

**Election Code
of the
Sam Houston State University
Student Government
*Spring 2008***

Article I. The Election Commission and Chairman

- A. The Election Commission shall be appointed by the Vice-President of the Student Government Association, hereafter referred to as SGA, from those students in the Student Body who are not elected or appointed office-holders in the SGA
- B. The Vice-President shall appoint one (1) commissioner from each of the Colleges represented in the Senate. One (1) of the Commissioners must be from the Freshman class.
- C. The Chairperson of Commissioners will be appointed by the Vice-President of SGA and shall have full responsibility for the commission's operation. The chair must have served previously as a commissioner in order to be eligible for appointment. In cases where the commission is composed of all new members, the Vice-President may appoint the chair.
- D. The Commission and Chairperson shall preside over any elections that fall under the jurisdiction of the Election Code.
- E. If any member of the Election Commission seeks an elective office in a contest to be conducted by this Commission or has gained an appointment to the Supreme Court, or has been elected to the student senate at any time during their term, he or she shall be immediately relieved of their duties and the Vice-President shall appoint a replacement.
- F. All appointments to the Election Commission shall be subject to confirmation of two-thirds (2/3) of the Student Senate present and voting. The first meeting in February, all members of the election committee must be verified by the Secretary.
- G. The term of a Commissioner shall be from the time of appointment of their position until September of the next year. If a Commissioner no longer wishes to serve on the Commission, he or she must send a letter of resignation to the Vice-President of SGA. He or she shall be immediately relieved of his or her duties and the Vice-President shall appoint a replacement.
- H. The names and contact information of the Election Commission Chair shall be kept on file in the SGA office upon appointment and confirmation of appointment.

- I. The Election Commission is responsible for the execution and enforcement of all provisions in this Election Code. The Commission is responsible to the Vice-President of SGA for the execution and enforcement of all provisions of the Code and any Senate Bills pertaining to elections. Violations of any provisions of this Code are punishable by disqualification from the election.
- J. The duties of the Election Commission and Commission Chairperson are as follows:
 - 1. The Election Commission is responsible for running Student Senate and Homecoming Elections and any referendums that are attached to such elections.
 - 2. The Student Government Association Vice-President, the Chairperson of the Election Commission, and the SGA Advisor or his/her delegate must be present at the time results are tallied.
 - 3. The Commissioners shall not relay to anyone the results of an election until those results have been officially announced as stated in Article VI, Section B.
- K. If any member of the election commission is charged by a petition of five senators, the motion to remove the commissioner may be made at the next general senate meeting. Such removal requires a 2/3rds vote.
- L. The SGA may appoint an Officer or Senator to assist the Election Commission in organizing the elections in absences of the SGA President and Vice-President. The senator appointed to assist the Election Commission must not be on the ballot.
- M. The SGA Election Commission is an independent body answerable to the Sam Houston State University Election Codes, the Supreme Court, and the Student Senate. Election Commissioners are under jurisdiction of the SGA Senate when in Violation of the Election Code.
- N. Quorum of the Election Commission shall consist of the Chair plus 2 members. No ruling of the Election Commission is valid unless quorum is met.
- O. Commissioners shall be expected to show no bias toward any candidate at any time shall they be permitted to campaign for any candidate at any time. Any commissioner found guilty of bias shall be subject to impeachment as per Section K.

Article II. Publicity

- A. The Election Commission shall notify the campus media and place a notice on the window of the SG office indicating the filing deadline and the following information ten (10) school days prior to the filing deadline:

1. Offices to be filed for;
 2. How and where to file;
 3. Dates and hours of voting;
 4. Constituency;
 5. Where to obtain the election codes;
 6. Filing deadline date and time.
- B. The filing deadline shall be at 5:00 p.m. on the date of the deadline. The official time shall be the time shown by the Computer Services Network Time. No applications will be accepted after that time.
- C. All candidates must file for their office prior to the filing deadline in order to be placed on the ballot. All applications must be turned into the SGA Office only. Upon receiving an application it shall be time stamped, signed by the person who receives it, and placed in a secure location.
- D. When a runoff election is necessary, the date above will be revised for the campus news media within eight (8) hours after all petitions are resolved.
- E. When student referendums are slated with the general election, the Chairperson will, in a like manner, inform the Student Body of the dates, times, issues, and places of voting at least five (5) class days in advance of the election and post a copy of the referendum with the campus news media. Such copies shall be posted on the window of the SGA office as well.
- F. The Election Commission shall make available to the campus news media any Code changes and/or remarks pertinent to any election.
- G. The Election Commission shall notify the campus media and place a notice on the window of the SGA office within 24 hours after the filing deadline of the following:
1. Candidates on the ballot and the office for which they are running;
 2. How, when and where the students can vote

ARTICLE III. Required Candidates Meeting

- A. The Election Commission shall schedule a meeting to be held no later than one class day following the filing deadline.
- B. Any candidate who has filed to run on the ballot is required to attend this meeting. A candidate may miss this meeting on the following grounds:

1. Classes

- a. Documentation, including official class schedule and/or typed letter from professor must be submitted to the SGA office at least forty-eight (48) hours before the required meeting.

2. Illness.

- a. A typed letter stating that you were ill must be submitted to the SGA office no later than twenty-four (24) hours after the start time of the required meeting.
- b. The Election Commission shall be responsible for the review of these letters.

3. Work

- a. A letter with the person's place of work and contact information must be submitted to the SGA office at least 48 hours before the required meeting. Proof of work schedule must be attached.

4. Any candidate who misses a meeting for the above stated reasons may have their campaign manager and/or other designated party in their place.

- C. Any candidate who is absent without a valid excuse shall be automatically disqualified from running in this election. Such disqualifications may be appealed to the Election Commission and/or the Supreme Court of SGA.
- D. The meeting shall be presided over by the Chairperson of the Commission and the SGA President or Vice-President.
- E. The agenda of the meeting shall consist of a recap of the Student Election Code.

Article IV. Polls

- A. Polling hours are from 8:00 a.m. on the first day of polling until 6:00 p.m. on the last day of polling.
- B. Official polling places are considered to be any computer located in a computer lab operated by the Computer Services Department of SHSU. However, any student can vote from any computer.
- C. The only entity allowed to establish a mobile polling place on or off campus outside of an SHSU computer lab is the SGA senate.
- D. If the polls go down during the course of the election, the poll time shall be extended by the number of hours the polls were down.
- E. In the event of a protest regarding campaigning at the polls, proof of such campaigning must be obtained.

Article V. Ballots

A. Ballots and their use.

1. Balloting will be computer-type ballots.
2. Ballots shall contain the following information:
 - a. The designation of the “Student Government Official Ballot.”
 - b. Title of office and government unit.
 - c. Date of election.
 - d. Specific balloting instructions pertaining to the number of candidates to be selected and the manner to which they are to be chosen.
3. In all elections, for all position, listing of the candidate’s name on all ballots shall be in alphabetical order by the student’s last name.
4. The candidate’s name as listed on the Election Application determines how their name shall appear on the ballot.

B. Withdrawal from the ballot.

1. Within one (1) hour after the filing deadline, the Election Commission must meet to review any candidate who wishes to withdraw his or her name from the ballot. The candidate must meet with the Election Commission at that time or by special appointment for verification of his or her withdrawal.
2. If, in any single race, a candidate has withdrawn his or her name, or if a candidate(s) have been declared ineligible, the Election Commission shall re-open that position for one (1) class day.
3. No candidate that has withdrawn from the ballot shall be able to refile in any other race in that election.
4. In the event of a filing deadline extension, no new campaigning shall be done until the end of the new deadline.
5. Each candidate shall register the name of his or her campaign manager(s) at the time of filing. Any change thereof must be documented in the SGA office within twelve (12) hours of getting a new campaign manager.

Article VI. Voting Requirements

- A. Students shall have a valid SHSU computer account and shall be currently enrolled in classes at the time of voting.
- B. Voting by proxy (letting someone else vote for you) is strictly prohibited and any persons who are found to have been in violation of this rule shall be subject to immediate penalties by the Dean of Students Office.

Article VII. Tabulation of Votes

A. Ballots

The tabulation of votes shall be computerized and over seen by the Election Commission with assistance from Computer Services.

B. Winners

1. Write-In Votes

- a. All write-in candidates must receive five (5) or more votes to be considered in the final results.
- b. Write-in votes for students not in the colleges in which they are running shall not be counted.
- c. Write-in votes for students already on the ballot shall be counted towards that students' vote total unless the vote is a duplicate vote, in which case the original vote shall be the only vote counted.
- d. Write-in candidates must abide by the same rules as other candidates. Write-in candidates not abiding by the Election Code are subject to petitions.

2. Election of Officers and Senators

- a. Officers must win by a majority vote of the students voting
- b. Senators must win by a plurality vote of the students voting

B. Announcement of Results

- 1. The Election Commission shall release the results within twenty-four (24) hours after the results have become final.
- 2. The results shall be displayed on the SHSU Web site, the SGA Office window and shall be released to the campus news media.

Article VIII. Protests

- A. In all elections, general and runoff elections here shall be a protest period that shall

begin as soon as campaigning begins and an infraction has occurred and shall be for two (2) class days after polls close.

- B. The results shall not be official until the end of this period.
- C. Any student or candidate wishing to protest the results must file a protest during this period with the Election Commission.
- D. The Election Commission is required notify any candidate via the Sam Houston State University Email System of any petition filed against them within twelve (12) hours. The delivery receipt, not the read receipt, shall serve as the official time the notice was served.
- E. The Election Commission must call a hearing with the petitioner and the candidates listed in the petition within twenty-four (24) hours of receiving the petition and must allow testimony from both sides. The commission must do the following:
 - 1. Reject the protest and state why it is being rejected. Such rejection must be in writing.
 - 2. Disqualify a candidate
- F. Any Election Commission protest decision may be appealed to the SGA Supreme Court and must be done within twenty-four (24) hours after the Election Commission meeting. The Court must call a hearing with the petitioner and any candidate or candidates listed in the petition within seventy-two (72) hours and must allow testimony from both sides. The Court shall decide if the Election Commission acted fairly and properly and if they interpreted the rules correctly. The Court may also rule on the constitutionality of the election code. . The Supreme Court shall not decide guilt or innocence. The court has the power to do any of the following:
 - 1. Accept the decision of the commission
 - 2. Overturn the decision of the commission
- G. The Court's decision is final.

Article IX. Petitions and Validation Forms

- A. The Validation Form must state the full name of the office being sought, the full name of the candidate, and the candidate's identification number. This form is known as the SG Application Form.
- B. Each candidate must fill out a validation form provided by the SGA, which may be picked up at the SGA office during the filing period.
- C. The candidate will be given an Information Sheet when he or she picks up his or her validation form. The validation form will provide a space to be signed by the candidate stating that he or she has received said information sheet.

D. Filing shall be open for five (5) days. There shall be no campaigning during this time. Validation forms must be completed and returned before 5:00 p.m. on the last day of filing. Official campaigning begins at the time the filing period ends.

E. Petitions

1. Petitions for referendum, recall, and initiative as provided for in the Sam Houston State University Student Government Constitution, must be placed on file with the SGA Secretary in the SGA office.
2. There is a ten (10) working day limit for the completion of petitions.
3. Each copy of the petition must have space for the student's name and SHSU student identification number as well as contain the identical wording as the petition on file.
4. Completed petitions should be delivered to the SGA Secretary where the names will be counted and verified and the date or return noted.
5. Once the petition is completed and verified it shall be the duty of the SGA Vice-President to take any action necessary to carry out the wishes of the petitioners.
6. Petition forms will be the SGA Petition Forms.

Article X. Elections

A. Colleges

1. The colleges will be defined by those officially recognized by Sam Houston State University.
2. A student's major determines the college. Students declaring double majors shall vote as determined by the major listed on their transcript.
3. In SGA Elections, each student will vote in the college in which his or her major is included.
4. Students who are General Studies students, or undeclared majors will vote in the College of Arts and Sciences.
5. Graduate students will vote in the college for which they represent.

B. Classes

1. Students with zero (0) to twenty-nine (29) hour shall be considered freshmen.
2. Students with thirty (30) to fifty-nine (59) hours are sophomores.
3. Students with sixty (60) to eighty-nine (89) hours are juniors.

4. Students with ninety (90) or more hours are seniors until they receive a Bachelor's degree.
5. Post-graduate and graduate students will vote based upon the college with which their studies fall.

C. Elections shall be divided into the following types:

1. SGA Officers
2. Senate positions

Dates for election:

1. The elections for SGA shall be held no earlier than the fifteenth class day of the month of March, and no later than fifteenth class day of the month of April of each academic year.
2. The Election Commission shall be required to set the dates of each SGA election no later than the last class day during the month of February.

Article XI. Campaigning Requirements

A. Campaigning

1. Campaigning shall be defined as any public soliciting of votes for a particular candidate, slate of candidates, or issues involved in the election concerned.
2. Campaigning in SHSU Computer Labs shall be open from the first day of campaigning until the polls open at 8 a.m. on the first day of voting.
3. Campaigning may not be done and campaign literature may not be distributed until official campaigning opens. However, a candidate is allowed to announce their intentions to run. Campaigning shall be limited to:
 - a. Speeches;
 - b. Signs, freestanding only;
 - c. Handbills;
 - d. Personal solicitation;
 - e. Mass media is defined as televisions, radio, Internet or newsprint. Mass Media, with the exception of unsolicited mass e-mail, is authorized with the exception of unsolicited mass e-mail. The definition of Mass Email will reflect Computer Services Policy. The violation of this section shall be treated not

only as a violation of the Election code but of the SHSU Computer Network acceptable use policy and the Student Code of Conduct.

f. Other campaign items not listed are subject to the approval by the Election Commission before use in campaign practices.

4. All candidates are liable for the actions and remarks of their manager(s).
5. Campaigning shall be for two weeks in all elections. All university posting guidelines must be adhered to.
6. Candidates, campaign managers, campaign workers, and any individuals will refrain from actions and remarks that will be in any way detrimental, defamatory, ridicule, or embarrass any individual, including but not limited to reference to race, color, creed, religious background, sexual orientation, or national origin. Violators shall be subject to penalties as provided by this Election Code. References can be made to a candidate record so long as it is in regards to actions within Sam Houston State University Student Organizations The Election Commission reserves the right to refer any violators to the Office of Student Life for disciplinary action.
7. Usage of the SGA Office for purposes of printing out or designing campaign materials, signs, or handbills and any other campaigning is strictly prohibited.
8. No would be senator, officer, or individual representing such may campaign in any classroom or academic event in which they have the power to alter, mark or assign any sort of grade, including extra credit.

B. Signs

1. Number of signs: twenty (20) for SG Officers and ten (10) for Student Senators. Two sides may be used and considered a sign, and slates of candidates may pool their sign quota if all the names appear on each side of each sign.
2. Maximum size of signs: six (6) square feet maximum
3. All items affixed to public or private dwellings shall be labeled a sign
4. The candidate is responsible for campaign debris remaining after the polls have closed; this includes all handbills and signs. This debris must be removed within two class days to avoid election sanctions.
5. Pictures of candidates may appear on signs.

C. Handbills

1. No limit on number.

2. Maximum size: Eleven (11) by seventeen (17) inches.
 3. Handbills may not be affixed to permanent objects
- D. Mass Media may be used in campaigning. All university-wide elections may use the Media for campaigning, according to the restrictions of this code.
- E. Destruction of campaign materials shall be a direct violation of this Code for any candidate or agents thereof to willfully destroy, deface, move, or remove signs or campaign literature of any other candidate.
- F. In accordance with University Policy Guidelines, alcohol is not permitted on campus, unless it is in a designated area, and shall not be allowed to influence a student to vote or have his or her vote swayed.
- G. Each candidate is responsible for keeping accurate records as to how much money they have spent on their campaign.
1. All receipts for campaigning materials must be kept.
 2. Donated items must be given a monetary value and documentation must be signed by the individual or business making the donation.
 3. Officers are allowed to use up to \$500 on campaign materials.
 4. Senators are allowed to use up to \$300 on campaign materials.
 5. Failure to do the above could possibly result in removal from the election.

Article XII. Procedures for Qualifying Candidates

- A. The final decision on a candidate's eligibility must be cleared through the Dean of Students Office and must not appear on the Validation Form.
- B. Probation Status must be cleared through the Dean of Students Office.
- C. Validation forms must be checked by the Election Commission.

ARTICLE XIII: REVISIONS TO CODES

- A. The Rules and Regulations Committee of the SGA shall be the only entity authorized to revise the Election Codes if and when such revisions are warranted at any time.
- B. Any revisions to this code must progress through the Rules and Regulations Committee in the form of a bill that must be passed by majority vote of the Student Senate.

- C. The Election Commission shall have no power to revise the Codes, or ban any actions not banned by this code.
- D. Upon revision of these codes all previous versions of the Election Code shall become null and void.

Article XIV: Ratification

- A. This document may be ratified by an approval of 2/3 of the Senate present and voting.
- B. Upon ratification, all other Election Codes become null and void.