92-UWB-01

A University-wide Bill to establish a New Election Commission

Introduced by: Motion passed to waive the reading of the bill
Sponsor(s): Senator Jenelle Ryan, President Bailey
Submittal Date: [2/10/2022]  Sent to: Bylaws Committee
First Reading: 2/10/2022
Date Voted On: 2/10/2022

WHEREAS, structural changes within SGA warranted a change in the structure of the Election Commission to be more efficient and effective for the benefit of the student body,

THEREFORE, BE IT ENACTED BY THE UNIVERSITY-WIDE SENATE OF THE STUDENT GOVERNMENT ASSOCIATION OF GEORGIA STATE UNIVERSITY THAT

Title VIII: Election Code, Article 1, Section 2 be amended to read:
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 the University-Wide Election Commission.

Article 2 The Election Commission, Section 1 – General shall be amended to read:
a. The SGA has established a University-Wide Election Commission which sets the dates, activities, guidelines, and deadlines regarding the election and has the authority to preside over all areas of the election process for all campuses. b. This commission will address all election complaints and may make corresponding decisions at its discretion. c. The University-Wide 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 designated judiciary to adjudicate. e. All Election Commissioners and Vice Chairs shall participate as members of the Election Commission.

Article 2 The Election Commission Section 2 – Election Commission Qualifications and Appointments shall be amended to read:
The University Wide Election Commission shall be composed of four Election Commissioners, one of whom is the Chief Election Commissioner, a Vice Chair for Marketing, and a Vice chair for Logistics, with at least one of the Election Commissioners coming from a Perimeter Campus and vice versa. The Election Commission is advised by at least 2 of the SGA Advisors.
B. The University-Wide Election Commission Members will be selected using the following process: a. Interviewed and selected by the SGA Election Commission Selection team, and a representative from the designated judiciary and confirmed by the University-Wide Senate by a two-thirds vote. Members shall be chosen based on experience, integrity, impartiality, and good judgment.

C. The SGA Election Commission Selection team shall be composed of at least three current SGA officers, who are not members of the Election Commission or plan to run on the ballot in the election that year.

D. Election commission member expectations and commission vacancies: a. Election Commission Members 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. Any vacancies within the Election Commission shall be appointed by the SGA Election Commission Selection team and confirmed by the University-Wide Senate via a majority (51% vote). e. If the Chief Election Commissioner position becomes vacant, one of the remaining three Election Commissioners will be selected by the Election Commission Selection team and assume the duties of the Chief Election Commissioner. f. If the Senate does not fill one of the commission positions before the start of the election process, the U-Wide Executive Committee 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. g. The point system applies to all Election Commission positions.

E. Members of the designated judiciary are not permitted to serve on any Election Commission.

Article 2 The Election Commission Section 3 – Roles and Responsibilities of the Chief Election Commissioner shall be amended to read:

a. The primary responsibility of the Chief Election Commissioner shall be to execute the provisions of the Student Government Constitution relative to elections and all other provisions of this Code. If a question exists regarding their authority, the Chief Election Commissioner shall petition the designated judiciary 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. Serve as the administrative head of the election process and to have charge over all 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 Bylaws, or SGA Constitution.

d. 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.
e. Ask the Election Commission 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 University-Wide 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.

h. The Chief Election Commissioner shall prepare a University-Wide 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 SGA University-Wide President and ATL Communications Director 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 designated judiciary, 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.

i. The authority to expend such funds as appropriated to the Election Commissions use must receive written consent from the Student Activity Fee Business Manager before using funds.

j. After final approval by the University-Wide Election Commission, an official list of all the qualified candidates will be made available to the public.

k. 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.

l. All dates established for elections must be submitted to the Senate, not for approval, but notification purposes. m. The Chief Election Commissioner shall have sole discretion over sanctions given to candidates after a campaign violation is submitted and an investigation concludes. The Chief Election Commissioner must seek advice from at least two other members of the University-Wide Election Commission, but the decision is still up to the Chief Election Commissioner.
Article 2 Section 4 – Roles and Responsibilities of the Election Commissioners shall be amended to read:

A. The primary responsibility of the Election Commissioners 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 designated judiciary 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 Election Commissioners’ responsibilities include, but are not limited to: a. Serve as the administrative heads of the six campus election processes 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 the campuses’ 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 Election Commissioners shall assist the Chief Election Commissioner in preparing the University-Wide 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 SGA University-Wide 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 designated judiciary, 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 Election Commissions use must receive written consent from the Student Activity Fee Business Manager before using funds. j. After final approval by the University-Wide Election Commission, an official list of all the qualified candidates will be made available to the public. k. After final approval by the Election Commission, an official list of all the qualified candidates will be made available to the public.

Section 5 Role and Responsibilities of the Election Commission Vice Chairs shall be amended to read:

A. 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 on all campuses. 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. They...
are responsible for monitoring all social media platforms of candidates on all campuses. Social Media platforms include but are not limited to Instagram, Facebook, LinkedIn, GroupMe, Twitter, Snapchat, TikTok. All election materials and advertisements (including social media groups) must receive approval by the Vice Chair for Marketing prior to distribution.

b. The Vice Chair for Logistics shall be responsible for assisting in the planning and execution of debates, 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.

Article 2 The Election Commission Section 6 - Oath of Office shall be amended to read:

A. The head of the designated judiciary or 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.”

Article 2 The Election Commission, Section 7 – Removal from Office shall be amended to read:

A. The Chief Election Commissioner shall have the right to suspend, with proper cause, any member of the Commission from their duties. If the designated judiciary concurs with the suspension the student will be removed from their position. Proper cause is defined here as improperly influencing the election, breaching the Bylaws and/or Constitution.

b. In the case of removal of any of the members of the election commission, the SGA Election Commission Selection team will take applications from members, volunteers and interested students for no more than 24 hours after the removal of an Election Commission member. Based on those applications, and their record as members and participants, they will select a new member of the Election Commission who shall not receive standing until confirmed by the University-Wide Senate via a two-thirds vote.

B. Chief Election Commissioner

a. The SGA Election Commission Selection team shall have the right to suspend, with proper cause, the Chief Election Commissioner from their duties. If the designated judiciary concurs with the suspension the student will be removed from their position. Proper cause is defined here as improperly influencing the election, breaching the Bylaws and/or Constitution.
b. In the case of removal of the Chief Election Commissioner, the SGA Election Commission Selection team will accept applications from the Election Commissioners for no more than 24 hours after the removal of the Chief Election Commissioner. Based on those applications, and their record as an Election Commissioner, they will select a new Chief Election Commissioner.

Article 4 – Campaigning Practices Section 3 – Approved Materials, item B and C. Shall be amended to read:
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.

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 prior to distribution. A sample of each piece of election material must be provided via the Panther Involvement Network form to the Commission prior to use.

e. Printed Materials:

i. Must be submitted to the Office of Student Life for Perimeter Campuses, and the Student Center Event Management Office (305 Student Center East) for the Atlanta campus to be physically stamped before distribution.

Article 7 – Voting Section 2 – Election Dates shall be amended to read:

A. Voting will be held Monday - 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 9 – Ballots, item 5 shall be amended to read:
The Election Commission will post the sample ballot for the purpose of correcting errors the day after the end date for the online mandatory candidate training by 5 p.m. If a candidate does not appeal any error on the sample ballot by 5 p.m. on the following day, the candidate loses their right to contest this issue.

Article 10 Election Results Section C. General, item C shall be amended to read:
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 either, no one applied to be on the ballot for a particular position or after elections, seats are available. The Speaker of the Senate from the incoming SGA administration on their respective campus will have the authority to appoint eligible students to vacant senator positions with confirmation from their Campus Senate. If there are vacancies on a campus without a Speaker, the incoming EVP or President, if there is no EVP for a particular campus will have the authority to appoint eligible students with the confirmation of their respective Senate. If that campus does not have a functioning Senate, the University-wide Executive Committee will be responsible for confirmation.

d. In the occurrence of a vacancy between the end of the annual election process and the inauguration proceedings, the Election Commission Chairs 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.

Section 6: This legislation shall take effect immediately upon passage by the Student Government Association, the welfare of the students requiring it.

ACTION TAKEN BY THE STUDENT SENATE: VOTE for: 11 against: 0 abstentions: 2

ACTION TAKEN BY THE STUDENT GOVERNMENT ASSOCIATION PRESIDENT

Brianna Bailey (Feb 15, 2022 19:56 EST) Brianna Bailey (Feb 15, 2022 19:56 EST) Date __________
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