

## **Title VIII: ELECTION CODE**

### **Article 1 – General Provisions**

#### **Section 1 – Purpose**

The Election Code is hereby adopted by the University-Wide Senate to fulfill the Constitutional responsibility of the Senate “to prescribe the manner of holding elections” and “to judge the elections and qualifications of Election Officials.”

#### **Section 2 – Accountability to the Election Code**

- A. Every person who files for an office elected under the authority of the SGA Constitution and Bylaws shall have access to a copy of this document at the time of filing.
- B. All candidates and their staff, along with all volunteers, shall be responsible for knowing and abiding by the contents of this document. Any questions concerning this document shall be addressed directly to either the Presidential or Campus Specific Election Commission.

### **Article 2 – The Election Commission**

#### **Section 1 – General**

- A. Presidential Election Commission
  - a. The SGA has established a Presidential Election Commission which sets the dates, activities, guidelines, and deadlines regarding the presidential election and has the authority to preside over all areas of the presidential election process.
  - b. This commission will address all presidential election complaints and may make corresponding decisions at its discretion.
  - c. The Presidential Election Commission reserves the right to have a meeting to review submitted complaints and evidence to decide whether further action is needed.
  - d. Appeals to decisions made by the University-Wide Election Commission shall be made to the Student Judicial Board with the Chief Justices coming together to adjudicate.
- B. Campus Specific Election Commission
  - a. The SGA has established Campus Specific Election Commissions to set the dates, activities, guidelines, and deadlines regarding campus specific elections and has the authority to preside over all areas of each of their respective campus’s election procedures.
  - b. They will address all campus election complaints and may make corresponding decisions at their discretion.
  - c. The Campus Specific Election Commission reserves the right to have a meeting to review submitted complaints and evidence to decide whether further action is needed.
  - d. Appeals to decisions made by a Campus Specific Election Commission shall be made to the Chief Justice of their campus.

#### **Section 2 – Election Commission Qualifications and Appointments**

- A. The Presidential Election Commission shall be composed of the Election Commission Chairs from each campus, and at least 2 of the SGA Advisors. A Chief Election Commissioner will be selected from among the members by the SGA Advisors based on their interview.
- B. Campus Election Commission Chairs will be selected using the following process:
  - a. Atlanta Campus - Interviewed and selected by the SGA Advisor, SGA Administrative Coordinator and a Student Judicial Board representative and confirmed by the Atlanta Campus Senate by a two-thirds vote. Members shall be chosen based on experience, integrity, impartiality, and good judgment.
  - b. Perimeter Campuses - The Communications Director, if they are not running for office shall be the Campus Election Commission Chair. If they are running for an office, any other executive or legislative member of the

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SGA at the Perimeter Campuses, who is not running for an office is eligible to serve as the Campus Election Commission Chair and will be selected by the SGA Advisor and Student Judicial Board representative on that campus and confirmed by the Campus Senate by a two-thirds (2/3) vote on each campus. Members shall be chosen based on experience, integrity, impartiality, and good judgment.

- C. The Atlanta Campus Election Commission shall be composed of an Election Commission Chair, a Vice Chair for Marketing, a Vice Chair for Logistics and volunteers as needed.
  - a. Members of the Commission that receive stipends must:
    - i. Meet Student Leader Requirements as outlined in the Student Code of Conduct.
    - ii. Commit 20 hours a month for 4 months (December is not included in the stipend term).
  - b. Election Commission Officers and volunteers are not eligible to run in the Spring Elections that concur with their Election Commission term or be affiliated with a student political party.
  - c. On the Atlanta Campus, to be paid a stipend, student leaders cannot have a work study position.
  - d. Any vacancies within the Election Commission shall be appointed by the Election Commission Chair and confirmed by the Atlanta Campus Senate via a majority (51% vote).
  - e. If the Atlanta Campus Election Commission Chair position becomes vacant, the Election Commission Vice Chair for Marketing will assume the duties of the Election Commission Chair and would be paid at the Chair level, with the remaining stipend amount spread equally among the rest of the commissioners. The new Chair will appoint a new Vice Chair from among the remaining Atlanta Campus Election Commission members. Election Commission personnel may serve multiple or consecutive terms but must be re-approved by the Senate via standards set out above.
  - f. If the Senate does not fill one of the commission positions by the first meeting in January, the SGA Advisor will then be authorized and required to fill any unassigned positions within two weeks and shall be authorized to fill these positions without the approval of the Student Senate.
- D. For the Perimeter Campuses, the Election Commission shall be composed of the Election Commission Chair, whose role is included in Communications Director's responsibilities or another existing stipend-paid SGA position (if the Communication Director is ineligible to serve) and volunteers as needed.
  - a. If none of the currently stipend-paid SGA officers are eligible to serve as Chief Election Commissioner, the SGA Advisor has the authority to appoint an eligible student who is a member of SGA.
  - b. If the Senate does not fill one of the commission positions by the first meeting in January, the SGA Advisor for that campus will then be authorized and required to fill any unassigned positions within two weeks and shall be authorized to fill these positions without the approval of the Student Senate.
  - c. Election Commission personnel may serve multiple or consecutive terms but must be re-approved by the Senate via standards set out above.
- E. Student Judicial Board members are not permitted to serve on any Election Commission.

### **Section 3 – Roles and Responsibilities of the Chief Election Commissioner**

- A. The primary responsibility of the Chief Election Commissioner shall be to execute the provisions of the Student Government Constitution relative to the Presidential elections and all other provisions of this Code. If a question exists regarding their authority, the Chief Election Commissioner shall petition the Student Judicial Board in writing to answer a question pertaining to their power. Any such petitions should be recorded and submitted to the University-Wide Senate within one week.
- B. Serve as the administrative head of the Presidential election process and to have charge over all personnel/volunteers working within and alongside their commission.
- C. Remain impartial to any candidates or parties participating in the election.
- D. Administer and set provisions for special elections where provided for in the Bylaws, or SGA Constitution.
- E. Organize all necessary materials and coordinate all personnel for the efficient and prompt execution of the General Election, and all other SGA elections provided for in this code.
- F. Ask the Election Commission Advisor, when necessary, for advisory opinions on election code procedures and policy.
- G. Work with the SGA Advisor or their delegate to ensure the correct online posting of ballots, proposed constitutional amendments and any other official publications of the Commission.
- H. The Presidential Election Commission shall also ensure that proposed constitutional amendments will contain in their entirety the proposed changes and the existing sections of the Constitution and certify elections and campaign materials as prescribed in the Election Code.

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- I. The Chief Election Commissioner shall prepare a Presidential Election Journal to be submitted at the end of their term. This journal must give an accurate and detailed description of events and must be submitted to the Atlanta Campus's SGA Administrative Coordinator. The journal should include: all complaints and responses to complaints, election results, and any results from the SGA Student Judicial Board, ideas for upcoming commissions on improving the election process, a draft calendar of events, and any other pertinent information. A copy of the University-Wide Election Journal shall be published online and viewable by the public.
- J. The authority to expend such funds as appropriated to the Election Commissions use shall be entirely vested in the Atlanta Campus SGA Administrative Coordinator, and the Commission must receive written consent from the Administrative Coordinator before using funds.
- K. After final approval by the Presidential Election Commission, an official list of all of the qualified candidates will be made available to the public.
- L. The Chief Election Commissioner is responsible for making sure the topics to be discussed at the Mandatory Candidate Seminar shall include but are not limited to the following: Election Rules & Regulations, University Policy relating to the election, Election Schedule, Structure and Functions of the SGA, and the duties and responsibilities of the elected officers of the SGA.
- M. Any and all dates established for elections and runoff elections must be submitted to the Senate, not for approval, but notification purposes.

### **Section 4 – Roles and Responsibilities of the Campus Election Commission Chairs**

- A. The primary responsibility of the Campus Election Commission Chairs shall be to execute the provisions of the SGA Constitution relative to campus elections and all other provisions of this Code. If a question exists regarding their authority, the Chief Election Commissioner shall petition the Student Judicial Board in writing to answer a question pertaining to their power. Any such petitions should be recorded and submitted to the University-Wide Senate within one week.
- B. The Campus Election Commission Chairs shall set the minimum hours per week for any other members of their Commission and shall not require any individual to work more than 5 hours a week. Total accrued hours of the subordinates may not exceed 20 hours per month.
- C. The Campus Election Commission Chair's responsibilities include, but are not limited to:
  - a. Serve as the administrative head of the campus election process and to have charge over all personnel/volunteers working within and alongside their commission,
  - b. Remain impartial to any candidates or parties participating in the election,
  - c. Administer and set provisions for special elections where provided for in the Election Code, Bylaws, or Student Government Constitution,
  - d. Organize all necessary materials and coordinate all personnel for the efficient and prompt execution of their campus's General Election,
  - e. Ask the SGA Advisor, when necessary, for advisory opinions on election code procedures and policy,
  - f. Work with the SGA Advisor or their delegate to ensure the correct online posting of ballots, proposed constitutional amendments and any other official publications of the Commission,
  - g. The Commission shall also ensure that proposed constitutional amendments will contain in their entirety the proposed changes and the existing sections of the Constitution, certify elections and campaign materials as prescribed in the Election Code,
  - h. The Campus Election Commission Chairs shall each prepare an Election Journal to be submitted at the end of their term. This journal must give an accurate and detailed description of events, and must be submitted to their respective SGA Advisor before the end of finals during spring semester. The journal should include: all complaints and responses to complaints, election results, and any results from the SGA Student Judicial Board, ideas for upcoming commissions on improving the election process, a draft calendar of events, and any other pertinent information. A copy of the Election Journal shall be published online and viewable by the public.
  - i. The authority to expend such funds as appropriated to the Atlanta Campus Election Commission's use shall be entirely vested in the SGA Administrative Coordinator, and the Commission must receive written consent from the Administrative Coordinator before using funds.
  - j. The authority to expend such funds as appropriated to each Perimeter Campus Election Commission's use shall be entirely vested in the SGA Advisor for that respective campus, and the Commission must receive written consent from the SGA Advisor before using funds.

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- k. After final approval by the Election Commission, an official list of all of the qualified candidates will be made available to the public.
- D. The Campus Election Commission Chair is responsible for making sure the topics to be discussed at the Mandatory Candidate Seminar shall include but are not limited to the following: Election Rules & Regulations, University Policy relating to the election, Election Schedule, Structure and Functions of the SGA, and the duties and responsibilities of the elected officers of the SGA.
- E. Any and all dates established for elections and runoff elections must be submitted to the Senate, not for approval, but notification purposes.

### Section 5 – Role and Responsibilities of the Election Commission Vice Chairs

- A. On the Atlanta campus, there will be a separate Vice Chair for Marketing and a Vice Chair for Logistics.
  - a. The Vice Chair for Marketing shall be responsible for advertising and public relations. Their goal shall be to encourage qualified individuals to run for office, increase election turnout, make the election known and visible to the student body, advertise election related activities such as debates or other public forums, and coordinate with the administration to ensure the success of the election.
  - b. The Vice Chair for Logistics shall be responsible for assisting in the planning and execution of debates, staffing voting locations, reserving rooms for election commission events, and ensuring the organization and execution of a successful election. They are also responsible for auditing the candidates' campaign finance documentation.
- B. On the Perimeter campuses, the Election Commission Chairs are also responsible for the marketing and logistics of the campus elections.

### Section 6 – Oath of Office

- A. The Atlanta campus Student Judicial Board Chief Justice or the Chief Justice's designee shall administer the oath of office to the incoming members of the Commission. The oath must be taken before the commencement of each member's respective duties.
- B. The Oath of Office states: "I, (name), do solemnly affirm that I will faithfully execute the duties and responsibilities entrusted to me by virtue of my office, and will to the best of my ability preserve, protect, and enforce the Constitution, By-Laws and the Election Code of the SGA at Georgia State University."

### Section 7 – Removal from Office

- A. Atlanta Campus
  - a. The SGA Advisor shall have the right to suspend, with proper cause, any member of the Commission from their duties. If the SJB concurs with the suspension the student will be removed from their position.
  - b. In the case of removal of the Atlanta Campus Election Chair, the Vice Chair for Marketing shall assume their responsibilities, which does not require approval by the Student Senate.
  - c. If all commissioners are suspended, the Chief Justice shall hire new commissioners who shall not receive standing until confirmed by the Senate via a two-thirds vote.
- B. Perimeter Campuses
  - a. The SGA Advisor shall have the right to suspend, with proper cause, any member of the Commission from the student's duties. If the SJB concurs with the suspension the student will be removed from their position.
  - b. If the Election Commission Chair is suspended from that position but also serves as the Communications Director, they would retain their Communication Director responsibilities unless their nonfeasance or malfeasance applies to that position as well.
- C. Chief Election Commissioner
  - a. The SGA Advisor shall have the right to suspend, with proper cause, the Chief Election Commissioner from their duties. If the SJB concurs with the suspension the student will be removed from their position.
  - b. In the case of removal of the Chief Election Commissioner, the SGA Advisors will accept applications from the Election Commission Chairs for no more than 24 hours after the removal of the Chief Election Commissioner. Based on those applications, and their record as an Election Commission Chair, they will select a new Chief Election Commissioner.

## Article 3 – Candidates and Parties

### Section 1 – Candidate Qualifications

#### A. General

- a. Eligible candidates must have submitted an application by a date and time to be determined by the SGA Advisor. Candidates who do not meet the following requirements will not be listed on the election ballot:
  - i. President - Must have earned a minimum of 12 credit hours and be attempting to earn or have already earned 12 additional credit hours totaling to 24 or more earned credit hours by the end of the Spring Semester in which they are running. Must have a cumulative Georgia State University GPA of 3.0 or higher to run for office and must maintain a cumulative Georgia State University GPA of 2.75 or higher in subsequent semesters to retain the position.
  - ii. EVP and Speaker of the Senate - Must have earned a minimum of 12 credit hours and be attempting to earn or have already earned 12 additional credit hours totaling to 24 or more earned credit hours by the end of the Spring Semester in which they are running. Must have a cumulative Georgia State University GPA of 2.75 or higher to run for office and must maintain a cumulative Georgia State University GPA of 2.5 or higher in subsequent semesters to retain the position.
  - iii. Senator – Must be attempting to complete or have already completed 6 credits by the end of Spring term in which they are running with a minimum cumulative Georgia State University GPA of 2.5 and 2.2 to retain position.
  - iv. For Perimeter College positions, Learning Support courses may be calculated into the Senator's cumulative GPA. All manual Learning Support grades calculations will be verified by Enrollment and Registration Services.
- b. All candidates and appointments must plan to be enrolled a minimum of
  - i. Six hours (undergraduate). Online credit hours do not count toward this total.
  - ii. For Perimeter students - they shall serve on the campus where a majority of their classes are held. To serve as an officer of the SGA, they must be enrolled in a minimum of six credit hours at the campus where the office is held for the duration of the term of office, excluding summer semesters. If there are any discrepancies in reference to qualifications, the SGA Advisor for that campus will render a final decision.
  - iii. Three hours (graduate) during fall and spring semesters.
- c. All candidates must also meet the minimum qualifications for student leader positions as outlined in Section J, *Student Leadership Positions*, found on page 50 in the Student Code of Conduct. The entire code of conduct can be found online at [codeofconduct.gsu.edu](http://codeofconduct.gsu.edu)
- d. Candidates must sign the code of ethics and follow all election guidelines.
- e. Candidates must be aware that if elected they will not be able to be employed in a work study funded position during the term in which they will receive their SGA stipend. They may choose to forego the SGA stipend (not paid from SGA) in order to maintain their work study funded position.
- f. Candidates may only seek election for one office and cannot change positions once an application for office is submitted and confirmed.
- g. No student shall hold more than one elected SGA position at a time.
- h. Candidates must attend one of the mandatory candidate orientations unless they submit proof of an academic or work conflict prior to the first scheduled orientation session. Failure to submit this information to the Election Commission Chair before the first candidate orientation session will result in automatic disqualification.
- i. Presidential and campus specific candidates must attend the scheduled debate(s) and remain for the entire debate unless they submit proof of an academic or work conflict to the Election Commissioner at least one week prior to their scheduled debate. Failure to submit this information to the Chief Election Commissioner before the first candidate orientation session will result in automatic disqualification. The only exception to this would be documented severe illness, family trauma, or other extreme circumstances that must be identified in writing within 24 hours of the scheduled debate to the Election Commissioner.
- j. No member of the Election Commission, election volunteers, or member of the SGA Student Judicial Board may be a candidate for elective office. Commission members and other election personnel who have taken the oath of office, and subsequently resigned or were removed from office, may not become candidates for elective office in the election for which they were appointed or hired.

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- k. For any senator position (representing one academic area), all candidates must be enrolled at the time of filing in the college that they are seeking to represent. A candidate must be majoring in a subject that falls under the domain of that college.
  - l. The candidate must intend to serve at least two (2) full academic semesters; for Perimeter campus students, a minimum of summer and fall is required; for Atlanta campus students, a minimum of fall and spring is required. m. If a senator elects to transfer out of the college or school that they are representing, they must relinquish their senator position when their transfer is complete as determined by the Registrar.
  - m. If a Senator elects to transfer out of the College or School that they are representing, they must relinquish their Senator position when their transfer is complete as determined by the Registrar.
- F. Qualifications for Senate Leadership on the Atlanta Campus
- a. Candidates running for Speaker Pro Tempore, Head Senator, and the Chairs of the following committees: Academic Affairs, Student Life and Student Services, are Senators who are nominated or self-nominated following the election period.
  - b. Elections to fill each position are conducted by the Senate and will take place during the first session of Senate after Inauguration.
  - c. Candidates running for a Senate Leadership position must have a cumulative Georgia State University GPA of 2.75 or higher at the time of election and maintain at least a 2.5 minimum cumulative GPA to retain the position.
- G. Qualifications for Senate Leadership on the Perimeter Campuses
- a. Candidates running for Speaker Pro Tempore, are Senators who are nominated or self-nominated following the election period.
  - b. Elections to fill the position are conducted by the Senate and will take place during the first session of Senate after Inauguration.
  - c. Candidates running for Speaker Pro Tempore must have a cumulative Georgia State University GPA of 2.75 or higher at the time of election and maintain at least a 2.5 minimum cumulative GPA to maintain the position.

### Section 2 – Responsibilities of a Candidate

- A. "Candidate" shall be defined as a student who has completed and turned in the necessary documents and meets the following stipulations - currently enrolled at Georgia State University, in good academic standing, and has provided confirmation of college major and graduation date. The SGA Advisors are responsible for verifying each candidate meets baseline requirements set forth in this document.
- B. All candidates are held accountable to the provisions of this code, SGA Constitution and Bylaws, and all other University policies. However, the burden of proof of violation must always entail a mens rea component, meaning accusers must prove a candidate or party knowingly or purposely set out to breach the laws herein, and that they had the intention or knowledge of wrongdoing that constitutes part of a violation.
- C. Candidates will be held responsible for any activities by their supporters that are in violation of the provisions of this code, if evidence supports that a candidate had actual or constructive knowledge of illicit activities and/or authorized or acquiesced in such activities. The burden of proof entails a mens rea requirement as defined in the previous section. "Supporter" shall be defined as any person or persons with whom the active candidate was working or campaigning alongside. This provision shall not extend to unassociated third parties working on the candidate's behalf. The burden of proof shall rest with the accuser to prove "association of the parties" beyond all reasonable doubt.
- D. Candidates who are members of a Party are held individually accountable to the provisions of this code, although parties as a whole may be penalized for violation of this code.
- E. All candidates must attend an Election Code Orientation. At the time of filing, each candidate will be informed of the time and location of the seminar specific to their position. The Election Commission Chairs shall be wholly responsible for the organization and execution of these seminars on their respective campuses, with the Chief Election Commissioner responsible for the Presidential Election Code Orientation.
- F. Failure to attend the Mandatory Election Code Orientation specific to the position applied for will result in the disqualification of the candidate, unless the absence is requested by the candidate and approved by the Commission no later than twenty-four (24) hours before the meeting has occurred.

### **Section 3 – Candidate Seminars**

- A. Candidate seminars will be announced prior to the application submission deadline.
- B. All candidates are encouraged to attend a seminar to learn more about the available positions, the qualifications required to be a candidate or to apply for an appointed position.
- C. Candidate seminars shall explain, formally, the intricacies of election activities. These specifics include, but are not limited to, candidate responsibilities, affiliate responsibilities, campaign practices, and party information.

### **Section 4 – Qualifications of a Party**

- A. A party is defined as an affiliation of candidates who group together to organize campaigning for an election.
- B. Candidates shall not be listed on more than one party ticket.
- C. Candidates for President cannot be listed on any party ticket.
- D. There are only two potential types of party tickets:
  - a. Candidates for EVP or Speaker may run on a party ticket, but they cannot include candidates for Senator. Candidates for EVP and Speaker from multiple campuses can run on the same party ticket if they will appear on the same ballot.
  - b. Candidates for Senator may run on a ticket, but they cannot include candidates for EVP and/or Speaker.

### **Section 5 – Responsibilities of a Party**

- A. Individuals within and comprising parties shall each be subject to the responsibilities of candidates enumerated in Section 2(B).
- B. Parties must account for the total amount of expenditures of the candidates who are affiliated with them.
- C. Parties as a whole or in part may be held responsible to infractions of this code.
- D. Parties must register the party name, candidates, staff and party volunteers with the Election Commission before engaging in any campaign practices.
- E. Party names must be substantially different from other names that have been previously submitted.

### **Section 6 – Filing for Positions**

- A. In the General Election, each candidate must file for one position only. All subsequent filings must be considered void unless the second application amends the first application before the filing deadline.
- B. All student candidates must submit their applications via the Student Government Elections portal on the Panther Involvement Network.

## **Article 4 – Campaigning Practices**

### **Section 1 – Definition of Campaigning**

- A. Campaigning is defined as “any activity by a candidate or party that is intended or likely to encourage or discourage a voter to cast a vote, or to affect how a student votes.”
- B. Campaigning includes, but is not limited to: verbal and/or electronic solicitation of votes and the following:
  - a. Distributing campaign materials other than private distribution to immediate campaign staff and candidates.
  - b. Announcing or discussing potential candidacy and/or party name in print, broadcast, public forum, or any other media.
  - c. Seeking endorsement (including financial contributions) or voter support for a campaign at an official meeting of a registered student organization.
  - d. Posting any campaign materials.
  - e. Wearing apparel, buttons, stickers, and/or similar items explicitly reflecting an affiliation with a candidate or party.
- C. All campaign material, including social media websites, are subject to certification and approval by the Election Commission.
- D. The determination of campaigning and campaign materials is at the discretion of the Election Commission.
- E. Campaigning does not include reporting by media outlets of any referendum, petition, recall, or constitutional amendment.

## Section 2 – Rules and Regulations

- A. Candidates may not begin campaigning or raising funds to campaign until they are verified for eligibility, nor before the campaign start date as determined by the Election Commission. This verification will be determined by the SGA Advisor, who will notify all candidates in writing of their eligibility prior to the Candidate Orientation.
- B. All candidates must campaign and promote the SGA Elections in a positive manner while creating awareness in the candidate's platform. Negative campaigning or "mudslinging" is not appropriate through any media (including but not limited to: posters, stickers, email, social media, etc.). Issues may be discussed candidly, but personal attacks on candidates are not tolerated. Candidates should be mindful of their potential liability in making statements that may not be able to be fully supported with factual evidence; the statements could be considered slander.
- C. Polling locations
  - a. Candidates, or others acting on behalf of candidates, are not allowed to campaign within 10 feet of the designated Election Commission administered polling locations or SGA Office once elections begin.
  - b. There will be one designated on site polling location on each Perimeter campus and four on the Atlanta campus.
  - c. These locations will have at least one computer available for online voting. Candidates must be sure that neither they, nor their campaign party, or others acting on behalf of candidates, do not campaign within the 10 feet of the specified location.
  - d. Only voters may bring campaign materials into prohibited campaigning areas for the sole purpose of voting, provided that they do not seek to distract or influence others who may be voting.
- D. Vote solicitation by candidates, or others acting on behalf of candidates, during the voting period may not occur within 50 feet of all campus residence halls.
- E. Candidates cannot campaign on the fourth floor of Student Center West on the Atlanta campus.
- F. Candidates, or others acting on behalf of candidates, may contact the leader of any student organization chartered with the University for the purpose of requesting to speak at that organization's meeting or to seek its endorsement.
- G. Candidates, or others acting on behalf of candidates, may not interfere or otherwise inhibit the campaign of any other candidates.
- H. Campaigning may not interfere with the normal operations of the campus, therefore campaigning during classes is not appropriate, unless a candidate has express permission from the presiding professor.
- I. The following methods of campaigning are strictly prohibited:
  - a. Any form of aircraft, including drones
  - b. Loudspeakers, sirens, or other noisemakers
  - c. Decorating any car without the express consent of the owner
  - d. Any method that violates university or state policy concerning mass e-mail, including sending potential voters unsolicited electronic messages at any time
  - e. Any method that interferes with a person using a voting apparatus, or setting up any polling location
  - f. Door to door campaigning in residence halls
  - g. Campaigning in any of the campus libraries

## Section 3 – Approved Materials

- A. Campaign materials shall be defined as "any supplies used by a candidate or candidate's staff, which have the primary purpose of furthering the candidate's likelihood of being elected."
- B. Candidates may promote their candidacy by distributing handbills, buttons, and business cards directly to students or through other creative means that are appropriate for a college campus environment. Before executing any questionable or unusual marketing techniques please consult the SGA Advisor on a Perimeter campus, and the Election Commission Vice Chair for Marketing on the Atlanta campus.
- C. All literature posters, advertisements, websites (including social media groups), or other election materials that will be used or distributed during the campaign must receive certification by the Vice Chair of Marketing of the Election Commission on the Atlanta campus and the SGA Advisors on their respective Perimeter campuses prior to distribution. A sample of each piece of election material must be provided to the Commission prior to use and at the candidate's expense. The criteria for certification are as follows:
  - a. Handbills or other campaign literature distributed or posted in classrooms must receive pre-approval by the Election Commission and written consent of the faculty member responsible for the area.



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- b. All campaign material must be submitted for approval at least 24 hours before posting to be considered for certification.
- c. Candidates and Parties must be completely transparent and public in their social networking and web site development and must register all aliases with the Election Commission as part of the Candidate/Party campaign materials approval process.
- d. Campaign materials may only be displayed during the specific dates of the campaign period as defined by the Election Commission.
- e. Printed campaign materials
  - i. Must be submitted to the Office of Student Life for Perimeter Campuses, and the Student Center Administration Office (310 Student Center East) for the Atlanta campus to be physically stamped before distribution.
  - ii. May not exceed the dimensions of 8 ½" x 11" for the Perimeter Campuses.
  - iii. May not exceed the dimensions of 24" x 36" for the Atlanta campus.
  - iv. Candidates may have a maximum of one banner displayed per campus at any one time during the campaign period. Banners must comply with regulations as defined by university size, posting/hanging, and procedural standards.
  - v. Banner Space must be requested through the Office of Student Life on each Perimeter campus and the Student Center Event Management Office for the Atlanta campus through any chartered student organization excluding the SGA.
- f. Candidates wishing to distribute printed materials on the Perimeter Campuses must submit them to the respective Offices of Student Life for posting. Candidates are not allowed to post their own materials on the Perimeter Campuses.
- g. Campaign materials that are distributed and/or posted on the Atlanta campus must comply with Section M, the *Campus Speech, Distribution and Posting Policy* on p. 59 in the Student Code of Conduct. The entire code of conduct can be found online at [codeofconduct.gsu.edu](http://codeofconduct.gsu.edu)
  - i. Candidates may have a maximum number of 30 hanging or posted campaign materials per building referencing an individual. If students are running with a party, the limit for parties are a maximum of 30 hanging or posted campaign materials per building referencing that ticket. A building is defined as both internal and external portions of all facilities, edifices, and property owned, leased or rented by or in conjunction with Georgia State University.
  - ii. *Example: Jane Doe is running with the GSU Cares Party and hangs up 30 flyers with her name on it but not her ticket. Her ticket can hang up to 30 flyers, but they may not reference her name, as she has already hung 30 flyers in that building with her name referenced. If she takes one of her flyers down, she may then be referenced by name on one of the Party's flyers in that building. Also, if she chooses to reference her ticket on her individual flyers, those flyers will count toward the GSU Cares Party's overall flyers allotted per building.*
- h. Individual Candidates or Tickets may not cover more than half of a bulletin board, wall, or area with campaign materials.
- i. Campaign materials may not be placed in classrooms, laboratories, computer laboratories, residential areas, retail dining areas, elevators, escalators, libraries, entrances and exits to buildings, and/or other locations exempted by the Dean of Students.
  - i. All campaign materials to be distributed in Atlanta Campus Housing must be approved by the Housing Office. It is the responsibility of candidates to deliver materials to the Housing Office that will be displayed at any of the residential housing facilities. This also includes the Housing Office's permission to distribute any campaign material. Campaign materials may only be placed in public area posting boards and not on individual floors or under apartment/room doors. Window displays that can be viewed from the exterior or attached directly or indirectly of any building are not permitted.
  - ii. All campaign materials must be removed at the end of the campaign period as determined by the Election Commission. It is the candidate's responsibility to ensure that campaign materials are removed within three days of the prescribed deadline.
- j. Persons and organizations that post items improperly may be subject to disciplinary sanctions and/or charged for the cost of removal and any damage to University property.

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- k. Campaigning is only allowed in university buildings during normal business hours of operation. Neither candidates nor their campaign workers may access buildings for the purpose of campaigning at any other time.
- l. The SGA may not be used by any candidates to book any room, table, banner, or flyer space, as the Student Government must remain an impartial party throughout the Election Period.
- m. Campaign materials may not be placed on vehicles without express approval from the vehicle owner.
- n. No campaign materials may be attached directly or indirectly to glass surfaces, light poles, telephone poles, or building windows, walls, or on the exterior of any campus or public buildings.
- o. No chalk, ground signs, or stickers of any kind may be used on buildings.
- p. Candidates or campaign workers may not tear down, cover, or deface another candidate's campaign materials or the candidate's character in any manner. This includes but is not limited to: derogatory or verbally abusive videos, written materials, internet postings, or other campaign outlets. Candidates will be held responsible and required to make restitution for any damage to another candidate's campaign materials by the candidate, party, or person affiliated with either. The determination of responsibility is at the discretion of the Election Commission.
- q. Candidates should maintain good taste in all campaign materials and displays. Slander and obscene language will not be permitted.
- r. University officials reserve the right to limit and restrict the hanging or display of campaign materials.
- s. Candidates or campaign workers may not send unsolicited campaign materials by U.S. mail or electronic mail to individual students. Campaign materials may not be mailed to housing residents. Mail and email may only be sent to chartered student organizations, as determined by the Office of Student Involvement. Candidates may not utilize university academic or student services resources (listservs, class bulletin and/or message boards, discussion groups, iCollege, etc.) to promote their candidacy.
- t. Candidates or campaign workers may not force or pressure individuals to vote in their favor.

### Article 5 – Endorsements

- A. Candidates must register by documentation all endorsements with the Election Commission prior to any public announcements of the endorsement.
- B. Any chartered student organization at Georgia State University may publicly endorse any candidate and/or party for office providing that the organization is not on any type of probationary or provisional status with the University and has prior approval of the candidate or party being endorsed.
- C. Endorsements by chartered student organizations require a simple majority vote of the membership.
- D. Endorsements by University Departments and University-Sponsored Student Organizations are not allowed.
- E. Any individual organization or business outside of the University may be allowed to endorse a candidate or party ticket.
- F. Current SGA members can not endorse candidates other than themselves or their party ticket.

### Article 6 – Campaign Ethics

- A. Election Commissioners and members of the SGA Student Judicial Board may neither campaign nor verbalize their support for a particular candidate, candidates, or parties.
- B. Candidates are expected to conduct themselves in an ethically appropriate manner in accordance with SGA documents and the Student Code of Conduct.
- C. A candidate or volunteer may under no circumstances intentionally interfere with the campaign of another candidate in any way, including, but not limited to, damaging campaign materials.
- D. No person shall offer anything tangible or intangible of value or make any physical, emotional, or verbal threats to any voter to affect the student's vote. The term "anything tangible of value" is up to the discretion of the Student Judicial Board.

### Article 7 – Voting

#### Section 1 – Voter Eligibility

- A. Each member of the Student Body, as defined by the SGA Constitution, shall be entitled to vote in each race for which the SGA Constitution, Bylaws, and/or other applicable rules entitles a student to vote.
- B. An eligible voter must agree to the Georgia State computer use policy and the Student Code of Conduct in order to access the voting application upon login.

## Section 2 – Election Dates

- A. Voting will be held on the Tuesday, Wednesday, and Thursday of the voting week, at times previously determined by the Election Commission.
- B. The Chief Election Commissioner shall be wholly responsible for determining the time of elections.

## Article 8 – Polling Stations and Locations

- A. The definition of an official polling station is one that is administered by the Election Commission.
- B. The Chief Election Commissioner shall make public through the SGA website and The Signal the locations of each Election Commission administered polling location three class days prior to any election.

## Article 9 – Ballots

- A. If there are anticipated vacancies which will exist at the conclusion of the election due to a shortage of candidates for any position, applications will be accepted via Panther Involvement Network, but no action will be taken on them until the conclusion of the Spring ballot election.
- B. All ballots shall be cast electronically.
- C. When only one candidate is seeking a position, their name will still appear on the ballot, however, they will automatically be elected to their position.
- D. All other candidate's names on the ballot will be categorized by the position to be sought and then appear in alphabetical order by first name.
- E. The Election Commission will post the sample ballot for the purpose of correcting errors the day after the last mandatory candidates' meeting by 5:00 p.m. If a candidate does not appeal any error on the sample ballot by 5:00 p.m. on the following day, the candidate loses their right to contest this issue.
- F. The sample ballot will not be used for any voting. It will only be used for a candidate to verify that their name has been properly recorded for the election process and for other administrative purposes as needed by the Election Commission.
- G. The Election Commission will post the final ballot for any election at least five class days prior to the election and shall post a copy to the SGA website as well as submit a copy of the final ballot to The Signal for publishing.
- H. If a candidate withdraws from an election or is disqualified following the establishment of the online ballot, but no sooner than four days prior to the start of voting, their name will be replaced by "withdrawn" on all ballots. The Election Commission shall notify the appropriate University personnel administering the online ballot system regarding the withdrawal or disqualification of candidates prior to the start of voting.
- I. Any Constitutional Amendments and/or referendums shall be placed at the end of the ballot.

## Article 10 – Election Results

- A. Executive Races
  - a. The winners of the races for executive positions (President, EVP, and Speaker) shall be determined by plurality vote of votes cast for each position.
  - b. A candidate must receive a vote count of at least fifteen percent more than the other candidates to be declared the winner of the race.
  - c. If one of the candidates does not receive 51 percent of the vote but they do achieve a plurality vote with a margin of at least 10 percent, they are declared the winner of the race.
  - d. In the case that a candidate does not receive a 10 percent margin from the candidates, or there is a tie, a runoff election will be held consisting of the two candidates with the highest number of votes in the general election.
- B. Senate Races
  - a. Atlanta Campus: Candidates running for a college or school seat shall run in conjunction with all other candidates within their college or school. The candidates who receive the most votes shall be seated into each available seat within their respective college or school. (Ex: If there are five seats available within a college and ten students run, the top five students who received the most votes shall be seated).
  - b. Perimeter Campuses: Candidates running for a Senator position shall run in conjunction with all other Senate candidates from their campus. The six candidates who receive the most votes on their campus shall be declared the winners.
- C. General

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- a. If a candidate is disqualified after the ballot is finalized, any vote cast for that candidate will still be tallied in the total votes used to determine the percentage majority.
  - b. If no complaints or appeals are registered with the campus's Election Commission within 24 hours of the closure of the voting polls, all election results shall be deemed final.
  - c. An appointment process will be deemed appropriate to fill vacant positions, if after elections, seats are available. The EVPs have the authority to appoint eligible students to vacant positions with confirmation from their Campus Senate.
  - d. In the occurrence of a vacancy between the end of the annual election process and the inauguration proceedings, the Election Commission Chair for each individual campus will contact the next person on the election ballot with the highest number of votes to determine if they are interested in filling the vacancy until all candidates have been exhausted; in which case, it would then default back to the regular vacancy appointment process.
  - e. In the case of vacancies that occur after the inauguration proceedings but before the first Senate meeting in the Fall semester, the Speaker of the Senate for the respective campus with a vacancy has the authority to contact the next person on the election ballot with the highest number of votes to determine if they are interested in filling the vacancy until all candidates have been exhausted; in which case, it would then default back to the regular vacancy appointment process.
  - f. In the case of graduate student position vacancies that occur after the first senate meeting of the fall semester, the Speaker of the Senate for the Atlanta campus has the authority to contact the undergraduate student on the election ballot with the highest number of votes to determine if they are interested in filling the vacancy until all candidates have been exhausted; in which case, it would then default back to the regular vacancy appointment process.
- D. Runoff Elections
- a. In the event of a runoff election, all tickets will continue with their violation points they received during the general election.
  - b. Candidates in a runoff election must attend a mandatory meeting with the Chief Elections Commissioner if it is the Presidential race or the Elections Commission Chair if it is a campus specific race. Failure to do so will result in their disqualification.
  - c. Within two business days of the announcement of a runoff election, the date and time of the mandatory meeting with the Elections Commissioner must be announced.
  - d. Within two business days of the announcement of a runoff election, the formal runoff election dates, including the 24-hour voting cycle and announcement of runoff election results, must be announced.
  - e. The violation decision appeal deadline for runoff elections is one business day from the date of the Elections Commission's ruling on any given violation.
  - f. In the case of a runoff election, the Financial Disclosure Form will not be due until 5:00 p.m. on the Monday following the election.

## Article 11 – Campaign Finance

### Section 1 – Expenditures

- A. Candidates for campus-based positions shall not make expenditures totaling more than three hundred dollars (\$300.00).
- B. Candidates for the President position shall not make expenditures totaling more than five hundred dollars (\$500.00).
- C. Party expenditures cannot exceed the total of the individual campaigns of its members.

### Section 2 – Financial Disclosure

- A. Each candidate for office is required to keep accurate and up-to-date records of all campaign receipts and expenditures.
- B. Each candidate's financial records shall display the name and monetary amount of each expenditure. Donated items shall be reported at market value and will be included toward the totals.
- C. The Election Commission shall require each candidate to file a weekly Financial Disclosure Statement from the beginning of the campaigning period until two class days after the validation of the election results. The candidates may file their financial records after their purchased service to ensure records are filed the week after the purchased services are completed.

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- D. These reports shall be public record after a 24hour review period. Candidates must sign their reports and certify that they are accurate and complete.
- E. No candidate or authorized agent shall knowingly falsify any entry on a Financial Disclosure Statement or in the candidate’s financial records associated with the campaign.
- F. Candidates sharing benefits of joint receipts or expenditures shall declare them in the appropriate portions of the Financial Disclosure Statement. Each candidate jointly benefiting from receipts or expenditures shall claim an equal share.
- G. Any non-Georgia State University organization or entity that is politically affiliated, is strictly prohibited from contributing financially or with in-kind services to any candidate’s or party’s campaign.

**Article 12 – Violations**

**Section 1 – Complaints and Reporting**

- A. All campaigning and election complaints must be submitted in writing within 24 hours of the close of elections via the Elections section of the SGA website: [sga.gsu.edu](http://sga.gsu.edu).
- B. Such complaints must be filed based on violations that were clearly intended by the person who is being accused and the burden of proving mens rea shall always rest with the accuser.
- C. Any Georgia State University student, faculty, or staff member may file a complaint subject to the restrictions enumerated above.
- D. Complaints may only be discussed between the parties involved, witnesses, the appropriate Election Commission, and its Advisor.
- E. The appropriate Election Commission will then investigate said complaint and decide its merit. The Election Commission must review the complaint carefully to determine validity before proceeding. The Election Commission must submit written documentation of review to the Election Commission Advisor no more than two business days after they receive the complaint.
- F. The Election Commission shall make a decision pertaining to the merit of the complaint, and provide substantive reasoning based on the Election Rules & Regulations, SGA Constitution, Bylaws, Student Code of Conduct, and/or any other University policies.
- G. If the complaint is deemed legitimate, the Election Commission Chair shall promptly notify the candidate(s)/individuals against whom the complaint has been filed, and then the Chair shall call a meeting with the Election Commission to conduct separate hearings with the candidate(s) against whom the complaint has been filed, and if necessary, the individual(s) who filed the complaint.
- H. Results of the complaint will be determined within 24 hours of the hearing if deemed necessary and prior to the announcements of the results.
- I. Any filed complaints will be made available to the public upon request to the Election Commission Chair after they are filed and decisions regarding the legitimacy of complaints have been made.
- J. Appeals to Election Commission decisions shall be made to the Student Judicial Board on each campus for campus specific elections, and the SJB on the campus of the Chief Election Commissioner for the president’s seat.

**Section 2 – Classification of Violations and Penalties**

- A. The following list shall never be construed to be an exhaustive list of all violations, and the Chief Election Commissioner may bring charges before the court according to their best judgement.
- B. Violations are classified as follows:

<b>Class A Violations (Major Offenses)</b> Any violation of the Student Code of Conduct and/or local, state, and/or federal laws; Election Fraud (knowingly participating in deceptive campaign activities, " defined as the unauthorized tampering, altering, or abuse of the voting process; falsified campaign documents; identity theft).	<b>Class A Penalties</b> Disqualification and automatic referral to the appropriate Dean of Student’s office.
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<p>Deliberately defacing, altering, or destroying the campaign material of another candidate without that candidate’s explicit written permission.</p>	
<p><b>Class B Violations</b>                  The obstruction of the Election Commission in the discharge of their official duties; exceeding campaign spending limits; failure to appear before the Election Commission for trial and/or SJB for hearings.</p> <p>Using defamation (spoken or written) to disparage another candidate.</p> <p>Two Class B violations shall constitute a Class A violation, and is then subject to Class A penalties.</p>	<p><b>Class B Penalties</b>                  Temporary suspension of active campaigning by the candidate, their party, and their endorsers. The candidate is responsible for notifying their party and endorsers, if applicable. Time period is at the discretion of the Election Commission.</p>
<p><b>Class C Violations</b>                  Pre-campaigning, failure to submit required campaign documents to the Election Commission, failure to attend mandatory meetings.</p> <p>Attaching campaign materials directly or indirectly to glass surfaces, light poles, telephone poles, or building windows, walls, or on the exterior of any campus buildings.</p> <p>Use of chalk, ground signs or stickers of any kind on buildings.                  Placement of materials on vehicles without express permission of the owner.</p> <p>Improper posting of campaign materials inside buildings or campaigning in class without the permission of the faculty member.</p> <p>Three Class C violations shall constitute a Class B violation and are then subject to Class B penalties.</p>	<p><b>Class C Penalties</b>                  Written warning and a 48-hour suspension of campaigning.</p>

- C. Party staff members and volunteers are subject to the same violations and penalties as candidates. The Election Commission and/or the Student Judicial Board shall have jurisdiction to decide whether or not it is necessary to penalize the candidate or party for a violation of its staff/volunteer members.

**Section 3 – Disqualification of Candidacy**

- A. Candidates are responsible for reading, knowing, and following all of the election guidelines contained in this document and those provided in writing to candidates from the Election Commission and/or SGA Advisor. Failure to comply with guidelines may result in disqualification. The determination of disqualification is at the discretion of the Election Commission.
- B. In the case of disqualification or failure to accept a position by the elected candidate any time prior to taking office, the candidate with the next highest number of votes will be declared as the elected officer.

**Article 13 – Inauguration**

- A. An inauguration ceremony for the SGA executive officers and senators shall be held within one month of the announcement of election results.
- B. The Atlanta Campus Election Commission Chair, working with the SGA Administrative Coordinator, shall be responsible for seeing that an inaugural ceremony is held in accordance with this article.

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- C. The Atlanta Campus Election Commission Chair, working with the SGA Advisor, shall select and duly advertise the time, location, and date of the ceremony.
- D. In the event of a contested election, the Election Commission may postpone the inauguration of the contested officers for up to 30 days following the conclusion of the final election results.
- E. The following students should attend and shall be given seats of honor at the ceremony: the incoming and retiring SGA executive officers and senators from all Georgia State University campuses. Students can invite as many guests as they wish, but they will need to pay for the cost of the meal and must RSVP for the guest(s) a week prior to the event.
- F. Minimum Ceremonial Procedure
  - a. The retiring SGA President shall preside.
  - b. The Atlanta and Perimeter Student Judicial Board Chief Justices or their designee(s) shall administer the oath of office to the incoming SGA executive and legislative officers.
  - c. The oath shall read: "I (name) do solemnly affirm that I will serve the student body faithfully, execute the duties and responsibilities entrusted to me by virtue of my office and will, to the best of my ability, preserve, protect, and enforce the constitution of the student body of Georgia State University."
- G. Oaths of Office of the elected SGA officers shall be administered whenever vacancies occur.
- H. The incoming SGA President may deliver the major address of the ceremony (the inaugural address) after receiving the oath of office.