

The seal of The University of Texas at Austin is a large, light orange watermark in the background. It features a central five-pointed star surrounded by a wreath. The words "THE UNIVERSITY OF TEXAS" are arched across the top, and "AT AUSTIN" is arched across the bottom. Inside the seal, the word "PRESIDIUM" is visible above the star, and "CIVILATI" is visible on the right side.

TEXAS
ELECTION SUPERVISORY BOARD

2026 CAMPUS-WIDE ELECTIONS

Advisory Opinion 2026-003

Issued: January 12, 2026

PROHIBITION OF EARLY & UNAUTHORIZED CAMPAIGNING

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PRE-CAMPAIGN RECRUITMENT OF AGENTS & WORKERS

The 2026 Election Supervisory Board is issuing an Advisory Opinion (**AO 2026-003**) to clarify the permissible and non-permissible dates of campaigning, unauthorized campaigning, and the recruitment of agents and workers.

Pursuant to **Title II, Chapter III, Subchapter A, §3.1 Campus-Wide Election Code**, the Election Supervisory Board shall be responsible for the administration of campus-wide elections:

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Pursuant to **Title II, Chapter I, §2.1 Campus-Wide Election Code**, Advisory Opinions issued by the Election Supervisory are defined as:

“ADVISORY OPINION” refers to any opinion issued by the Election Supervisory Board concerning any matter affecting the campus-wide elections that may not be included within the language of the election code. Advisory Opinions issued by the ESB shall be binding and enforceable for the duration of the election to which they apply. Compliance with an advisory opinion shall constitute compliance with this code, and non-compliance shall constitute grounds for violations of this code.”

A candidate may engage in campaign activity only during the designated campaign period, which shall commence **on Monday, February 16, 2026, at 12:01 A.M.**

Title II, Chapter II, §2.4 Campus-Wide Election Code defines “CAMPAIGN” and “CAMPAIGNING” as:

“CAMPAIGN” AND “CAMPAIGNING” refer to statements, literature, activities or deliberate uses or distribution of materials of any kind that have or are intended to have the effect of soliciting votes, support or interest for a candidate or elective office. Campaigning may only occur during the official campaign period as defined in this code.”

Any campaign activity that takes place prior to the designated campaign period, **Monday, February 16, 2026, at 12:01 A.M.**, shall be considered early campaigning and is prohibited. Early campaigning shall be subject to enforcement and sanction by the Election Supervisory Board and may result in penalties up to and including a CLASS D violation, resulting in disqualification.

A candidate engages in UNAUTHORIZED CAMPAIGNING if they campaign prior to the designated campaign period, which shall commence on **Monday, February 16, 2026, at 12:01 A.M.**

Title II, Chapter VII, §7.4 Campus-Wide Election Code defines “UNAUTHORIZED CAMPAIGNING” as:

“All candidates are prohibited from campaigning, soliciting, or otherwise bringing attention to their campaign or election before the campaign period.

- (a) *This prohibition includes all attempts to secure endorsements, sponsorships, or any other presentation of information made for public consumption or use.*
- (b) *However, this prohibition does not include the personal individual recruitment by a candidate of individual team members.”*

The Election Supervisory Board looks to **Title II, Chapter VI, §6.4 Campus-Wide Election Code** for guidance on how candidates may recruit campaign workers and agents without engaging in early campaigning or unauthorized campaigning:

“During the filing period, only candidates and their agents may recruit individuals to join a campaign. They must recruit members on a one-to-one basis.

- (a) *When recruiting a potential new campaign staff member, a candidate or agent should recruit the individual in a manner that is clearly not a solicitation of a vote and make a clear distinction that they will be fulfilling the role of a worker as defined by Section 2.20 or an agent as defined by Section 2.2. Campaigns may not use mass solicitation platforms such as social media, mass texts, etc., to recruit multiple individuals at once.”*

Per **Title II, Chapter VI, §6.4 Campus-Wide Election Code**, candidates and their agents may engage in limited, individualized recruitment of campaign workers during the filing period, provided such recruitment is conducted strictly on a one-to-one basis and is clearly distinguishable to any prudent person from campaign advocacy.

For purposes of enforcement, the Election Supervisory Board only considers recruitment to be permissible pursuant to **Title II, Chapter VI, §6.4 Campus-Wide Election Code** if communication is limited to inviting an individual to serve in a defined campaign role and does not include language advocating for a candidate, soliciting votes, promoting campaign messaging, or insulating support or anything thereof that could be construed to any prudent person as early or unauthorized campaigning.

Any communication occurring during the filing period that is transmitted to more than one individual simultaneously, or that utilizes mass communication platforms, shall be presumed to constitute prohibited early campaigning and or unauthorized campaigning, regardless of whether the communication is characterized as recruitment.

Furthermore, the use of campaign slogans, platforms, or election-related messaging in the context of recruitment undermines the required distinction between recruitment and campaigning, as per **Title II, Chapter VI, §6.4 Campus-Wide Election Code**, and may be subject to a violation.

Violations of **Title II, Chapter VI, §6.4 Campus-Wide Election Code** and interpretation of this code shall be subject to enforcement and sanction by the Election Supervisory Board and may result in penalties up to and including a CLASS D violation, resulting in disqualification.

For example, the following are considered examples of non-one-to-one violations:

- Candidate A messages his fraternity GroupMe to recruit campaign agents and workers.
- Candidate B speaks at her student org weekly meeting to recruit campaign agents and workers.
- Candidate Z posts on their private social media account requesting individuals to join his campaign as agents or agents.

Below are two helpful tips candidates and campaign agents can use to avoid campaigning when recruiting workers or agents:

1. **Do not send group messages/mass messages.** Such messages include Instagram Direct Messages, Facebook Group Messages, GroupMe, iMessage, and mass emails, among others. You may only reach out to people individually. If an individual has agreed to be an agent of your campaign, they may also individually solicit workers, but are bound by the same outreach rules.
2. **Do not be ambiguous.** Refrain from using vague language when recruiting campaign workers. Simply asking for “support” may be considered campaigning. Ask them if they would like to be a campaign worker, be a member of the campaign, work for the campaign, join the campaign staff, etc.

TEXAS

ELECTION SUPERVISORY BOARD

BY THE POWER VESTED IN THE ELECTION SUPERVISORY BOARD OF THE
UNIVERSITY OF TEXAS AT AUSTIN,

ADVISORY OPINION 2026-003 (AO 2026-003) IS EFFECTIVE IMMEDIATELY.

x 
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x 
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x 
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