

Article I: Name

Section 1: The Board of Elections (BOE) shall be an organization within the University of North Carolina student government.

Article II: Purpose

Section 1: The Board of Elections shall conduct fair and impartial student elections in accordance with the Student Government election regulations. The Board shall also publicize the elections it oversees.

Article III: Membership & Officers

Section 1: Membership

The Board of Elections shall be composed of three (3) undergraduate students and three (3) graduate or professional students. Undergraduate student members shall be appointed by the USG President, and graduate and professional student members shall be appointed by the GPSG President.

1. The USG appointees to the Board of Elections shall be subject to the approval of two-thirds (2/3) of present and voting members of the USG Senate at a regular meeting of the Senate and a majority vote of the Joint Governance Council.
2. The GPSG appointees to the Board of Elections shall be subject to the approval of two-thirds (2/3) of present and voting members of the GPS Senate at a regular meeting of the Senate and a majority vote of the Joint Governance Council.
3. After each year of service (two semesters, excluding Summer Semester), BOE members are to be reaffirmed for continued service by a majority vote of the Joint Governance Council at the first meeting after the spring general election results have been announced.

Each member 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.

Section 2: Interim Members

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.

Interim Members may serve no more than one term as an Interim Member and must be confirmed at the next legislative meeting.

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.

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.

Section 3: Officers

Once all members of the Board of Elections have been approved, they shall elect amongst themselves a Chairperson. Upon the vacancy of the Chairperson of the Board of Elections seat, an election for the new Chairperson shall not be held until all six (6) seats of the Board of Elections have been filled.

After election of a Chairperson, in the case that the Chairperson is a graduate student, a Vice Chairperson shall be elected from amongst the undergraduate members. In the case that the Chairperson is an undergraduate student, a Vice Chairperson shall be elected from amongst the graduate members.

Should not all of the BOE seats be filled by 30 days prior to any regular election, those on the BOE have the right to select amongst themselves an Acting Chairperson and Vice Chairperson. They shall remain Acting Chairs until

- all BOE seats are filled,
- those Chairs graduate or otherwise leave the BOE,
- OR the beginning of the next academic year.

Upon fulfillment of any of these three scenarios, a new Chairperson and Vice Chairperson will be selected (if possible) or a new Acting Chairperson and Vice Chairperson will be selected.

Section 4: Membership Limitations

No member of the Board of Elections shall serve in any elected position in the UNC Chapel Hill Student Government.

A member of the Board of Elections shall resign from the BOE prior to running for elections at least thirty (30) calendar days prior to the elections in which they intend to run.

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.

Section 5: Removal of Members

Members may be removed through actions of either the undergraduate or graduate senate followed by a vote in the JGC.

Article IV: Meetings

Section 1: Calling Meetings

Meetings of the BOE shall be called by the Chairperson, or in the case of the Chairperson's absence, by the Vice Chair.

Section 2: Open Meeting Policy

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.

Section 3: Public Records and Archives

Full and accurate minutes—including a record of all votes taken—shall be taken at all Board of Elections meetings.

The Board of Elections shall maintain a public website and/or HeelLife website which shall host an up-to-date list of officers, the minutes of all meetings, and all relevant governing documents, including but not limited to resolutions, legislations, and operating documents.

Article V: Budgeting

Section 1: The Board of Elections may apply for funding from the undergraduate student government, and may then use that funding to promote the election in a non-partisan manner and reimburse candidates for expenses as specified in the Undergraduate and Graduate Student Codes and the Joint Code.

Article VI: Conducting Elections

Section 1: The Board of Elections shall conduct elections in accordance with the rules laid out in the relevant parts of the student Constitution, the Joint Code, and the Graduate and Undergraduate Student Codes.

Article VII: Publicizing elections

Section 1: The Board of Elections shall make the student body aware of the time(s) and date(s) of all student elections.

Section 2: The BOE shall host a debate for student body presidential candidates before voting begins for the Spring General Election. All certified candidates should be invited to speak, and the event shall be moderated by the Chair of the BOE or the Chair's designee.

Article VIII: Hearings

Section 1: Election Complaints

A BOE hearing shall commence after a plaintiff files an election complaint to the BOE against a candidate or referenda campaign. 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.

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.

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; any
6. Any evidence of the defendant's purported election violation.

A complaint shall be signed by the plaintiff and 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 the plaintiff is a member of an opposing campaign, this must be included in the complaint.

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.

Section 2: Answers

The BOE shall issue a time and place for 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.

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 an answer must be filed within twenty-four hours after the BOE provides the defendant with a copy of the election violation complaint.

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.

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.

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.

Failure to answer all stipulated guidelines shall not be sufficient grounds to dismiss the answer.

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.

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.

Section 3: Hearing Procedures

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.

The plaintiff shall have the right to present their argument against the defendant about the respective election violation. The defendant shall have the right to respond to any allegations against them. The plaintiff and defendant have the right to present witnesses to the BOE to defend their case.

After the hearing, the BOE shall move into closed session to determine the final opinion of the BOE.

Section 4: Punitive Actions against Candidates

Within forty-eight hours of the conclusion of a BOE hearing, the BOE shall issue a final opinion. This opinion must have the consensus of at least the majority (50.01%) of the BOE members before being issued. 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 dissention of the final opinion.

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.

In cases regarding financial problems, the financial report provided by the defendants shall not be released by the BOE until after the election cycle unless the defendant is disqualified.

Section 5: Appeals

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. 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.

If an appeal is issued, the BOE shall provide the Justices of the Supreme Court with a copy of the election complaint, the answer, the minutes of the BOE hearing, and the final opinion of the BOE.

Article IX: Amendments

Section 1: The Board of Elections may amend these Bylaws by majority vote at any regular or special meeting. Written notice setting forth the proposed amendment or summary of the changes to be effected thereby shall be given to each member three days in advance to such a meeting.

Article X: Adoption of the Bylaws

Section 1: These Bylaws have been adopted as the Bylaws of the Board of Elections. We, the undersigned, are all members of the BOE, and we consent to, and hereby do, adopt the foregoing Bylaws, consisting of the six (6) preceding pages.