



STEPHEN F. AUSTIN STATE UNIVERSITY

THE UNIVERSITY OF TEXAS SYSTEM
NACOGDOCHES, TEXAS



THE ELECTION CODE

OF THE STUDENT GOVERNMENT ASSOCIATION

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SCOPE AND PURPOSE

The Student Government Association shall establish rules and regulations regarding the election of members of the Senate and the Executive Branch of the Student Government Association of the Stephen F. Austin State University.

ARTICLE I: GENERAL ELECTIONS

SECTION 1: FALL GENERAL ELECTIONS

- A. Elections for class senators will be held during September of each year before Student Government Retreat.

SECTION 2: SPRING GENERAL ELECTIONS

- A. Elections for Academic College Senators and Off-campus senators will be held at the discretion of the Speaker of the Senate, to occur no later than March.
- B. Elections for the Student Body President and Student Body Vice-President will be held in the Spring Semester during the month of March.

ARTICLE II: QUALIFICATIONS FOR OFFICE

SECTION 1: QUALIFICATIONS FOR EXECUTIVE OFFICE CANDIDATES

- A. The requirements and qualifications for Executive officers seeking office are as stated in Article IV, Section 3 of the Student Government Association Constitution.
- B. Any student wishing to have their name appear on the ballot for the Executive office must have experience¹ within any branch of the Student Government Association and have served during the current semester of which they are seeking to run, in accordance with the attendance policy of the Bylaws of this Student Government Association.
- C. Determination of the classification of students seeking office and for voter eligibility will be calculated using the current University guidelines and verified by a University official.

SECTION 2: QUALIFICATIONS FOR SENATORIAL CANDIDATES

- A. The requirements and qualifications for senatorial candidates are as stated in Article IV, Section 3 of the Student Government Association Constitution.
- B. Determination of the classification of students seeking office and for voter eligibility will be calculated using the current University guidelines and verified by a University official.

ARTICLE III: ELECTION OFFICERS

¹ Experience in a semester shall be defined as having been in office for greater than half of all meetings of the Student Government Association.

SECTION 1: ELECTION JUDGE

- A. An Election Judge will be given the power and authority to coordinate each election that occurs in the Student Government Association.
- B. The duties of the Election Judge shall be:
 - a. Executing the election rules of the Student Government Association as defined in the Election Code, pending approval of the Election Commission.
 - b. Provide the Election Code to each candidate by detailing the rules, regulations, and possible sanctions to be applied during the election.
 - c. Determine the maximum number of seats available for senatorial elections within the Senate as defined by Article IV, Section 2, Subsection B of the Constitution.
 - d. Certifying election results with the SGA Advisor and the Assistant Vice President of Student Affairs and Dean of Students and notifying the winning candidates by email.
 - e. Investigating and initiating sanctions against candidates who violate Election Code rules and regulations, pending approval of the Election Commission.

SECTION 2: ORDER OF SUCCESSION OF THE ELECTION JUDGE

- A. The Election Judge shall not run for office during their term as Election Judge. If the officer holding the specific office is a candidate in the election, they shall not hold the office of Election Judge which shall be assumed by the next available officer in the order of succession until an available officer is found.
- B. The order of succession of the Election Judge shall be:
 - a. The current Chief Justice;
 - b. Current Deputy Chief Justice;
 - i. In the order that both the Chief Justice and Deputy Chief Justice are ineligible; the order of success shall follow the order of seniority of the remaining associate justices.

SECTION 3: ELECTION COMMISSION

- A. The Election Commission shall be a three (3) person commission from the membership of the Student Government Association.
- B. The Election Commission shall work in conjunction with the Election Judge, the SGA Advisor, and the Assistant Vice President of Student Affairs and Dean of Students during the election process.
 - a. The Election Commission will assist the Election Judge in their duties and will work to ensure the proper conduction of all elections.
- C. No member of the Election Commission will be a candidate for election during the semester in which they serve.
 - a. No member of the Election Commission may endorse or assist the candidacy of any student in the election cycle which they preside over. Any assistance or endorsement of an election candidate will result in their removal from the Commission as well as possible sanctions.
- D. The Election Commission shall be formed by consensus of the SGA Supreme Court and must be formed in its entirety at least one month prior to registration opening.

ARTICLE IV: ELECTION OPERATIONS

SECTION 1: REGISTRATION

- A. Each Candidate shall be provided:
 - a. A copy of the Election Code of the Student Government Association;
 - b. An application for election, which may be electronic or hardcopy.
- B. In order to be considered registered, each candidate must:
 - a. Complete the registration application by the deadline, which includes consenting to the rules, regulations, and possible sanctions, and possible sanctions regarding the candidate not being eligible to run.
 - b. Failure to fully complete the application will result in the candidate not being eligible to run.
- C. Open registration for all candidates will take place no later than the week before Spring Break. Registration will close at 5pm on the Friday of that week. Once the application is submitted it may not be changed, other than for the candidate to withdraw their candidacy. Any candidate wishing to withdraw should notify the SGA Advisor and Election Judge in writing immediately.
- D. No write-in candidates² will be allowed.
- E. All candidates' information will be posted to the SGA Election website in a timely manner after registration closes.
- F. Once a candidate has successfully registered, they are required to take a leave of absence until the conclusion of the election. This leave of absence shall prohibit SGA members from performing official duties while being a registered candidate.
 - a. This leave of absence shall not prohibit a senator's right to be present at SGA meetings and vote on legislation.
 - b. This leave of absence shall not prohibit SGA members from attending SGA, University, or UT System committee meetings or conferences.

SECTION 2: BALLOT COMPOSITION

- A. The ballot for the Student Government Association election shall be constructed no later than a week before the opening of the polls and shall be constructed by the SGA Advisor with assistance from the Election Judge or Speaker of the Senate.
- B. All election candidates shall have their placement on the ballot in alphabetical order, as determined by the SGA Advisor.
- C. Any candidate seeking Executive office shall have the authority to petition the Election Judge to have the names of any Presidential or Vice-Presidential candidate listed as a running mate.
 - a. Candidates consenting to any listings must submit their consent and signatures to the Election Judge before candidate registration closes.

² A write-in candidate shall be defined as a person who does not appear on the ballot at the time of election. This shall follow the guidelines set in the Constitution of this Student Government Association regarding to the experience required.

- b. Candidates seeking to reverse any listings pertinent to their campaign efforts must submit their consent and signature to the Election Judge before candidate registration closes.
 - i. The names of any running mates and their desired offices shall be listed in full and in such a manner as to differentiate them from the candidate officially listed.
- D. Students may only see the election ballot for the college in which they are a part. This will include the Presidential, Vice-Presidential, college, off-campus, and class senators.

SECTION 3: ANNOUNCEMENT TO RUN

- A. Following the close of registration week and after receipt of confirmation of candidacy from the Election Judge, election candidates shall declare their intent to run for office.
- B. This announcement shall only consist of the position for which the candidate is running and the states of election.
- C. Any solicitation for votes is prohibited until the campaigning period has begun.

SECTION 4: CAMPAIGNING

- A. Campaigning³ shall begin two (2) weeks or fourteen (14) days prior to Election Day.
 - a. Any candidate or candidate supporter who knowingly solicits votes before the established starting date shall have a percentage of their total vote removed by the Election Judge, verified by the Election Committee and the SGA Advisor.

SECTION 5: CAMPAIGNING EXPENDITURES

- A. A total spending cap shall be instituted for the election candidates.
 - a. Presidential candidates shall have a spending cap of \$500.
 - b. Vice-Presidential candidates shall have a spending cap of \$250.
 - c. College, class, and Off-Campus senatorial candidates shall have a spending cap of \$100.
 - d. Presidential and Vice-Presidential candidates may combine their spending caps into one fund for the purpose of campaigning together.
- B. Any personal monies or exterior decorations spent by the candidate for their campaign shall count towards the spending cap.
 - a. Expenditures made by outside sources that directly or indirectly benefit the candidate will be viewed on a case-by-case basis by the Election Commission.
 - b. The Election Commission shall have the authority to count these expenditures against the cap of the candidate.
- C. Candidates are required to submit receipts to the Election Judge for any purchases for their campaign.

SECTION 6: CAMPAIGN INFRACTIONS

- A. The following actions will result in investigation and potential sanctions by the Election Commission:
 - a. Campaigning within 100 feet of a computer lab.

³ Campaigning is defined as any solicitation of votes for a specific candidate involved in an election by the candidates or their supporters.

- b. Providing an eligible voter with an electronic device for the purpose of casting a ballot.
 - i. This does not include providing voters with a link to the ballot or a QR code that takes a voter to the ballot but is constricted to providing a voter with an electronic device.
 - c. Posting campaign material within a residence hall without approval from Campus Living staff.
 - d. Posting campaign material within a university building without approval of the proper department or college.
 - e. Posting more than one poster in an authorized location.
 - f. Posting any poster that exceeds 14” by 22”.
 - g. Breaking state or local laws while campaigning off-campus.
 - h. Failing to adhere to university policies.
 - i. All campaigning material, posters, and flyers have to be taken down within 48 hours or two days after the closing of ballots.
 - i. If an appeal has been filed, this period may be extended by the Election Judge.
 - j. Anything deemed nefarious to the election process by the Election Commission.
- B. The Election Judge, with a majority of the Election Commission, may issue the following sanctions in response to one of the above violations:
- a. Suspension of the accused candidate’s campaign rights for 24 hours.
 - i. During this time, the candidate will not be allowed to publicly campaign on or off campus.
 - ii. During this time, all posters and signs for the election candidate shall be removed until the designated time has expired.
 - b. Lowering the cap of the accused candidate’s budget.
 - c. Other sanctions deemed appropriate by the Election Commission, in consultation with the SGA Advisor and the Assistant Vice President of Student Affairs and Dean of Students.

SECTION 7: VOTING

- A. Voting will begin on the Wednesday before the last Friday of March. The ballot will close at 11:59PM Central Time on the last Friday of March.
- B. Each registered student may cast one (1) and only one ballot.
- C. Presidential and Vice-Presidential candidates shall be voted upon by the entire student body.
- D. Candidates are to be elected to the positions through votes cast from those persons currently enrolled as students in the college or class which is to be represented.
- E. Partially completed ballots are allowed.
- F. All elections will be conducted in an online format. The election ballot will only be sent to those who are eligible to cast a ballot.
- G. Candidates may not make the students vote in front of them with mobile phones or any other devices.
- H. No absentee voting is allowed.

SECTION 8: RESULTS

- A. Elections for Class, College, and Off-Campus Senators, Student Body President, and Vice-Presidential will be decided by a majority vote.
- B. Class, College, and Off-Campus Senators shall fill the seats based upon majority vote. Seats shall be filled in descending order with the candidate with the greatest number of votes filling the seats continuing until all seats are filled or no more election candidates exist.

SECTION 9: APPEAL PROCESS

- A. Candidates wishing to appeal in the election shall use the following steps:
 - a. The initial appeal falls to the Election Commission of the Student Government Association with the initial appeal being made within twenty-four (24) hours of the announcement of the election results.
 - b. Should an election candidate appeal the initial decision of the Election Commission, it should then fall upon the SGA Supreme Court.
 - c. Should an election candidate appeal the decision of the Supreme Court it then should fall upon the SGA Advisor or the Assistant Vice President of Student Affairs and Dean of Students. They shall have final jurisdiction of all decisions of the appellate process.
- B. Appeals shall be made only by the election candidate.