be construed and applied to promote their underlying purposes and policies.
- B. If two (2) or more provisions of the law are in apparent conflict if given a certain construction, they shall be construed to give effect to both if such a construction can reasonably be adopted and applied.
- C. If any provision of this chapter, or application thereof to any person or circumstance, is held invalid, such invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application. To this end, the provisions of this chapter are declared to be severable.

Article II. Enforcement

§920. Enforcement of Judgment by Injunction

In any action, the Supreme Court may enforce its judgment by the issuance of an appropriate mandatory or prohibitory injunction to the person to be required to do an act or restrained from doing an act. An injunction may be enforced by appropriate contempt proceedings.

§921. Enforcement of Judgment by Honor Code

In any action in which a party fails to honor the enforcement authority of the Supreme Court, the Chief Justice may refer the matter to the Attorney General of the appropriate constituency as a violation of the Honor Code. The basis of the potential Honor Code violation is the Instrument of Judicial Governance.