

ELECTION CODE
OF THE
SOUTHERN UNIVERSITY AND A&M COLLEGE
STUDENT GOVERNMENT ASSOCIATION
(Revised – July 2, 2001)

PREFACE

The holding of a Student Government Office is a trust. The public at large has a right to hold all who seek positions of public trust to the highest standards of conduct and responsibility. In upholding its responsibility to the student body, the election committee will endeavor to hold candidates to the highest level of accountability the public has the right to demand.

The election committee will hold candidates responsible for their actions fairly, quickly and judiciously so that the innocent may be rapidly exonerated and the guilty speedily sanctioned.

ARTICLE I

GENERAL PROVISIONS

Section 1 Election Code; persons held responsible

Every person who files for an office elected under the authority of the SGA Constitution and Bylaws shall receive a copy of this Election Code. All candidates and their volunteers shall be responsible for knowing its contents.

Section 2 Election Code; power of the Election Committee

The Election Committee shall have the power to interpret and apply this Code.

Section 3 Election Code; amendments

Amendments to the Election Code may be made as specified in the SGA Constitution.

Section 4 Election Committee; meetings

The Committee shall meet as necessary during the election periods (the time from when filing starts to one day after the final election results are announced), but may meet more often if needed. The Committee shall meet regularly each semester at non-election times to discuss improvements in the election process and to decide upon dates for the next semester.

Section 5 Election Committee; appeals

Any decision of the Election Committee may be appealed to the Judicial Branch of SGA.

Section 6 Multiple candidacy; prohibition

No person may be a candidate for more than one (1) office established under, or elected under the authority of the Student Government Constitution.

Section 7 Candidate qualifications

A qualified student is any full-time student that is in good academic standing and is not currently under disciplinary action with the University.

ARTICLE II

ELECTION TIMETABLE

Section 1 Order of Events

The order of events for any campus-wide election, not including elections for consideration of a referendum brought by petition, shall be as follows:

- a. Selection of election-related dates and deadlines
- b. Announcement of elections
- c. Filing period
- d. Mandatory informational meeting
- e. Qualifying
- f. Constitutional Test
- g. Active campaigning
- h. General election
- i. General election results
- j. Run-Off Election
- k. Run-Off Election results
- l. Validation of election results

Section 2 Selection of election related dates and deadlines

The Election Committee shall be in charge of setting all dates of the election-related events listed in Section 1 of this Article subject to any further provisions of the Election Code. All deadlines and dates relative to filing, campaigning, and election days for the Fall and Spring SGA Elections shall be declared by the Election Committee no later than the last official day of classes of the semester previous to the election in question. Once dates are set by the Board, the Commissioner will deliver this information to the campus newspaper, the Student Body President, the Speaker of the Student Senate, the Chief Justice of the Student Court, the Vice Chancellor for Student Affairs, and SGA Advisor.

Section 3 Announcement of Elections

- a. The Commissioner of Elections shall:

1. Issue a press release at least seven (7) calendar days prior to the opening of the filing period for the Fall and Spring elections; and
 2. Purchase and advertisement of at least one quarter (1/4) page in size to appear in the "Digest" at least three (3) class days prior to the opening of the filing period for the Fall and Spring elections.
- b. The press release and the advertisement shall list the:
1. Positions to be filled in the election;
 2. Dates for the opening and closing of filing;
 3. Time and place that a person may file for office;
 4. Dates of the general election and any run-off; and
 5. Name of the Commissioner of Elections.

Section 4 Filing period

- a. A person shall qualify as a candidate by:
1. Filing his/her intention and choice of office with the Election Board during the filing period; and
 2. Verification of his/her eligibility by the Election Committee.
- b. A five (5) class day period for filing shall be opened no less than twenty-one (21) calendar days before the date of the election. During the filing period, any student desiring to be a candidate for an office shall file an application for Student Election, along with all attached forms.

Section 5 Mandatory informational meetings

During the two (2) class days immediately following the filing period the Commissioner of Elections shall conduct at least two (2) informational meetings at various times scheduled in such a way as to allow all candidates to easily attend one (1) meeting. The purpose of these meetings shall be to clarify the provisions of the Election Code and to answer any questions which the candidates may have. All potential candidates must attend at least one meeting.

Section 6 SGA Constitution Exam

All prospective candidates must take a written examination on the Student Government Association Constitution, Bylaws, and Election Code. The exam shall consist of exactly forty (40) multiple choice questions, two-thirds (twenty-seven (27) questions) of which must pertain to the Student Government Association Constitution. To qualify to run for an office, a passing score of 80% is required (thirty-two (32) of forty questions answered correctly). The list of qualified candidates shall be posted no later than three days after the date of the test.

Section 7 Qualifying

After the closing of the filing period, the Commissioner shall submit the appropriate information for each potential candidate to the Vice Chancellor of Student Affairs' office for

verification. Once the Vice Chancellor's office reports back to the Commissioner, he shall report to the Committee with a listing of the filed candidates, and whether or not each is qualified. After any amendments and final approval of the Committee, the official list of qualified candidates will be posted. This should occur within three (3) class days of the last day of filing.

Section 8 Active campaigning

- a. There shall be no active campaigning until the SGA constitution test has been administered and passed, list of qualified candidates have been posted and attended a mandatory campaign workshop.
- b. Active campaigning in any action done or caused to be done publicly which common sense identifies as attempting to make a person's name known to others as a candidate or prospective candidate for election. Active campaigning includes, but is not limited to:
 1. Distributing campaign materials other than private distribution to immediate campaign staff;
 2. Posting any campaign material;
 3. Announcing or discussing candidacy or prospective candidacy in print, broadcast, or any other media; or
 4. Announcing or discussing candidacy or prospective candidacy in any public forum, including gatherings of recognized campus organizations.
- c. Active campaigning does not include:
 1. Designing, ordering, or receiving campaign materials and private distribution to immediate campaign staff; or
 2. Private discussions, not at a gathering of a recognized campus organization, concerning candidacy or prospective candidacy.

Section 9 General Election

- a. Fall Election
The general election for the elected officers in the Fall shall be held each year within eight (8) weeks of the first class day of the Fall semester.
- b. Spring Election
The general election for Student Body President, Student Body vice President, Miss Southern & Court, Class Presidents and Vice President, and the appropriate Student Senators shall be held no earlier than March 30 and no later than April 30.

Section 10 General Election Results

The unofficial results of the general election shall be announced by the Commissioner of Elections in an appropriate room of the SU union by 6:00PM on night of the General Election.

Section 11 Run-off Election

Except as otherwise provided in this Election Code, if no candidate in the general election receives a majority of the votes cast, the two (2) candidates receiving the highest number

of votes in said election shall be in a run-off election. The run-off election shall be held within two (2) to four (4) class days after the general election.

ARTICLE III

QUALIFYING

Section 1 Intention of Candidacy; Filing Period

There shall be a five day filing period beginning at least twenty-one (21) days preceding the election in the fall and spring semesters. During the filing period, any SGA member desiring to be a candidate for an office shall file an application for Student Elections, along with all attached forms.

Section 2 Application for Student Elections

This form must be completely filled out by the candidate and returned before the end of the filing period. No incomplete forms will be accepted. At this time, the prospective candidate must also return the complete Tabulation Representative Authorization form and Campaign Manager's application form.

Section 3 SGA Constitution Exam

All prospective candidates must take a written examination on the Student Government Association Constitution, Bylaws, and Election Code. To qualify to run for office, a passing score is 80% is required.

Section 4 Grade Point Average

To qualify for an election each person must have a cumulative GPA of 2.5. A 2.5 semester average is also required once elected into an office.

Section 5 Posting of Qualified Candidates

Within three class days after the SGA test is administered; the committee will post the list of qualified candidates.

ARTICLE IV

CAMPAIGN PRACTICES

Section 1 Campaigning; Definition

Campaigning is any activity by a person which is intended or likely to encourage or discourage a voter to cast a ballot or to influence how he/she votes. This includes the placement of any signs, posters, or banners or having the like on display. The provision shall be broadly constructed so as to encompass any activity which common sense identifies as campaigning.

Section 2 Active Campaigning; Definition; Not Before Set Date

- a. There shall be no campaigning before the assigned date.
- b. Active campaigning is any action done or caused to be done attempting to make a person's name known to others as a candidate or prospective candidate for election.
- c. Active campaigning includes, but is not limited to:
 1. Distributing campaign material other than private distribution to immediate campaign staff;
 2. Posting any campaign materials;
 3. Announcing or discussing candidacy or prospective candidacy in any public forum, including gatherings or recognized campus organization.
- d. Active campaigning does not include:
 1. Designing, ordering or receiving campaign materials and private distribution to immediate campaign staff;
 2. Private discussions, not at a gathering of a recognized campus organization, concerning candidacy or prospective candidacy.

Section 3 No campaigning in violation of this code No person shall campaign in violation of this code.

Section 4 Campaigning; On-Campus

Campaigning on-campus must be conducted with all University rules and regulation. Signs may be placed only in approved areas.

- a. No signs or banners in trees.
- b. No signs on wall of buildings (Bulletin Board only)
- c. No sheets on top of buildings when nails must be placed in the roof top.
- d. All signs placed on the bulletin boards must be stamped by the Election Committee.

Section 5 Campaigning; Off-Campus

Campaigning off-campus may not be conducted on public or private property.

Section 6 Campaigning; prohibited methods

The following methods of campaigning may not be used:

- a. Aircraft, or parades;
- b. Loudspeakers, sirens, or other noisemakers;
- c. Advertising on commercial radio or television;
- d. Balloons, except on Election Day; and
- e. Decorating any car without the expressed consent of the owner.

Section 7 Campaigning; intimidation of voters

No person shall offer anything of value or make any threat to any voter to affect the

student's vote. The term "anything of value" does not encompass distribution of campaign materials of negligible value such as buttons.

Section 8 Endorsement

Any student organization that is recognized by the University may publicly endorse any candidate for office providing that the organization is not in any type of probationary or provisional status with the University and it has the prior approval of the candidate to be endorsed.

Section 9 Campaigning on Election Day

On Election Day, there shall be no campaigning whatsoever within one hundred (100) feet of a polling location. All signs and other material must be removed from the restricted areas before the polls open on Election Day. The Committee may set slightly stricter guidelines to ensure that this section is enforced.

ARTICLE V

VOTING

Section 1 Polling locations

One polling place will be utilized to vote during the General Elections.

Section 2 Voting Booths

Voting machines will be borrowed from the Louisiana Department of Elections and Registrations for all elections; electronic voting machines should be used whenever possible.

Section 3 Voting times

The voting times on election days shall be from 9:00AM to 5:00PM.

Section 4 Voting identification

Each member of the Student Body as defined by the Student Government Association Constitution with valid picture identification that contains that person's ID number shall be entitled to cast one vote in each race which the Student Body Constitution, Bylaws, or other applicable rules entitles him/her to vote. No person shall be allowed to vote in any election without presenting this identification to the poll workers.

Section 5 Procedure for validating eligible voters

The committee shall obtain a list of all full-time students. The list shall be divided into classification. Once a student votes, his/her name shall be crossed through so that he/she will not be allowed to vote again. Each student's name should appear on only one (1) list.

Section 6 Voting clarification

Each eligible student may only vote for the positions which are elected at-large and for

those positions which correspond to his/her classification. The voting machines shall be set up in such a way as to ensure that this section is followed.

ARTICLE VI

BALLOT

Section 1 Ballot; order of candidates

Candidates shall appear on the general election ballot and run-off election ballot in alphabetical order.

Section 2 Ballot; sample displayed

The Commissioner shall post sample ballots on Bulletin Boards one (1) class day prior to any election. The wording and layout of these sample ballots shall be the same as those used on Election Day.

Section 3 Withdrawal

If a candidate wishes to withdraw from an election, he/she must do so by a meeting with the Commissioner in person, presenting a valid picture ID, and giving the Commissioner a written, signed statement of his/her withdrawal. No person may withdraw from an election after the sample ballots for the election have been posted. Should a withdrawn candidate's name inadvertently be placed on the ballot, he/she shall be considered to have never withdrawn and to be thus eligible to win the election.

ARTICLE VII

APPEALS AND COMPLAINT

Section 1 Complaints; time limits

Complaints of violations of Election Code provisions must be submitted in writing to the Election Committee within 48 hours of the alleged violation. The Committee will then, within 24 hours, decide what action shall be taken as a result of the complaint.

Section 2 Complaints; standing

Complaints of Election Code violation may be brought to the Election Committee by an SU student, faculty member, or administrator.

Section 3 Complaints; procedures

A complaint concerning irregularities in the conduct of an election by the Committee may be brought by any SU student, faculty member, or administrator. The complaint must be filed not more than 48 hours after the closing of the election polls of the election in question.

Section 4 Complaints; burden of proof

The person making the complaint shall have the burden of proving the alleged violation.

If that person or his representative is not present at the hearing (if such presence is requested by the Committee), the complaint shall be dismissed.

Section 5 New Election

If the committee determines that the action(s) of itself, any person, or any organization have cast a reasonable doubt on the fair outcome of an election, it may order that particular election run over.

Section 6 Notification of the plaintiff

After a complaint has been ruled on, the Election Committee should take immediate action to notify the plaintiff (and the accused) of the Committee's ruling.

ARTICLE VIII

PENALITES FOR VIOLATION

Section 1 Sanctions; failure to attend an informational meeting

Any candidate failing to attend at least one (1) of the mandatory informational meetings shall be disqualified, unless the candidate has made special provisions to meet personally with the Committee or the Committee has approved his/her absence due to extraordinary circumstances.

Section 2 Sanctions; candidates

If a candidate or any of his volunteers is found guilty of violating this Code, the candidate shall be penalized by the Committee in the manner deemed appropriate from the following:

- a. Private censure, reserved for only unusually minor cases;
- b. Public censure, the general minimum sanction;
- c. Restriction of the candidate and his volunteers from campaigning for a fixed period of time in such a manner as the Committee feels appropriate; and
- d. Disqualification.

Section 3 Sanctions; others

If a person who is not a candidate or if an organization is found guilty of violating this Code, the person or organization shall be penalized by the Student Court in the manner deemed appropriate from the following:

- a. Private censure, reserved for only unusually minor cases;
- b. Public censure, the general minimum sanction; and
- c. Restriction of the person or organization from campaigning for a fixed period of time and in such a manner as the Committee feels appropriate.

Section 4 Other measures

The Committee may order any person or organization found in violation of this Code to take

such steps as are necessary to cease the violation. An example of this is an order to remove campaign signs which are illegally placed. Failure to comply with such an order is a violation of this Code and may be complained of by the Commissioner, with the consent of the Committee.

Section 5 Additional sanction; report with the Vice Chancellor for Student Affairs

If in the opinion of the Committee, the violation warrants stricter sanction, the Committee may direct the Commissioner to file a report with the Vice Chancellor's Office with the recommendation that the Vice Chancellor prosecute the offending person or organization under the provisions of the Code of Student Conduct or other appropriate University rules.

ARTICLE IX

PETITION

Section 1 Petition; definition; procedural steps

A petition is the device whereby a constitutional amendment, a matter affecting a student self-assessed fee, or a recall of an elected officer is placed on the ballot by the students directly. The procedural steps are followed are:

- a. Registration of the petition with the Election Committee or Vice Chancellor for Student Affairs;
- b. Collection of signature by the proponents;
- c. Submission of the signatures to the Student Body President and/or Vice President;
- d. Verification of the petition by the Committee; and
- e. The election.

Section 2 Petition; registration

Prior to a petition begin circulated for collection of signatures, it must be registered with the Election Committee. Registration is accomplished by filing a copy of the petition with the Election Committee in the Student Government Office. If the petition proposes an amendment to the Student Government Association Constitution, a full copy of text of the amendment must be filed at this time also. If the Election Committee is unable or unwilling to accept the registered of the petition, it may be registered with the Vice Chancellor for Student Affairs.

Section 3 Petition; submission; time limit

A petition must be submitted to the Student Body President within twenty-eight (28) calendar days of its registration. The President shall immediately transmit any petition received to the Election Committee and the Student Senate.

Section 4 Petition; verification of signatures

The Committee shall verify the sufficiency of the petition within seven (7) calendar days of submission. The Committee shall verify as valid only those signatures which:

- a. Contain the name and date of signature, both in handwriting of the signer;
- b. Are Student Body members as defined by the Constitution as of the date of submission;
- c. For a matter affecting a student self-assessed fee, are of members of the group assessed or to be assessed; and
- d. Were actually collected after registration of the petition and before the submission deadline.

Section 5 Election Code applies to petition campaign

Except as expressly provided in this Article, all other provisions of this Code apply to the petition campaign.

Section 6 Certain persons considered as candidates

The following persons shall be considered as candidates and have full responsibilities as such:

- a. The person who registers the petition;
- b. In a recall petition, the person who is the target of the recall;
- c. In a petition seeking to amend the constitution, the Student Body President;
- d. In a petition to levy, amend, repeal, or otherwise regulate a student self-assessed fee, the recipient or proposed recipient.

ARTICLE X

MISCELLANEOUS RULES AND GUIDELINES

Section 1 Filing; action is final; exception

Once a student has filed for a certain office, he/she may not change to any other office. The student may either run for the position originally filed for, or may drop out the race completely. The only exception to this provision is for those students filing for a position considered higher in rank.

Section 2 Ties

Ties shall be handled as follows:

- a. If there are only two (2) candidates in the general election and the election results in a tie, then the election shall be rerun in the run-off election.
- b. If there are more than two (2) candidates in the general election and the election results indicates that no candidate received fifty percent (50%) plus one vote, then the two highest vote getters shall run the run-off election.
- c. If there are more than two (2) candidates in the general election and there is a tie for second place and if a run-off is otherwise needed, then the first place candidate and the candidates tied for second shall all run-off. The candidate who receives the most votes in

the run-off shall be the winner, regardless of whether he/she receives a majority of the votes cast.

- d. If a run-off election results in a tie, then the tied candidate who received the most votes in the general election shall be the winner.

Copies of the Election Code shall be displayed at each polling location by the Election Committee.