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# OFFICIAL RULES

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*2006 - 2007 Edition*



**Harvard Undergraduate Council  
Election Commission**

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**PRESIDENTIAL & VICE-  
PRESIDENTIAL  
E L E C T I O N S**

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These rules are issued by the Election Commission in accordance with the UC Bylaws and are in governance of the election of delegates to the Harvard Undergraduate Council.

## Part I: Operation of the Election Commission

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- 1.1 **Members.** For the duration of their terms, all members of the Election Commission (EC) shall abstain from participation in any campaign for Undergraduate Council (UC) office, public expression of opinions or preferences between any candidates or possible candidates for UC office, and any other activities that may call into question their neutrality in their election administration activities. An affirmative vote of four members of the EC shall be required to remove any member of the EC who is in violation of this provision. Any vacancy on the EC will be immediately filled by an alternate appointed in the same manner as the member of the EC that created the vacancy, or otherwise by appointment of the Chair or of the Executive Board of the UC, as specified in the Bylaws of the UC.
- 1.2 **Agents.** The members and alternate members of the EC shall be considered agents of the EC for the purposes of these rules. The EC Chair can designate any person not a member or alternate member of the EC an agent of the EC for the purposes of these rules. Any such person so designated may have that designation revoked by two-thirds vote of the EC.
- 1.3 **Quorum.** The presence of a majority of the members of the EC shall constitute quorum, provided that at least one UC member, and one non-UC member is present. The EC may delegate routine tasks, including, but not limited to, verification of signatures on election petitions, approval of campaign materials, and gathering evidence regarding specific campaign violations, to individual agents. These activities shall not require a quorum. All formal decisions of the EC, including any final decisions regarding alleged campaign violations, must be made in presence of a quorum, and shall require a majority vote of those present unless otherwise noted in these rules.
- 1.4 **Interaction with the Undergraduate Council.** The EC is not answerable to the UC, and shall not be required to make special arrangements with the UC.
- 1.5 **Modification of Rules.** The EC may, within the confines of the Bylaws, make such changes and adjustments to these rules as necessary for the fair and legitimate conduct of the elections. Any such changes and adjustments must be announced to all candidates immediately upon their adoption. Any such changes and adjustments made after the commencement of voting may be vetoed by the unanimity of the Executive Board of the UC. The EC has the right to make election rules changes that have a retroactive effect on the candidates involved.
- 1.6 **Discretion.** The EC shall reserve the right to exercise its discretion in carrying out any of the duties under its purview. In no case, however, may the EC countermand the Constitution or the Bylaws of the UC.
- 1.7 **Closure of Proceedings.** All proceedings of the EC shall be considered closed in nature and confidential, unless opened to specific parties or to the public by the EC. A closed proceeding shall be open only to agents of the EC. The EC may order a specific proceeding or portion of a proceeding closed to all nonvoting members on occasion by a two-thirds vote.



## Part II: Declaration and Certification of Candidacy

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- 2.1 **Declaration of Intent and Candidacy Nature.** No person may begin campaigning in any form, nor may any person begin collecting signatures on a petition for candidacy until such time as that person has filed a declaration of intent (Form P-1) with the EC. Any person eligible to hold the office of President or Vice President of the UC may file a Declaration of Intent with the EC. The due dates/times and requirements of all EC forms shall be determined by the Chair of the EC. FOR THE PURPOSES OF ALL RULES AND PROCEDURES, each Presidential/Vice-Presidential ticket shall be considered the candidate in the election. Any rule that applies to the ticket or to any candidate applies to both candidates and to the ticket as a whole. For example, poster for one candidate on the ticket will be considered poster for the ticket itself.

- 2.2 **Petition.** Each President/Vice President ticket must submit a formal petition for candidacy (Form P-2) bearing at least 150 valid signatures of support to the Chair of the EC. The EC shall verify the validity of the petitions. Candidates will be informed as to whether or not they have obtained the requisite number of signatures in a timely manner. All nomination petitions and related materials shall be kept in a secure location outside the UC office for the duration of the campaign.
- 2.3 **Candidates' Meeting.** All candidates submitting petitions for candidacy shall be required to attend the candidates' meeting to be held at 10:30 PM on Monday, November 20<sup>th</sup>. Candidates may deploy their designated representatives to the meeting pursuant to Rule 5.2. Each candidate shall be required to sign a statement (Form P-3) acknowledging their understanding of and consent to these Rules.
- 2.4 **Certification.** The EC shall certify as official all those candidates who have fulfilled the requirements set forth in Rules 2.1 and 2.2. The official certification list shall be released publicly.



### Part III: Campaign Activities

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- 3.1 **Prohibition on Campaigning.** Prospective candidates may not make any public declaration of candidacy, nor take any steps of a public nature whatsoever toward the end of garnering support, prior to their official recognition. Such prohibited steps include but are not limited to door-to-door solicitation of support; announcements at any gatherings of a public nature, including student group meetings; and transmission of any e-mail regarding to the campaign, excepting e-mail of a personal and private nature.
- 3.2 **Freedom to Communicate.** Candidates will be free to communicate with the press and to other students about their candidacy, or intent to become a candidate. However, there may be **NO ACTIVE CAMPAIGNING prior to the start of the campaign period**, as determined by the EC. For the purpose of this rule, “active campaigning” shall be defined as the public posting, distribution, or exposition of any material, physical or electronic, intended to garner support for a specific candidate, including discussion of the candidacy with any published media. Going door-to-door for the main purpose of publicizing a candidacy, whether the action is taken by candidate or proxy, shall also fall under the definition of “Active Campaigning.” The spirit of this rule is to allow candidates to prevent the spread of misinformed rumors prior to the beginning of the campaign period. It is not intended to allow candidates to either inform the mass public of their intent to run for elected office, or to solicit for votes. The Election Commission will have the final say as to whether candidates' activities fall within the spirit of this rule.
- 3.3 **Prohibition on Expenditure.** Prospective candidates may not incur any expense against the campaign spending limit prior to the beginning of the campaign.
- 3.4 **Application of Rules and Laws.** Candidates are expected to follow all House, College, city, Commonwealth, and federal rules and laws during the campaign.
- 3.5 **Rules on Postering.** No posters may be covered up or removed by a candidate's posters, except posters for oneself and non-election related posters for events that have already passed. A campaign is permitted to remove any posters covering that campaign's own posters. All candidates must comply with the College postering policy as printed on billboards and in the *Handbook for Students*; in general, candidates should presume that any location is off-limits unless it has been specifically designated for postering by student groups or by the general public. Candidates should note that failure to abide by any postering rule promulgated by the College may result in a monetary fine assessed against the candidate's term bill in addition to administrative remedies by the EC. The EC also requires that candidates not use posters larger than 8½" × 11" on kiosks in Harvard Yard, or larger than 11" × 17" under any circumstances. A candidate may post no more than one poster on any single bulletin board or kiosk face, regardless of the size of the individual bulletin board. Also, all posters must display the URL of the voting website as well as the dates and times of voting, which in the case of this election are Noon, Monday December 4<sup>th</sup> until Noon, Thursday, December 7<sup>th</sup>. ***Detailed postering rules may be found in the Rules Supplement on Postering.***

- 3.6 **Prohibitions on Location of Campaigning.** Candidates may not place table tents or otherwise campaign in dining halls. Candidates may not make use of Harvard University Mail Services to transmit literature under any circumstances; candidates are, however, permitted to door-drop campaign information within the constraints of other applicable rules. No posters or campaign materials of any kind may be placed in any computer labs or on the walls of the labs, including the exterior and interior walls, and including any campaign literature intentionally left in any computer lab, nor may candidates otherwise campaign in HASCS computer labs.
- 3.7 **Prohibition on Interference with Education.** Candidates must not substantially interfere with the educational life of the University. Candidates may not write on chalkboards in classrooms or otherwise campaign anywhere inside or within thirty-five feet of the entrance to a classroom, nor may they impede access to any classroom building. This includes times when classes are not in session. **EXCEPTION:** Postering will be allowed on designated postering boards only, even when such boards are near classrooms. Under no circumstances will postering be allowed in classrooms. Also, postering violations that occur near classrooms will be considered more serious than other postering violations.
- 3.8 **Sponsorship by Student Groups.** Any organization on campus may endorse candidates, but no organization may spend money or resources on any campaign. Candidates may solicit any undergraduate at the College to volunteer for their campaigns, but, while campaigning for a specific candidate, all volunteers shall be considered members of the respective campaign, and not representatives of any other organization at the College. Candidates are prohibited from actively or publicly seeking the endorsement of any student group prior to the start of the campaign.
- 3.9 **Candidate Statements.** Candidates shall have the option of submitting a candidacy statement of no more than 300 words for the Presidential/Vice-Presidential ticket. Subject to approval by the EC, such statements should be published in their entirety in the Harvard *Crimson*. Presidential/Vice-Presidential tickets may also submit a statement of up to 500 words to be included in the voting program, for the benefit of the voters. These statements should also be sent to students, before the start of voting, via e-mail by either the EC or the President of the UC.
- 3.10 **Negative Campaigning.** The EC discourages negative campaigning and personal attacks. All campaign literature must contain the name of the campaign authorizing such literature in easily legible type. Personal attacks or statements misrepresenting or slandering other candidates are prohibited.
- 3.11 **Removal of Posters.** No campaign may tear down posters from kiosks. Only official staff members of Harvard Yard Operations (HYO) and other Harvard maintenance services may remove posters. If maintenance services fail to remove posters on Monday and/or Thursday mornings, campaigns may not tear down old posters in order to post their own unless the posters torn down advertise events that have already transpired. Agents of the EC may remove posters without specifying a reason to do so.
- 3.12 **E-mail and Phone Campaigning.** All candidates must abide by College regulations governing the use of email. Candidates and/or campaigns may not send unsolicited campaign-related messages via email, Facebook.com, or over instant messaging services. The EC may establish other rules governing the use of email if they become necessary. No person is to be sent e-mail regarding the campaign via BCC (Blind Carbon Copy) under any circumstances. Mass e-mails of any kind sent to Harvard students from non-fas e-mail accounts are strictly prohibited. Illegal e-mailing will be considered a serious violation. Specifically, campaigns and candidates may NOT email their house lists and student group lists unless solicited. Facebook messages may be sent only to friends and to members of groups which are established solely for support of a candidate or ticket in this election. Students may not communicate electronically with students to whom they do not have a reasonable familiarity or connection. Campaign phone calls, except for internal conversations, may NOT be placed to numbers that are not publicly available to all Harvard College students.



## Part IV: Campaign Finances

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- 4.1 **Spending Limit.** Each Presidential/Vice-Presidential ticket will be restricted to a \$400 spending limit. The cost of all campaign materials bearing a specific candidate's name, or directly benefiting a specific candidate, will count against that ticket's spending limit in full. An expense is incurred against the spending limit on either the date that the expense is actually incurred or the date that the product or service is put to use for its intended purpose; this distinction alone will be at the discretion of the campaign.
- 4.2 **Exempt Activities.** The following are examples of activities regarded as costless and do not count toward the spending limit and need not be reported on spending reports: door-to-door or other forms of direct personal campaigning; interviews at the request of any College publications; placement of web pages within the Harvard domain; and any services rendered on a volunteer basis by a fellow student. This does not include material or supplies rendered by a fellow student. If the material is not directly listed as exempt from spending costs in the Rules Supplement on Spending, or deemed to be costless by the Election Commission prior to its use, it must be assessed as a campaign expense. No activity shall be considered costless if any monetary resources are being expended on it. In order for a resource to be considered costless, all candidates must have had equal opportunity to obtain the same or a parallel resource.
- 4.3 **Expenses.** Each candidate shall be required to report any and all expenses and in-kind donations toward the campaign, including personal resources. In general, any material or service provided by the College or University that is freely accessible to all other candidates, as well as certain materials specifically designated by the EC, will not count against the spending limit; the use of any such materials must be reported in the Daily Financial Report, however. The EC shall establish the value of the services being received in-kind, and shall count this value against the spending limit. The EC will make a determination as to the market valuation of all other types of campaign materials, and will inform the campaign of its decision within 24 hours after an inquiry about the use of the material in question. If the prices for any paid expenditures shall fall below the standard market valuations established in this section, the EC shall count the full standard market valuation against a given campaign's spending limit, unless the campaign can show that the materials in question could have been provided at the given price to all other candidates. Initial standard commercial values, including a list of costless resources, may be found in the Rules Supplement on Fair Market Values.
- 4.4 **Daily Financial Report.** Each Presidential/Vice-Presidential ticket campaign must submit at 5pm a Daily Financial Report documenting the campaign's spending on the previous day, including any in-kind donations received on that day. The report must specify the number of copies made of any relevant campaign materials and otherwise detail the expenditures. This report shall be submitted by e-mail and directed to the campaign's EC contact with copies sent to the EC chair. The first report must be submitted by 5pm on the second day of the campaign; it must document all spending and in-kind donations received on Monday, November 28<sup>th</sup>. The final report must be submitted at 5 pm the day voting ends, and should include spending for both that day and the previous day. A report must be submitted each day even if no expenditures were made and no in-kind donations were received on that day.
- 4.5 **Release of Records.** Each campaign shall be entitled to monitor the compliance of any rival campaign with the campaign spending limit guidelines. To that effect, the EC shall periodically make public, upon request by any College undergraduate, the Daily Financial Reports of any campaign.
- 4.6 **Reimbursement.** Each Presidential/Vice-Presidential ticket campaign shall be reimbursed for its expenses up to \$400 following the submission of **all receipts** for expenditures incurred to the campaign's EC liaison. A campaign may be required to present actual receipts of any of its expenditures at any time on request by the EC. All receipts are due to the EC no later than midnight the day after voting ends, and reimbursement checks shall be issued as soon as practicable following the submission of receipts to the EC. If a given campaign faces a financial hardship, that campaign may contact her or his campaign liaison to arrange for an alternate reimbursement process. If a campaign spends more than its final spending limit pursuant to penalties outlined in Part VI, or is disqualified, the amount to be reimbursed shall be at the discretion of the EC.
- 4.7 **Personal Expenditures.** Beyond personal expenditures that are intended to be refunded by the Election Commission, NO OTHER PERSONAL SPENDING shall occur on behalf of the campaign.



## Part V: Responsibility

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- 5.1 **Responsibility for Campaign Staff.** All candidates shall be fully responsible for the actions of their campaign personnel, and campaign rule violations committed by any campaign personnel of any kind will, at the discretion of the EC, be treated in the same manner as violations by the candidate. Candidates are fully responsible for informing their campaign personnel of all relevant campaign rules and guidelines.
- 5.2 **Authorized Campaign Representatives.** By filling out an official certification form (Form P-4), a candidate may designate any undergraduate to be an authorized campaign representative (ACR) for his or her campaign for the purpose of interactions with the EC. An ACR may also sign any documents related to the election on the behalf of the candidate. Each candidate may designate as many ACRs as he or she wishes, and the same undergraduate may serve as an ACR for multiple campaigns. In order to withdraw an individual's status as an ACR, the candidate for whom the ACR is a representative must appear before the EC and demonstrate good reason for withdrawal of status to the satisfaction of the EC.
- 5.3 **Declaration of Campaign Personnel.** By Tuesday, November 21<sup>st</sup>, at 5 P.M., all campaigns must submit a full list (excel format) of all campaign personnel, including main campaign workers and volunteers, to the EC. This list must be updated with any changes and sent to the EC liaisons for each campaign every day by 5 P.M. If there are no new personnel, just resubmit the unchanged list. New campaign personnel **MUST** be reported to the EC by 5 P.M. Failure to make a good faith effort to disclose any and all campaign personnel will result in severe penalties. An effort to deceive the EC may result in disqualification and will in all cases triggers an investigation.
- 5.4 **Exemptions.** Candidates shall not be held responsible for violations committed by persons other than their campaign personnel and committed with neither their own knowledge nor the knowledge of their campaign personnel.



## Part VI: Campaign Violations

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- 6.1 **Alternative Enforcement.** Candidates are expected to be acquainted with University rules. If any person wishes to report a violation of University rules, that person may contact the appropriate University official instead of or in addition to the EC. Repeated and blatant disregard for University rules is prohibited and will be investigated and penalized by the EC.
- 6.2 **Conduct of Investigations.** After gathering such evidence or contacting such persons as it deems necessary, the EC shall make a determination as to the validity of each complaint or internally-initiated inquiry. If the EC deems it appropriate for the purposes of a fair investigation, the candidate against whom the allegation has been made shall be informed of any allegations and shall have the right to issue a formal response. If a formal investigation is ordered by the EC, the campaign in question will be allowed to present any evidence or witnesses as it wishes. The EC will make a final determination using the standard of the preponderance of evidence. Decisions of the EC may only be appealed in cases in which new evidence comes to light and only when approved by the EC Chair or two-thirds of the EC. Following a final determination by the EC, the specific allegation, the finding of the EC, and the resultant penalty will be made available to the public. Additional details on the form of process accorded candidates may be found in the Guidelines for the Conduct of Investigations.
- 6.3 **Penalties.** Any campaign found to have violated campaign rules pursuant to the process outlined in Rule 6.2 will be penalized according to a point system at the discretion of the EC. Each penalty point against a campaign will result in a \$1 deduction from the campaign's spending limit.

- 6.4 **Cessation of Campaigning.** If the new spending limit following penalization will result in the campaign having spent a total greater than the new total expenditure level allowed, the campaign will be given 12 hours to return to the EC a sufficient quantity of used or unused campaign materials already reported the total value of which, if deducted from expenses made, would bring the campaign within the new spending limit. If a sufficient quantity of campaign materials cannot be returned to reach this threshold, then all campaign materials must be removed from all parts of the College, and all further campaigning on the part of the campaign must cease.
- 6.5 **Disqualification.** Any candidate who reaches 400 penalty points shall be automatically disqualified from the election. If the campaign believes that the EC has erroneously assessed any of the penalty points, it shall have the right to initiate an appeal of the decision of the EC within 24 hours of the decision to disqualify. The campaign in question will be allowed to bring any such evidence and witnesses into the appeal hearing as it wishes. The EC will hear such a case within 48 hours of appeal, and can overturn disqualification by subtracting such penalty points as the campaign in question proves to be erroneous. The EC reserves the right to disqualify candidates at any time, including after the voting period has elapsed.
- 6.6 **Penalty Points.** The EC shall use the following nonbinding guidelines in awarding penalty points for campaign violations that are conclusively established by the EC:
- **Category A Violations .....400 points each instance**
    - any offense that the Administrative Board of Harvard College would normally be expected to investigate;
    - providing any false or incomplete information to the EC with an intent to deceive;
    - violating the spending limit;
    - any serious interference with the activities of another campaign or candidate; or
    - any and all interference in the voting process.
  - **Category B Violations .....60 points each instance**
    - placement of campaign materials in any computer labs;
    - use of the Harvard University Mail Service for distribution of campaign materials;
    - violation of FAS Computer Services e-mail policies;
    - sending of unsolicited electronic messages;
    - placing illegal campaign phone calls;
    - campaigning in a classroom, within thirty-five feet of the entrance to a classroom, or otherwise disruptive of any class;
    - campaigning in a dining hall; or
    - any serious active campaigning activity contrary to the specified deadlines.
  - **Category C Violations .....35 points each instance**
    - use of any campaign materials with content that is in violation of the rules in Part III;
    - failure to attend, or excessive unexcused tardiness in attending, any mandatory candidates’ meeting, or any scheduled EC hearing, or failure to submit a timely response to a request for information by the EC; or
    - failure to update the EC in a timely manner of new campaign personnel.
  - **Category D Violations .....10 points each instance**
    - failure to remove a poster identified as in violation in a timely manner after notification by the EC;
    - removing or covering any non-campaign poster, with the exception of posters for events that have already occurred;
    - submission of an inaccurate or incomplete Daily Financial Report without an intent to deceive; or
    - failure to submit a Daily Financial Report on time.
  - **Category E Violations ..... 5 point each instance**
    - exceeding the poster limit of any kiosk or bulletin board; or
    - placing of a poster in a prohibited location.
- 6.7 **Other Penalties.** Other infractions, including the violation of any other College or House rules and regulations will be penalized at the discretion of the Election Commission, with point values being assigned depending on the severity of the infraction.

- 6.8 **Adjustment of Standard Penalties.** The EC reserves the right to take into account extenuating circumstances and other information in assessing penalty points for violations specifically noted in this section, and may change the penalty level of a given offense if it chooses.
- 6.9 **General Purpose for Penalties and Punishments.** All penalty guidelines will be considered by the EC to be no more than guidelines. More important than actions an events, in general, are the intent and spirit of potential rules violations.



## Part VII: Voting

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- 7.1 **Voting Window.** The election shall take place from 12:01 PM on Monday, December 4<sup>th</sup>, to 11:59 AM on Thursday, December 7<sup>th</sup>, using the online, web-based voting program “ucvote.web.” The EC shall take such measures as are necessary to allow properly qualified students who are unable to vote using the “ucvote.web” program due to technical problems or absence from voter lists, to participate in the election. The EC reserves the right to extend the voting period time frame, to conduct a re-vote in case of technical malfunctions, or to take any other emergency corrective action for any other possible electoral process discrepancies or irregularities.
- 7.2 **Oversight of Voting Software.** All candidates and campaign staff must respect the privacy of voters. Questions as to the proper use of “ucvote.web” and regarding any technical problems should be addressed directly to the EC.
- 7.3 **Voting Method.** Each qualified voter will be able to cast a single ballot for President and for Vice President, voting for a ticket, by ranking the tickets in order of preference. No write-in candidates will be allowed. Ballots will be tabulated using the Single Transferable Voting (STV) system. The STV system will progressively eliminate candidates with the lowest number of votes, and transfer the votes of students who voted for the eliminated candidates to those remaining candidates that were ranked the highest on the respective ballots.
- 7.4 **Certification of Results.** Upon completion of the tallying of results, the EC shall, upon the affirmative vote of at least four members, certify the returns and inform all candidates, and the public, as to the outcome. The EC reserves the right to decertify the results for up to 72 hours after releasing them if it becomes aware of any voting discrepancies or campaign rule violations in the intervening period. If the EC has not certified the results within 120 hours of the completion of voting, the full UC may vote to certify the results independently.

## COMMISSION MEMBERS BY DISTRICT

### ELECTION COMMISSION CHAIR – Joshua Allen (jgallen@fas)

**Freshman North Yard** – Soren Rosier (srosier@fas)

**Freshman East Yard** – Nworah Ayogu (nayogu@fas)

**Freshman South Yard** – Nworah Ayogu (nayogu@fas)

**Freshman West Yard** – Soren Rosier (srosier@fas)

**Adams** – Dimitris Valatsas (valatsas@fas)

**Cabot** – Joshua Allen (jgallen@fas)

**Currier** – Joshua Allen (jgallen@fas)

**Dudley** – Joshua Allen (jgallen@fas)

**Dunster** – Omar Halabi (halabi@fas)

**Eliot** – Margaret Wang (mmwang@fas)

**Kirkland** – Dimitris Valatsas (valatsas@fas)

**Leverett** – James Anderson (jwanders@fas)

**Lowell** – James Anderson (jwanders@fas)

**Mather** – Omar Halabi (halabi@fas)

**Pforzheimer** – Joshua Allen (jgallen@fas)

**Quincy** – James Anderson (jwanders@fas)

**Winthrop** – Margaret Wang (mwang@fas)