

“Non Candidate Campaigning”

It is the official opinion of the Election Supervisory Board that the election code, as it currently stands, only applies to candidates who are officially running for office under this code. Thusly, any candidate declared disqualified by the ESB or any other official governing entity, shall have all responsibilities and protections of the election code lifted. Said disqualified candidates' statuses shall return to their respective original statuses prior to filing, eg any disqualified candidates who currently hold an office regulated by this code shall continue to be governed by this code as if they were an incumbent not seeking election.

This Board is concerned about the free speech issue that may arise by declaring a candidate to be disqualified to run for office, yet still enforcing restrictions on speech, present in the code that in good conscience should no longer apply. Section 2.09 of the Election Code defined a candidate as, “any student consenting and/or endeavoring to be elected as expressed by filing to run for office in accordance with this and all respective codes.” The act of disqualification voids the contract between a candidate and this code.

When running for office, candidates who run for office freely and voluntarily give up certain rights to free speech, including but not limited to the right to endorse. However, upon conclusion of one's candidacy, a candidate is no longer governed under the auspices of the election code as a candidate. They have every right to free speech as afforded to any other student at the University of Texas.

Eric Nimmer – Chair, Election Supervisory Board  
Truc Nguyen – Vice-Chair, Election Supervisory Board  
Robert Toto – Secretary, Election Supervisory Board  
Blake Baker – Member, Election Supervisory Board  
Rick Lewis – Member, Election Supervisory Board  
Ryan Lutz – Member, Election Supervisory Board  
Charles E. Maddox – Chair Emeritus, Election Supervisory Board  
Cody Permenter – Member, Election Supervisory Board  
Ady Wetegrove – Member, Election Supervisory Board