

## **Bylaw 2: Public Elections**

Section One (1). Any person who is constitutionally eligible to hold a particular office of SGA shall be eligible for nomination to that particular office in its election.

(a) For the purposes of this Bylaw, an organized gathering of quorum shall hereafter be referred to as a meeting.

(b) For the purposes of this Bylaw, any person seeking an office by way of election shall hereafter be referred to as a candidate.

(c) For the purposes of this Bylaw, any person who has successfully been nominated to be placed on the ballot for an election shall hereafter be referred to as a nominee.

(d) For the purposes of this Bylaw, any person who has been appointed by the Election Committee to take part in the administration of an election shall hereafter be referred to as an Election Official.

(e) For the purposes of this Bylaw, any election of an SGA official where votes may be cast by persons who are non-members of SGA and where the jurisdiction of the election falls under the Election Committee shall hereafter be referred to as a public election.

Section Two (2). Election Timetable for SGA Public Elections.

(a) In accordance with Article V, the annual election of the Executive Board shall be conducted on the twelfth, thirteenth, or fourteenth Tuesday of the Spring Academic Semester. The Vice President shall be elected in accordance with Bylaw 33 and Article V of the Constitution.

(b) In accordance with Article VI, the annual election of the Resident Student Senators and Commuter Student Senators shall be conducted seven days after the date established under (a).

(c) In accordance with Article VI, Section Four (4), the annual election of the Student Organization Senators shall take place on the twelfth, thirteenth, or fourteenth Monday or Tuesday of the Spring Academic Semester. The election shall transpire at a meeting of all Organization Representatives where balloting and voting shall take place.

(d) The Election Day shall be considered valid only if it complies with (a) and only when,

(i) The Election Committee has approved the date.

(ii) The Student Senate has been notified no less than 28 days before the date.

(iii) The Notice of the Election Day date is announced by the Election Committee and included in the Official SGA Meeting Minutes not less than 28 days before the date.

(v) The Election Day date is publicly announced and appropriately advertised to the active students of the University, especially including all administrators of elections, all persons eligible to vote in an election, and all those eligible for candidacy in the same.

(vi) The Election Day is not a date which renders the timetable and guidelines within this Bylaw impossible to execute.

(e) All nominees that win their election shall assume office upon the termination of the Student Senate Session in the Spring Academic Semester or seven days after the completion of their election, whichever occurs later.

### Section Three (3). Nomination procedures.

(a) Each candidate for a particular office shall be required to complete a Petition for Nomination for that office. Petitions for Nomination shall be available to candidates upon request at any time within 21 days prior to the scheduled Election Day. Petitions shall be invalid if submitted to the Election Committee after the established deadline.

(b) To be valid, a Petition for Nomination for the election of an Executive Board member must bear the signatures of fifty active students whose signatures do not appear on any other Petition for Nomination for the same office.

(c) To be valid, a Petition for Nomination for the election of a Resident Student Senator or Commuter Student Senator must bear the signatures of thirty active students. Such signatures may appear on multiple Petitions without being invalidated.

(d) To be valid, a Petition for Nomination for the election of a Student Organization Senator must bear signatures representing the endorsements of Officially Chartered Student Organizations in accordance with Article VI, Section Four (4), part (a). The signature of the Organization Representative shall represent the endorsement of the Officially Chartered Student Organization.

(e) Completed Petitions for Nomination to Executive Board office must be submitted to the Election Committee by 4:00 p.m. no less than seven days prior to the Election Day.

(f) Completed Petitions for Nomination to Resident Student Senator office and Commuter Student Senator office must be submitted to the Election Committee by 4:00 p.m. no less than three days prior to the Election Day.

(g) Completed Petitions for Nomination for Student Organization Senator office must be submitted to the Election Committee by 4:00 P.M. no less than seven days prior to the Election Day established in Section Two (2).

(f) A signature shall be considered valid if its meets the requirements stated herein and contains the corresponding student identification number which correctly matches the given name.

#### Section Four (4). General obligations of the Election Committee.

(a) All election procedure and rules shall be administered with equal treatment to all candidates, nominees, and participants. The election procedure and rules shall not be altered by the Election Committee within 21 days prior to a public election.

(b) The Election Committee shall make available to all candidates a Petition for Nomination form as required under Section Three (3). Upon the Nomination form's distribution, the Election Committee shall make available to all candidates any and all applicable rules and guidelines governing the campaigns of all candidates and nominees in their election.

(c) The Election Committee shall make candidates aware of all deadlines. The Election Committee shall make available to candidates any items that are necessary to maintain a candidate's eligibility or to ensure equal opportunity and fairness among all eligible candidates for office.

(d) The Election Committee shall not neglect to enforce any rules or guidelines established in accordance with (b) of this Section. The Committee shall not make rules or guidelines under (b) of this Section that cannot, by reasonable means, be enforced.

(e) Within seven days of an election, the Election Committee shall hold no meetings that include nominees of an election where all nominees are not first notified of the meeting and given a reasonable opportunity to accept or decline an invitation to attend. The Election Committee shall not hold secret meetings.

(f) All election information shall be publicly available.

(g) Information regarding candidates, nominees, Election Committee business and decisions, and other information shall be made publicly available or accessible online by the Committee. This information includes but is not limited to,

(i) The names of the candidates who have turned in a Petition for Nomination and, of those Petitions, the names which of have been denied. This information shall be posted in a public location within 48 hours after it has been made available to the Election Committee or any Election Official.

(ii) The names of the nominees for an election and the seat or office each nominee seeks. This information shall be posted in a public location no less than five days prior to the scheduled Election Day for the office.

(iii) Copies of nominees' Petitions for Nomination. This information shall be made available upon request to any active student anytime after the nominees are posted in accordance with (ii).

(iv) The final election vote totals for each nominee and office, which shall be posted in a public location within 48 hours after the conclusion of all voting.

(v) The names of all Election Officials and their corresponding duties as appointed by the Election Committee. This information shall be made available to any active student when requested within five days of the scheduled Election Day for the office.

#### Section Five (5). Public Election Procedure.

(a) The Election Committee shall determine rules and guidelines of a public election that are otherwise absent or left ambiguous by the Constitution and Bylaws. The Election Committee shall determine the date of an election in accordance with Section Two (2) and notify SGA in accordance with Section Two (2) of that date.

(b) The Election Committee shall distribute all materials in accordance with Bylaws relating to elections to any persons who expressly desire to participate in the public election.

(c) All candidates seeking office shall complete and file a Petition of Nomination with the Election Committee in accordance with Bylaws relating to elections. The Election Committee shall determine the validity of the Petition and the eligibility of the candidate.

(d) The Election Committee shall appoint Election Officials as necessary to enforce all election rules and to administer the election procedure.

(e) The Election Committee shall administer the election on the date set in (a). Election Officials must properly distinguish between persons eligible to vote and persons ineligible to vote and shall, when relevant, distinguish between voters based on various status (e.g. resident or commuter status).

(f) The Election Committee shall determine the winner(s) of the ballot(s) in accordance with the Constitution and Bylaws.

(g) The election results under (f) shall be finalized and announced by the Election Committee not prior to or after six days after the conclusion of voting on the date established in (a). The ruling of the Election Committee shall stand upon the

announcement of the results unless the ruling is overruled in accordance with Section Six (6), Part (e).

Section Six (6). The Election Committee shall accept filed motions to contest the procedure or results of an election.

(a) The Rules Committee may file a motion with the Election Committee to contest the procedure or results of an election. The motion must be filed within 72 hours after the closing of the polls and conclusion of legal voting.

(b) Any active student may file a motion with the Election Committee to contest the procedure or results of an election. A motion filed on behalf of an active student must bear the signatures of no less than twenty (20) active students. The motion must be filed within 72 hours after the closing of the polls on Election Day.

(c) Should the results of an election be officially contested, the Election Committee shall hold open hearings to hear the arguments on behalf of those contesting. Such hearings shall be open to any active students wishing to attend.

(d) Upon hearing the arguments of those contesting an election, the Election Committee shall determine a ruling on the validity of the results of the election. The Election Committee shall retain the authority to amend or nullify the results of election and, consequently, shall retain the authority to hold additional elections. All Election Committee rulings on disputed elections must be decided within 72 hours of the filed motion under (a) or (b).

(e) The ruling of the Election Committee under (d) may be vetoed or amended by the approval of two-thirds of the Student Senate within 24 hours of the announcement of the results in accordance with Section Five (5), Part (g).

### **Bylaw 3: Public Election Procedures Specific to Offices**

Section One (1). The election procedures stated herein shall be applicable to all public elections to which they are applied.

Section Two (2). The guidelines stated herein shall be applied to the public election of Student Organization Senators.

(a) The Election Committee shall conduct pre-election research for the offices of Student Organization Senator as necessary by these Bylaws or the Constitution. Such research includes but is not limited to the determination of the available Student Organization Senator seats as determined by the number of available seats in the Student Senate in accordance with Article VI, Section Four (4), part (c).

(b) The distribution by the Election Committee of necessary materials to candidates seeking Student Organization Senator election shall include the Petition of Nomination, which must include a listing of the offices open for election (i.e. the numbered seats).

(c) The Chief Organization Officer shall set a meeting of the Organization Representatives for the purpose of voting in the Student Organization Senator election in accordance with the election timeline established by the Election Committee.

(d) The Election Committee shall administer the election and shall distribute the ballots to the Organization Representatives at the meeting defined in (c). Each Organization shall receive no more or less than one ballot and shall be allowed no more than one vote per Seat on the ballot.

(e) The Election Committee shall determine the winner(s) of the ballot(s) in accordance with the Bylaws and the Constitution. Persons winning the majority of the ballots shall be declared winners of their respective seat.

(f) After the counting of the ballots, the Election Committee shall determine the need for a runoff in accordance with the Constitution. If there is need for a runoff, the ballots shall be distributed in accordance with (d). If a nominee in the runoff receives a plurality of the vote, he shall be named the Student Organization Senator for that Seat. If no nominee wins a plurality of the vote, the Chief Organization Officer shall determine the winner in accordance with Article VI, Section Four (4), part (e).

(g) Should an Election Committee ruling declare a need to redo an election for any positions, the Chief Organization Officer shall call an additional meeting of the Organization Representatives. Ballots shall be distributed according to this Section and the winner determined by the method subscribed by the ruling under (e).

Section Three (3). The guidelines stated herein shall be applied to the public election of Executive Board officers.

(a) The Election Committee shall determine the winner(s) of the ballot(s) in accordance with the Bylaws and the Constitution. Persons winning the plurality of the ballots in an Executive Board election shall be declared winners of their election.

(b) Prior to assumption of their offices, the elected nominees to the Executive Board shall be reviewed prior to the termination of the Student Senate Session for compliance with membership eligibility status requirements within the Constitution and Bylaws.

(c) Nominees that win an equal number of votes from their election and prevent determining a winner of the plurality of ballots shall have their tie broken by a plurality election among voting members of SGA.

Section Four (4). The guidelines stated herein shall be applied to the public election of Resident and Commuter Student Senators.

(a) The Election Committee shall determine the winner(s) of the ballot(s) in accordance with the Bylaws and the Constitution. Persons winning the plurality of the ballots in an Executive Board election shall be declared winners of their election.

(b) Nominees that win an equal number of votes from their election and prevent determining a winner of the plurality of ballots shall have their tie broken by a plurality election among voting members of SGA.

Section Five (5). Write-in candidates shall be subject to the same rules and guidelines as all nominees seeking the same office, regardless if the candidate had knowledge of the guidelines. The Election Committee has no pre-election obligations to write-in candidates. Write-in candidates may not seek election to Student Organization Senator. A write-in candidate shall only be elected if,

(a) He has complied with the rules and guidelines set forth by the Election Committee.

(b) The Election Committee has declared him the winner of the election and has determined that he is constitutionally eligible to hold the office for which he will serve.

(c) The Rules Committee has approved the legitimacy of the election.

(d) His election does not violate the Constitution or Bylaws.

(e) He receives more than one vote or the number of votes otherwise required to win office, whichever is the higher number.

### **Bylaw 17: Duties of the Election Committee**

Section One (1). The Election Committee shall carry out the duties of all public elections in accordance with the Constitution and the Bylaws. A public election is any election of an SGA official where votes may be cast by persons who are non-members of SGA.

Section Two (2). The Election Committee shall annually seek an updated count of the population of each resident housing facility and the number of active students living off campus as defined in Article VI. The Committee shall seek an updated list of the resident housing facilities on campus to be represented in the Student Senate.

(a) The population of each resident housing facility should be the approximate capacity of the facility as determined by the Election Committee.

(b) The Committee shall seek the information in this Section between the first and tenth weeks of the Spring Academic Semester.

(c) The Committee shall include this information in materials distributed to candidates and shall publish the information to the general public no later than the tenth week of the Spring Academic Semester unless otherwise directed under the Bylaws.

Section Three (3). The Election Committee shall annually seek an updated count of the number of available seats to be occupied by Student Organization Senators.

(a) The Election Committee shall seek the information in this Section between the first and tenth weeks of the Spring Academic Semester.

(b) The Committee shall include this information in materials distributed to candidates and shall publish the information to the general public no later than the tenth week of the Spring Academic Semester unless otherwise directed under the Bylaws.

Section Four (4). The Election Committee shall annually seek a list of the persons on campus eligible to vote in public elections.

(a) The Election Committee shall seek the information in this Section between the first and tenth weeks of the Spring Academic Semester.

(b) The Committee shall, upon the request of any active student, make the information acquired under this Section available to the general public no later than the tenth week of the Spring Academic Semester unless otherwise directed under the Bylaws.

(c) The Committee shall seek a list of all active students who will maintain resident status as defined by Article VI, Section Two (2) during the Fall Academic Semester. The list shall also include the corresponding resident housing facility of each student.

(d) The Committee shall seek a list of all active students who will not maintain resident status as defined by Article VI, Section Three (3) during the Fall Academic Semester.

(e) All persons who will not maintain active student status per Article III during the Fall Academic Semester shall be removed from all voting lists.

(f) If the Committee is unsuccessful in seeking the information in accordance with this Section, the Committee shall instead have voters volunteer the information above. Should the Committee request it, voters will be required to prove their resident status. No voter shall be given the opportunity to vote as both a resident and commuter student, nor shall any voter be given the opportunity to vote for senators in more than one resident housing facility.

(g) No person shall be allowed voting rights in a public election without first proving his identity in the form of University-issued photo identification.

Section Five (5). The Election Committee shall make election information within the timeframe of a public election available online and accessible to the general University community.

Section Six (6). No person shall serve as an election official or on the election committee in the seven days preceding and following a public election in which the person is a nominee for Executive Board office.

Section Seven (7). All other duties ascribed to the Election Committee by the Constitution and Bylaws or the Student Senate shall be included herein. No duties assigned shall violate the Constitution or Bylaws.