

## **SGA Student Election Code**

Revised: February 8<sup>th</sup>, 2017

### **Article I Election Board Operation**

In addition to those duties assigned in the SGA Constitution, the Election Board shall perform the following functions:

- A. Consult with the SGA Advisor to certify the candidacy of all students running for SGA Office.
- B. Consult with the SGA Advisor on university policy regarding referenda.
- C. Upon the certification of all candidates, communicate to IT to place said candidates' names on the ballot.
- D. Place a sample ballot in the SGA Office at least forty-eight (48) hours before the election opens.
- E. Announce the results of the election within forty-eight (48) hours before the polls close.
- F. Make every reasonable effort to ensure fair elections.

### **Article II Election Procedures**

#### **Section 1: EXECUTIVE AND LEGISLATIVE ELECTIONS**

- A. All run-off elections shall be conducted on Wednesday and Thursday following the initial election.
- B. The application to run for Executive and Senator candidacy will be determined by Election Board and SGA President in consultation with the SGA Advisor.
- C. Candidates may file for a maximum of two positions in an SGA election, one being an SGA Executive member and the other as an SGA Senator
- D. If a candidate is elected to more than one office, said candidate must immediately resign one of the two offices.
- E. The Monday after filing closes, the Election Board Chairperson shall conduct a meeting with all candidates to review the Election Code and to answer any questions that the candidates may have. All candidates must attend or shall be disqualified. If a candidate cannot make the meeting, the Election Board Chairperson can schedule and alternative time to meet
- F. Filing for SGA Elections shall be a period of two (2) weeks, to begin on the first Friday of February and closing on the third Friday of February. If there are not enough applicants, deemed by the Election Board, SGA President, and SGA Advisor, the filing for SGA elections may be opened for an additional period not to exceed two (2) weeks.

#### **Section 2: REGULATIONS GOVERNING CAMPAIGNING**

- A. There shall be no distribution of campaign literature or posting of signs on the Texas A&M University-Commerce campus promoting a student's candidacy until that candidate has filed his or her candidacy and has been certified by the Election Board or SGA Advisor.
- B. Total campaign expenditures for any candidate in any SGA Election shall not exceed \$250; however, each candidate may add to that an additional \$50 if involved in a run-off election.
- C. In the event that a candidate receives monetary support from another individual, the candidate cannot be held liable unless knowingly allowing such and infraction to continue. Any candidate may protest such an infraction but the candidate receiving the support should inform the Election Board. At such time they become aware they are receiving the monetary support they should request the support stops and is documented and noted.
- D. The Election board may declare the election for a position, or positions, in which a candidate is running, after committing an infraction, void and request a new election be scheduled, which should follow the procedures for run-off elections.
- E. Every candidate must submit itemized lists of all campaign materials and expenditures, with verifiable receipts upon request of the Election Board.
- F. Distribution of campaign material shall be in accordance with university policy.
- G. Signs shall be allowed inside and outside of buildings with permission of authorized personnel.
- H. There shall be no painting, stenciling, whitewashing, chalking, or carving on buildings, sidewalks, or any physical property, including tress, of Texas A&M University-Commerce.
- I. Proof of any malicious slander or libel by any candidate shall result in immediate disqualification.
- J. Candidates may not campaign on elections days within 20 feet of polling locations. Any campaign material for a candidate may not be present at a polling location to sway potential voters. Any campaign materials will be confiscated.
- K. Any candidates found in violation of one or more of these rules may be disqualified at the discretion of the Election Board in consultation with the SGA Advisor based on the circumstances.
  - a. If a candidate is found in violation of receiving monetary support, the Election Board may deem necessary that a candidate return the monies back to the individual.

### Section 3: VOTING PROCEDURES AND REGULATIONS

- A. The Election Board shall establish polling times and additional polling locations within the Rayburn Student Center.
- B. No person other than the Election Board Chair, advisor to SGA, or representative of IT shall review the official ballots.
- C. Eligible voters must log in to MyLeo using their CWID in order to vote.
- D. The names submitted on the application will appear on the ballot. If there are names missing on the ballot due to technical problems a new ballot will immediately be created through ManeSync and the MyLeo ballot will be null and void.

- E. Election Board members cannot campaign or influence voters during the allowable campaign period during the elections, members can be removed by the SGA President in consultation with Advisor from the Election Board for this infraction.
- F. A mandatory Meet and Greet will be held prior to the elections for students to meet the candidates for SGA President, Vice-Presidents, and Senators.
  - 1. The Election Board shall organize the Meet and Greet.
  - 2. Any absence or tardiness must be excused by the Election Board Chairperson prior to the Meet and Greet. If the absence or tardiness was not excused, the Election Board has the discretion to disqualify the candidate.
- G. A mandatory debate shall be held for the offices of SGA President and Vice-Presidents that are contested. If the elections are uncontested, there will not be a debate.
  - 1. The debate(s) shall occur in the period allowed for campaigning by candidates as established in these CODES.
  - 2. The Election Board shall organize and moderate all debates.

#### Section 4: DISQUALIFICATION

- A. If a candidate is deemed disqualified by the Election Board, the candidate will be disqualified from all positions if on the ballot for multiple positions.
- B. Disqualifications can be protested to the SGA Advisor within forty-eight (48) hours for a ruling.
- C. If a candidate is deemed disqualified, the candidate may apply for any vacant position after the election has been completed.

#### Section 5: ELECTION DECISION

The certification of votes shall be under the supervision of the Board Chairperson, SGA Advisor, or designee. The basis for decision in all campus elections shall be as follows:

- A. The SGA President and Vice-Presidents shall be elected by a plurality of votes cast for the offices. Ties will be determined in a run-off election.
- B. The top thirty (30) vote recipients shall be elected as Senators. Ties will be determined in a run-off election.
- C. All other campus referenda shall be determined on the basis of plurality.

#### Section 6: PROTEST AND APPEALS

- A. Protest of campaign conduct or election irregularities shall be made in writing and delivered to the SGA Advisor, in consultation with Student Government President, within twenty-four (24) hours of the alleged conduct or irregularities. The appeal of an election should include:
  - 1. The rule(s) broken.
  - 2. How it was broken.
  - 3. Whether or not such affected the outcome of the election.
  - 4. The date filed

5. The signature, printed name, address, and phone number of the person(s) filing the protest.
- B. The Election Board shall hold a hearing and render a ruling within twenty-four (24) hours after the protest is received and reviewed by the SGA Advisor and Student Government President. For an election to be thrown out, it must be proven by the plaintiff that the violation of the rules affected the outcome of the election in question.
- C. Appeals of Election Board decisions shall be made in writing to the SGA Advisor, in consultation with the Student Government Advisor, on the next school day following the Election Board ruling. Said appeals shall be heard by the Student Government Association Supreme Court within three (3) class days after receiving the appeal.
- D. Protests and appeals not carried out in accordance with the aforementioned rules shall not be heard.

#### Section 7: INAUGURATION

The newly elected President, Vice-Presidents, and Senators shall take the oath of office no later than May.

### **Article III Amending the Election Code**

#### Section 1: AMENDMENTS

- A. Any changes to the Election Code must be approved by two-thirds (2/3) of the Senate.
- B. The stipulations and requirements of the Election Code shall be in effect upon the approval of two-thirds (2/3) vote of the Senate and signed by the SGA President.