

**The Election Code
of the
Southern University and A&M College
Student Government Association
Revised – July 2, 2001
Revised- July 31, 2017
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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 Elections 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. Members of the Elections Committee

This committee shall consist of the following members:

- a) The Elections Commissioner
- b) Five full –time Southern University students (appointed by the Elections Commissioner with the approval of the SGA President)

Article II. Eligibility

Elections Committee Applicants must:

- a) Have a cumulative grade point average of 2.75 or above when he/she applies for office and must maintain a 2.75 grade point average throughout the term of office.
- b) Remain a full-time student from the time of election throughout the term of office (an entire academic year/consecutive Fall and Spring semester).
- c) Be able to serve the entire term of office (an entire academic school year/consecutive Fall and Spring).
- d) Have no disciplinary sanctions at any point during the previous academic year nor while serving his/her term.
- e) Take the SGA Constitution Test and pass with at least an 80% or above.
- f) Members of the Elections Committee are not allowed to run for an office while serving as a member of the committee.

- g) No member of the Elections Committee may actively participate as a campaign manager, worker, etc., for any candidate in the election.

Article III. Duties of the Elections Committee

- a) Publicize the election and voting procedures.
- b) Make and enforce all rules and regulations concerning the SGA Election Code.
- c) Verify all qualifications of all candidates.
- d) Have primary jurisdiction in all cases involving the observance and execution of the Election Code
- e) Recommend sanctions for violation of the code.
- f) Perform other duties concerning the administration of the election process consistent with the Constitution and university regulations.
- g) Remove any Elections Committee member who shows bias for any candidate. Student will be removed from the Committee by a majority vote of the remaining members. Any removed member may not serve on the Committee, again.
- h) Be the official forces of the election; serving as law of Elections
- i) Elect a Deputy Elections Commissioner
- j) Recommend changes of the Election Code as deemed necessary

Article IV. Duties of Election Commissioner

- a) Serve as the Chairman of the Elections Committee
- b) Supervise and direct the arrangements of the Elections Committee
- c) Select five qualified students to serve on the Elections Committee
- d) Announce rules and regulations of the Election Code.
- e) Be responsible for enforcement of this Election Code.
- f) Provide adequate information concerning all elections to all official university media prior to and following each election.
- g) Call meetings with the Elections Committee as deemed necessary.
- h) Provide needed information to each candidate on election procedure by the end of candidate declaration.
- i) Provide training for all members of the Elections Committee in their duties and responsibilities prior to each election.
- j) The Elections Commissioner will provide a clearly defined non-campaigning zone. (No less than 50 feet of the identified buildings)
- k) Investigate all violations
- l) Maintain a permanent, public record of the final results of all elections.

Article V. Duties of Deputy Elections Commissioner

- a) Assist the Elections Commissioner.
- b) Serve as Vice-Chair for Elections Committee.

- c) Perform any duties given by the Elections Commissioner.
- d) Meet with the Elections Committee when deemed necessary

Article VI. Jurisdiction

- a) The Elections Committee will produce an Election Code with all necessary rules and regulations that may not be in conflict with the SGA Constitution.
- b) All Elections Committee members are required to attend all scheduled election activities and meetings.
- c) The Elections Committee may amend and make structural and grammatical changes to this code, as it deems necessary.

Article VII. Regulations

- a) Membership onto the Elections Committee shall be from date of appointment until end of the following spring semester.
- b) Three members of the Committee shall be considered a quorum.
- c) All questions (written and signed by the submitter) before the Elections Committee shall be decided by majority vote.

Article VIII. General Provisions

Section 1: Election Code; persons held responsible

Every person who files for an office under the authority of the SGA Constitution 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 Elections Committee shall have the power to interpret and apply this Code.

Section 3: 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), or meet as 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 4: Election Committee; appeal

- a) Any decision of the Election Committee may be appealed to the Judicial Branch of SGA.
- b) The Judicial Branch will convene an Elections Review Committee
- c) The final decision of the appeal will lie with the Elections Review Committee.

Section 5: 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 6: Candidate qualifications

A qualified student is any full-time student that is in good academic standing, holding a 2.75 Grade Point Average, and is not currently under disciplinary action with the University.

Article IX. 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 or Special Election, shall be as follows:

- a) Selection of election-related dates and deadlines
- b) Announcement of elections
- c) Filing period
- d) Mandatory Test Review
- e) Constitutional Test
- f) Qualifying
- g) Active campaigning
- h) General election
- i) General election results
- j) Validation of election results

Section 2: Selection of election related dates and deadlines

The Elections Committee shall be in charge of setting all dates of the election-related events listed in Section 1 of this Article.

Section 3: Announcement of Elections

- a) The Commissioner of Elections shall:
 - a. 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
- b) The press release shall list the:
 - a. Positions to be filled in the election
 - b. Dates for the opening and closing of filing
 - c. Time and place that a person may file for office
 - d. Dates of the general election
 - e. Name of the Elections Commissioner

Section 4: Filing period

- a) A person shall qualify as a candidate by:

- a. Filing his/her intention and choice of office with the Elections Committee during the filing period; and
 - b. Verification of his/her eligibility by the Elections 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.
 - c) During the filing period, any student desiring to be a candidate for an office shall file an application for Student Election.

Section 5: Mandatory Test Study Sessions

The Elections Committee shall conduct at least two (2) Test Review 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, prepare candidates for the SGA Constitutional Exam, 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 and Election Code. The exam shall consist of exactly forty (40) multiple choice questions.

To qualify for any position elected or appointed, 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 Constitutional Exam, the Commissioner shall submit the potential candidate to the Director of Student Leadership and Engagement for verification. The Director will report back to the Commissioner a list of candidates, and whether they qualify or not. 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 after the SGA Exam.

Section 8: 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, Election Commissioner, Association for Women Student President and Vice President, Men's Federation President and Vice President, and the appropriate Student Senators and Justices.

Section 9: General Election Results

The unofficial results of the general election shall be announced by the Commissioner on the day of general election.

Article X. 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, student desiring to be a candidate for an office shall file an application for Student Elections.

Following general elections results (Fall and Spring) filing for cabinet appointments will open. Students interested in holding an appointed position must file during the prescribed timeframe.

Section 2: Application for Student Elections

Candidacy applications must be completely filled out by the candidate and submitted before the end of the filing period. No incomplete applications will be accepted.

Section 3: SGA Constitution Exam

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

Section 4: Grade Point Average

To qualify for an elected or appointed position each person must have a cumulative 2.75 GPA.

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 XI. 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.

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.

Section 2: Campaigning; Definition

- 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:
 - a. Distributing campaign materials other than private distribution to immediate campaign staff
 - b. Posting any campaign materials
 - c. Announcing or discussing candidacy or prospective candidacy in any public or social (digital included) forum, including gatherings of recognized campus organization.
 - d. Announcing the desire to vie for an elected position prior to general election announcement
- d) Active campaigning does not include:
 - a. Designing, ordering or receiving campaign materials and private distribution to immediate campaign staff;
 - b. Private discussions, not at a gathering (in person or virtual-social media) 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 regulations. Signs may be placed only in approved areas.

- a) No signs or banners in trees.
- b) No signs on walls of buildings (Bulletin Boards only) without permission from building super
- c) No sheets on top of buildings when nails must be placed in the roof top.
- d) All signs placed on the bulletin board must be stamped by the Election Committee.
 - a. Students may distribute clearly labeled trademark, company logo (e.g., Coca Cola, Nabisco, Wendy's, McDonald's, etc.) consumable food items during election activities with the approval of Aramark Campus Dining.

Section 5: Campaigning; Off-Campus

Campaigning off-campus may not be conducted on public or private property. National platforms to including be not limited to Television and Radio are prohibited.

Section 6: Campaigning Timing

The Election Committee shall set forth the formal time for the beginning and ending of campaigning; any formal or active campaigning outside of the specified time will result in automatic disqualification.

Election events set-up and take-down will be determined by the Election Committee. All candidates and their teams are required to thoroughly clean their areas daily

Section 7: Campaign; Social Media

The only social media outlet that will be allowed for campaigning purposes is Instagram. All Instagram post must have the hashtag #SUELECTIONS

Section 8: Campaign Restrictions and Guidelines

There will be no campaigning that will compromise the dignity or integrity of the University. All campaign materials and practices are subject to approval by the Elections Committee. The Elections Committee may add additional regulations concerning campaigning as it deems necessary, as long as it is in accordance with the SGA constitution.

In the case of unforeseen circumstances and or an act of God, the Elections Committee reserves the right to amend campaign guidelines. In such event, the amended guidelines will supersede standard precedent.

Section 9: Campaigning

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.

- a) Cyber bullying will not be tolerated in any form. (Definition: the electronic posting of mean-spirited messages about a person (as a student) often done anonymously).
- b) There shall be no campaigning that will disturb class; this may include announcements during or prior to the beginning of classes.
- c) Any person who qualifies as a candidate for any election will not hold the Elections Committee, Student Government Association or Southern University responsible for the infringement of any copyrighted material or monies lost during the election period.

- d) No candidate or campaign member may make any negative public statement that will injure the reputation or character of another candidate. The Election Committee reserves the right to decide what constitutes defamation.
- e) Each candidate will be held responsible for making certain displays are removed by 8:00 p.m. on the last day of campaigning.
- f) There will be no parades for any candidate.
- g) No loud profane music.
- h) There will be no physical campaigning before 8 am and after 12:00 midnight. (ie. Setting up booths, passing out materials, or any other form of physically soliciting votes)
- i) NO RESIDENCE HALL WALKS are allowed before 12:00 noon and after 12:00 midnight. If found in violation, candidate may be subject to a sanction.
- j) The current members of SGA and the Royal Court cannot endorse any candidates.

Section 10: 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.

Article XII. Voting

Section 1: Voting times

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

Section 2: Procedure for validating eligible voters

The committee shall obtain a list of all full-time students from the Registrar

Section 3: 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.

Article XIII. 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: Withdrawal

If a candidate wishes to withdraw from an election, he/she must do so by a meeting with the Commissioner in person and giving the Commissioner a written, signed statement of his/her withdrawal. 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 XIV. Appeals and Complaint

Section 1: Complaints; time limits

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

If a candidate contests the election results then the Elections Committee shall have one week after the filing in which to decide what action is to be taken. The Elections Committee will make all decisions regarding disqualifications. Any appeals must be submitted to Judicial Branch of SGA within 24 hours of the Election Committee's decision.

Section 2: Complaints; standing

Complaints of Election Code violations may be brought to the Elections 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 with the Judicial Branch no than 24 hours after the closing of the election polls of the election in question.

- a) The Judicial Branch will convene an Elections Review Committee.
- b) The final decision of the appeal will lie with the Elections Review Committee.

Section 4: Complaints; burden of proof

The person making the complaint shall have the burden of proving the alleged violation. If the 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 XV. Penalties for Violation**Section 1: Sanctions; failure to attend Test Review**

Any candidate failing to attend at least one (1) of the mandatory Test Review 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.

Prospective candidates seeking a special provisions must send in request at least 48-hours prior to the mandatory informational meetings.

Section 2: Sanctions; candidates

If a candidate or any of their campaign members are found guilty of violating this Code, the candidate shall be penalized by the Committee in the manner deemed appropriate from the following:

- a) The first offense will result in sanctioning over a 24- hour period
- b) The second offense will result in sanctioning over a 48-hour period
- c) Any violations that occurs after the second offense will result in disqualification

Section 4: Sanctions; Automatic Disqualification

- a) Active campaigning prior to the prescribed date
- b) Destruction/Vandalism of university or candidates property
- c) Threats siting physical or mental harm to another candidate
- d) Voter Intimidation

Section 5: 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 Judicial Branch 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 6: 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.

Article XVI. 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;
- b) Collection of signature by the proponents; must collect 60% of the total number of votes in the general election;
- c) Submission of the signatures to the Election Committee;
- d) Verification of the petition by the Director of Student Leadership and Engagement; 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 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 Elections Commissioner within twenty-eight (28) calendar days of its registration. The Elections Commissioner 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 assesses; 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 XVII. 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.

Section 2: Ties

Ties shall be handled as follows:

- a) A run-off election will be held for the two candidates
- b) Run-off Election will be held the Wednesday following the election results
- c) The candidate with the majority vote will be the winner of the election

Section 3: No Candidate Clause

In the event there are no qualifying candidates for an elected position following the posting of the SGA Exam scores, the no candidate clause provisions will be evoked:

- a) Filing will open the day following the posting of the SGA Exam results
- b) Filing will be open for no more than 24 hours; closing the next business day at 8:00 AM
- c) SGA Exam will be administered at 6:30 PM the day filing closes
- d) Results will be posted following the SGA Exam
- e) Qualifying candidates will continue on elections per the prescribed dates

Section 4: Special Election

Special Election shall be handled as follows:

- a) Special Election day shall take place no less than two weeks following general election

- b) Filing will open the Monday after general elections; filing will remain open for 72-hours
- c) SGA Exam will be the Friday following the general election
- d) Campaigning will be commence 10 days following the general election
- e) The candidate with the majority vote will be the winner of the election

Article XVIII. Legalities

Section 1. Assuming Position

Freshman will assume office immediately after the election results have been verified and confirmed by the Vice Chancellor of Student Affairs. Spring elected officers will officially assume office the day following spring commencement.

Section 2. Oath of Office

The Vice Chancellor of Student Affairs (or designee) will handle the Oath of Office for the Student Government Association.

Article XIX. Amendments

Amendments to this election code that are not structural or grammatical are made at the discretion of the Election Committee by a 2/3 vote of the committee, then forwarded to the SGA President for approval.