

MOREHOUSE COLLEGE STUDENT GOVERNMENT ASSOCIATION



ELECTION BYLAWS & RULES AND REGULATION



Latest Revision: February 2015

(History: Introduced 9/7/06 by Elections Chair; Amended 77th Student Senate; Elections Omnibus Bill- Consolidation and Approval of SGA Elections Rules and Regulations and Proposed Elections Bylaws, via Senate Action # 7 on 9/8/06; Amended by 77th Student Senate 2/21/07, Amended 2/28/11, Amended 2/2/15)

Bylaw Overview

Article 1: Purpose and Intent

Article 2: Elections Committee

Article 3: Mechanics of the Spring Election

Article 4: Voter's Guide

Article 5: Candidates

Article 6: Campaign Rules

Article 7: Initiative

Article 8: Referenda

Article 9: SGA Honor Conduct Review Board

Article 10: Safeguards and New Elections

Article 11: Campaign Finance Provision

Article 12: The Election Committee's Rules and Regulations of Election

ARTICLE I – PURPOSE AND INTENT

1.1 Purpose

These bylaws provide for the conduct of all Morehouse College Student Government Association (herein after referred to as the SGA; *the SGA*) Elections.

1.2 Equal Protection

These bylaws are intended to ensure that each candidate is afforded an opportunity for election equal to that of any other candidate for that office.

1.3 Authorizing Statute

These bylaws are intended to create permanent election governing rules for use in all SGA Elections.

These bylaws shall serve as the host of the Election Committee's Rules and Regulation of Election, now Article 8.

ARTICLE II – ELECTIONS COMMITTEE

2.1 Purpose and Scope

1. Control of all SGA Elections and related activities shall rest with the Elections Committee.

2. The authority of the Elections Committee shall be limited in scope to only those duties stated in the SGA Constitution and these by-laws, and those duties essential and imperative in carrying out the mandates of the Constitution.

2.2 Membership and Terms

1. The membership of the Elections Committee shall consist of at least the Elections Committee Chair, the Assistant Chair, Ballot Coordinator, Publicity Coordinator, and the Director of Debates. The Committee shall aim to have representation of every classification.

2. The terms of all members of the Elections Committee shall commence upon their appointment and expire upon the appointment of a new Elections Committee Chair.

3. All committee members must maintain a minimum cumulative GPA of 2.70 during their tenure in office.

2.3 Appointment of Elections Committee Members

1. Vote of Progress

The Elections Committee Chair shall be nominated by the SGA President for confirmation by the Senate. In the event that the SGA President does not submit a candidate for Elections Committee Chair, per a timeline established by the Senate's Committee on Ethics, the Senate must take a Vote of Progress, which initiates a 14-day countdown until when, the Senate shall establish the Office of the Temporary Elections Committee Chair. This office will operate the Elections Committee until the SGA President nominates his nominee for Elections Committee Chair.

2. The Elections Committee Chair shall appoint no more than seven (7) members to the Elections Committee. Any SGA elected officer may nominate individuals for recommendation to those positions. An Elections Committee Chair must be confirmed by a two-thirds (2/3) Vote of the Senate before the twentieth (20) Senate meeting of the academic year.

3. The Assistant Chair, Ballot Coordinator, and Publicity Coordinator, shall be appointed to the Elections Committee by the Elections Committee Chair. The Elections Committee Chair Per the appointment of the Assistant Chair, Ballot Coordinator, and Publicity Coordinator, approval of a majority vote of the Senate.

2.4 Conduct and Removal of Elections Committee Members

1. The Elections Committee Chair may be removed from office before the expiration of his term by a two-thirds (2/3) vote of the Senate for gross dereliction of his duties.

2. Any member of the Elections Committee may be removed from office before the expiration of his term by the Elections Committee Chair for gross dereliction of his duties.

3. No member of the Elections Committee shall support or oppose any candidate, leadership team, or proposition in an SGA election while serving on the Committee. Any member of the Elections Committee so doing may be removed from the Elections Committee by the Elections Committee Chair, or by a two-thirds (2/3) vote of the Senate.

2.5 Duties of the Elections Committee Chair

1. To take the complete administrative charge for all details of SGA elections and the Elections Committee;

2. To nominate additional members of the Committee as may be necessary for the efficient administration of the election with notice given to the Senate;

3. To create the Rules and Regulations of Election, except where said rules & regulations conflict with provisions found within the Constitution. These rules and regulations must be approved by the Student Senate and Office of Student Affairs. Those rules and regulations shall be stored within these bylaws as ARTICLE XIII: Election Committee Rules and Relegation of Election.

4. To make Temporary Rules as necessary as outlined in Article IV;

5. To advise the SGA on the financial and practical impact of any legislation, which may affect the Elections Committee or the election;

6. To be in charge of issuing warnings for violations of the Election by-laws;

7. To give an Elections Committee report, oral or written, at every regular meeting of the Senate;

8. To assist the other members of the Elections Committee when necessary;

9. To carry out such other functions and duties as required under the SGA Constitution and by-laws.

2.6 Duties of the Assistant Elections Committee Chair

1. To assist the Elections Committee Chair, to be responsible to him, and to aid him in his duties;

2. To assume the duties of the Elections Committee Chair in the event of the resignation, removal, or temporary or permanent disability of the Chair to perform his duties, until such time as a replacement is selected;

3. To act as the primary liaison between all candidates and the Committee;

4. To design and provide all filing forms;

5. To maintain a file of all Committee records, papers, forms, reports, or statements filed by each Candidate, leadership teams, group, and to serve as secretary to the Elections Committee;

7. To act as the Chief Administrator of the Campaign Finance Limits in accordance with Article XII of these bylaws
8. To verify the validity of all filing form information, including candidate names, and to inform affected candidates, so far as possible, of any problems or inconsistencies.
9. To assist the other members of the Elections Committee when necessary;
10. To carry out such other functions and duties as required under the SGA Constitution and By-laws.

2.7 Duties of the Ballot Coordinator

1. To assist the Elections Committee Chair and to be responsible to him;
2. To design the ballot and arrange for its use and any other details which involve the ballot;
3. To ensure a correct count and watch over the ballots whenever they are being officially handled;
4. To arrange for the tallying of the ballots;
5. To assist the other members of the Elections Committee when necessary.
6. To carry out such other functions and duties as required under the SGA Constitution and by-laws.

2.8 Duties of the Publicity Coordinator

1. To assist the Elections Committee Chair and to be responsible to him;
2. To provide extensive publicity of the candidate filing period and election, in such a manner to ensure that the campus community will receive equal notice;
3. To send flyers out to all of the residence halls, academic departments, and anywhere else that he deems necessary by the first day of the filing period and the first day of voting;
4. To alert the campus of pertinent election information through the use of flyer distribution at locations most visible to the student body. This election information includes but is not limited to a list of candidates seeking office and their respective leadership teams as well as the time, date, and venue of election debates, Election Day, and run-off elections
5. To provide other such extensive publicity, as he deems necessary.
6. To assist the other members of the Elections Committee when necessary;
7. To carry out such other functions and duties as required under the SGA Constitution and By-Laws.

2.9 Duties of the Director of Debates

1. To assist the Elections Committee Chair and to be responsible to him;
2. To design the complete layout of the debates
3. To provide a complete and extensive outline for the debates;
4. To construct debate questions for candidates and delegate responsibilities to committee members to assist;
5. To assist the other members of the Elections Committee when necessary;
6. To carry out such other functions and duties as required under the SGA Constitution and By-Laws

2.9 Election Duties of the SGA Attorney General

1. To oversee the election;
2. To investigate alleged violations of these by-laws and to prosecute them before the SGA HCR Board.
3. To prosecute any case, at his discretion, filed by a third party.
4. To act as the representative of Elections Committee before the SGA HCR Board;
5. To oversee the collection and processing of the ballots;
6. To keep a copy of all leadership team registration forms;
7. To carry out such other functions and duties as required under the SGA Constitution and by-laws;

ARTICLE III – MECHANICS OF THE SPRING ELECTION

3.1 Election Dates

1. Spring Elections Season will begin on the Thursday and Friday before Spring Break for candidates' informational sessions. The ballot will be posted on the Monday following Spring Break at Noon. The ballot will more than likely be subjected to academic and financial holdings until clearance is received from the appropriate offices.

3.2 Campaigning

1. Campaigning will begin on the Wednesday following Spring Break when the ballot is posted at 12 Noon until the following Wednesday at 11:59pm.

3.3 Soft Campaigning on Election Day

1. Soft Campaigning is permissible on Election Day. Soft campaigning includes all dorm walkthroughs and any verbal communication of one's candidacy. Electronic campaigning or tangible campaigning (e.g. the use of bull horns, T-shirts, literature, Twitter, Facebook, MySpace, text messaging, etc.) is **NOT** allowed. Failure to adhere to these rules may lead to an automatic disqualification.

3.4 Voting Hours

1. Campus voting shall open at 12AM and close at 11:59PM. All who have issues accessing their email link shall direct concerns to the Elections Committee. Login trouble shall be directed to IT.

ARTICLE IV – VOTER'S GUIDE

1. All students will vote via (VoteNOW) electronic platform using an encoded link sent to their Morehouse email address.
2. Student will receive a ballot based on their classification as deemed by TigerNet.

ARTICLE V – CANDIDATES

5.1 Eligibility

1. Each candidate must meet the requirements of eligibility for the office for which they are running as stated in the SGA Constitution.
2. The Elections Committee shall verify the student status of each candidate.
3. All candidates declared ineligible to run shall be notified by the Elections Committee or by the Office of Student Life.

5.2 Candidate Name

1. A candidate must use his name as registered with Morehouse, or a shortened version of their registered name, on the ballot.
2. A candidate seeking an office that he currently holds may have the term "Incumbent" printed in parentheses along with their registered name on the ballot.
3. No candidate may include as a part of his name, the name or, or reference to, any student, faculty, or staff of Morehouse without presenting the expressed permission of that person in writing to the Election Committee by the Point of No Return during the Candidates' Meeting (explained later).
4. Any candidate that belongs to a Leadership Team Concept (LTC) reserves the right to have their team name listed in parenthesis.

5.3 Campaign Teams

1. A candidate is permitted to have fifteen members on their publicity team.

2. The names of these individuals should be submitted at the at the Point of No Return (refer to Article 5.5).

3. Each candidate should submit a photograph of his campaign team (group photo, however, is permitted).

4. Each member of a candidate's campaign team should be in Good Standing with the college.

5.3 Election Petitions

1. All candidates for office are required to obtain an elections petition and obtain the number of valid signatures stipulated in the Constitution for that office (i.e. Executive candidates can obtain signatures from all students, but Class candidates can only obtain signatures from students in their respective class.)

2. A valid signature is comprised of the following elements: a **legibly** printed full legal name, classification, signature, and M-number.

3. Any signature not containing all four elements will be deemed invalid, and candidates will be allowed a reasonable amount of time to have them corrected. Also, any recognition of false or forged signatures will result in immediate disqualification from the race and referral to the Office of Student Conduct for additional disciplinary action.

4. There should be 150 signatures for any candidate that wants to run for a Class Council position and 200 signatures for candidates that want to run for an Executive position.

5.4 The Point of No Return

1. The Point of No Return shall be the point in time immediately preceding the arrangement of the ballot. The Assistant Elections Chair shall announce the Point of No Return after the submission and verification of all petitions by the Elections Committee.

2. Should a person wishing to participate in the election process hold an office in any student governing body, including, but not limited to Student Government Association Executive offices, the candidate must, within 24 hours of notification, temporarily step down from his office for the remainder of the elections process.

3. Each candidate must also, within 24 hours of the Point of No Return, submit a copy of their prospective platform to the Elections Committee for use during debates (any changes in the platform after this point should be submitted to the Elections Committee prior to the debates).

5.5 Leadership Team Concept

1. Collusion is defined as: Any campaign activity done in conjunction with two or more candidates or anyone with another campaign (e.g. similar flyers, flyer layout, joint campaign efforts on/off campus, etc.)

2. Discrete forms of collusion are not allowed. However, candidates for Executive Board, Legislative positions, and Class Council offices may elect to utilize the Leadership Team Concept (LTC). The LTC affords candidates the opportunity to jointly campaign with similar minded candidates for other offices. Candidates who do not elect to utilize the LTC will otherwise not be allowed to engage in collusive behavior of any kind. Collusive efforts must be identified to the Elections Committee under the terms of the Leadership Team Concept. Below are the terms of the LTC:

a.) A minimum of two (2) candidates is required to form a leadership team.

b.) A letter must be submitted to the Elections Committee by 5pm on the day that literature and materials are due.

i.) This letter must include the updated names of ALL team members, the office sought by each candidate, and the team name (if applicable). The leadership team will be certified and published.

c.) Members of the leadership team are permitted to coordinate campaigning efforts, but one leadership team may not combine efforts with a separate leadership team.

d.) Members are permitted to develop a common team name, use similar slogans, symbols/logos, and advertise identical platforms.

- e.) The use of names and/or symbols of existing campus organizations is **strictly prohibited**.
- f.) A leadership team shall be allowed one (1) team coordinator in addition to the one (1) campaign manager.
 - i.) Each candidate is still allowed only fifteen (15) publicity team members, with the total number of team members equal to the number of candidates multiplied by 15.
 - ii.) Each candidate is still allowed only the spending amount outlined in Article 11.3, with the total amount of funding equal to the number of candidates multiplied by that amount.
- g.) If a leadership team is found to be in violation of election rules, the entire team or individual members may be subject to sanctions at the discretion of the Elections Committee, including disqualification from the race.
 - i.) When a candidate is placed on probation and belongs to a leadership team, his name may not appear on the other candidates' materials for the duration of his probation unless approved by the Elections Committee.
- h.) The leadership team members must abide by all elections rules and regulations.

5.6 Class Council Ballots

1. Ballots for the class council elections will be issued to only members who are a part of the class. **Students will only be allowed to cast one (1) ballot for the class council elections.**

ARTICLE VI – CAMPAIGN RULES

6.1 The purpose of this section is to hold candidates and leadership teams, responsible for malicious assault on the most fundamental foundation of democracy, and to define and provide equitable remedy for the same. Any person, leadership team or candidate, found before the SGA Honor Conduct and Review (HCR) Board to have committed a malicious assault on the most fundamental foundation of democracy through the following act shall be subject to punishment by the guidelines as set forth in these bylaws.

6.2 Temporary Rules

1. Temporary rules may be implemented by the Elections Committee Chair where an urgent situation necessitates temporary additions, amendments, or a suspension of a portion of these by-laws, provided all candidates are affected equally. A Temporary Rule shall not take effect until approved by a majority vote of the SGA HCR Board with at least three (3) members present. These rules must be posted in a designated area on campus so that all candidates have access to them.

6.3 Definitions

1. Badgering is defined as "interfering with a witness testimony, attempting to prevent a witness from providing honest testimony, or interfering with the processes that the HCR Board abides by to arbitrate a case in a fair manner."
2. Threatening is defined as "Expressing an intention to inflict pain, injury, evil, or punishment to another leadership team if the leadership team testifies a certain way."
3. Intentional is defined as "Committed deliberately."
4. Willfully is defined as "Having prior knowledge of the consequences of the violation and intentionally committing it in such a way as to undermine the fairness of an election."
5. Malicious is defined as "Deliberately harmful or spiteful."
6. Frivolous is defined as "Inappropriately silly or trivial."
7. Bad faith is defined as "Intentional dishonesty or deception."
8. Defamation is defined as "Damaging a good reputation."

6.4 Placement of Campaign Materials

1. To facilitate the campaign period, the Elections Committee, in conjunction with the Office of the Student Life, identifies specific locations as GREEN and RED spots, to be defined in the following manner:
2. A GREEN spot is an area, surface, location, and/or building where approved literature can be displayed.

Current GREEN Spots are:

- a. Individual rooms, room doors and windows
- b. Bulletin Boards in Residence Halls
- c. Kiosk outside the Kilgore Campus Center
- d. Bulletin Boards inside the Campus Post Office
- e. Bulletin Boards inside the Chivers and Lane Dining Halls
- f. Laundry Rooms (not in and/or on machines)
- g. Glass windows of Morehouse Suites entrances
- h. Bulletin Boards in front of Mays and Wheeler Hall

3. A RED spot is an area, surface, location, and/or building where approved literature cannot be displayed.

Current RED Spots are:

- a. All academic buildings (including Gloster Hall, King Chapel, and Douglass Hall)
- b. Outside the Campus Post Office
- c. On-Campus Benches
- d. All trash cans located on campus
- e. Central flowerpot at Center Campus (outside of Kilgore)
- f. Wall around Graves Hall
- g. Bathrooms in Residence Halls (this includes stalls, urinals and showers)
- h. Windows (except dormitory room windows) and glass (including mirrors)
- i. Gates that open on to Brown Street
- j. Archer Hall

4. There shall be no campaign materials placed in/on any vehicles without expressed consent by the student. All vehicles with campaign materials should belong to a student who is on the candidate's publicity team. There is no limitation to how much campaign material can be posted on an individual's car.
5. No handbill, flyer, and/or campaign material can be slipped under any student's door.
6. Any Violation of the GREEN/RED spot rules constitutes sufficient grounds for disqualification. Furthermore, "yellow spots" (in the middle/between) do not exist and any attempt to create one constitutes a serious elections offense. Any questions about locations not listed should be directed to the Elections Committee.
7. Following Campaigning, to enforce responsibility and uphold integrity among all candidates, if there are more than three (3) posters, literature, handbills, etc. found during the Election Committee campus sweep, the candidate will automatically receive a sanction.

6.5 Approval of Campaign Materials

1. The posting or circulation of any unapproved campaign literature at any location is strictly prohibited. Similarly, the posting or circulation of any campaign literature and/or solicitation is strictly forbidden before the official start of the Campaign period.
2. The Elections Committee shall approve all campaign literature. Candidates should allow at least two (2) business days for review. **All campaign materials shall be approved prior to their duplication.**
3. Each candidate is allowed only two (2) 8.5 x 11 (standard notebook paper size) flyers or one 11 x 17 (tabloid size) flyer per hot spot.
 - a. A candidate may opt to use smaller flyers, but he may not use more space allotted by (2) 8.5 x 11 flyers (a space of 187 in²).

- b. Any item larger than 8.5 x 11 or 187 in² constitutes a poster and must be approved for placement first by the Elections Committee and then by the college's Physical Plant.
4. Web pages are permitted, but the use of TigerNet for campaign purposes is strictly prohibited.
5. The candidate and his publicity team may freely distribute approved handbills on campus.
6. All other campaign items not listed are subject to approval of the Elections Committee before use in campaign practices. The Elections Committee wishes not to stifle creativity; therefore, we request that all innovative ideas be cleared through the Committee Chairman prior to execution.
7. Campaign literature should not feature material of an obscene or highly offensive nature to be determined by the Elections Committee or Office of Student Services.

6.6 Candidate Conduct

1. If any candidate(s), and/or members of his publicity team, become engaged in a physical confrontation on and/or off Morehouse campus, all individual candidates will immediately terminate themselves from the elections process.
2. Candidates, campaign managers and any individuals shall refrain from actions and remarks that will be in any way detrimental or defamatory, or used to ridicule or embarrass any individuals, including but not limited to reference to race, color, creed, national origin, etc. The inclusion, use and/or allusion to a person's race/ethnicity, religion, and/or sexual orientation/preference in any campaign literature, debate, and/or discussion is expressly prohibited. However, reference to an opposing candidate's leadership record and club/organizational memberships is permitted.

ARTICLE VII – INITIATIVE

7.1 Power of Initiative

Upon the presentation to the Senate of a petition signed by at least one hundred and fifty (150) students, any questions may be submitted to a vote of the students of Morehouse, as set out in these By-Laws.

7.2 Submission of Initiative to Attorney General

1. Prior to circulating any petition for an initiative, the Proponent(s) shall submit to the Attorney General the proposed question. If the initiative is a Constitutional Amendment or creates a by-law, the Proponent(s) shall also submit the Amendment or by-law to the Attorney General.
2. The Proponent(s) shall submit a statement to the Attorney General that he is the Primary Proponent of the Initiative, and is responsible for the conduct of the campaign in support of the Initiative.
3. The Attorney General shall create the Initiative Petition and return to the Primary Proponent three (3) copies of the Initiative Petition.
4. The Attorney General shall be available to assist any student interested in writing a proposition.

7.3 Initiative Petitions

1. The Initiative Petition shall contain the full title and statement of the proposition as it is to appear on the ballot on each page on which signatures are to appear.
2. If the Initiative is a Constitutional Amendment or creates a by-law, the Initiative Petition shall contain the Official Summary of the Initiative on each page on which signatures are to appear, in Roman type not smaller than 12-point.

7.4 Circulation of Initiative Petition

1. The Initiative Petition may be circulated by many different people carrying separate, identical Sections.

7.5 Petition Signatures

1. Each signer must personally place on the petition his signature, printed name, and last four numbers of his Social Security Number and/or the entire M Number (preferably M Number).
2. None of the above may be preprinted on the Initiative Petition. Any signature line, which is not legible or complete, shall not be counted.

3. Each signer may sign an Initiative Petition only once.

7.6 Presentation to the Senate

1. An Initiative Petition shall be considered presented to the Senate and received when it has been both physically presented to either the Attorney General, the SGA Vice President (or the then current President of the Senate), or one of their representatives; and its receipt has been announced into the minutes during a Senate meeting.
2. Once submitted, petitions may not be amended except by order of the HCR Board.

7.7 Verification of the Petition

1. The Attorney General and the Ballot Coordinator shall verify that there are a sufficient number of valid signatures on each petition, by checking the student status of each person who signed the petition. Any signatures or pages of signatures not in compliance with this Article shall not be counted towards the 150-signature minimum necessary for qualification.
2. If the verifying official discovers that the Initiative Petition submitted lacks 150 signatures, the Attorney General shall immediately notify the Primary Proponent(s) and no further action is taken on the Initiative.
3. The Elections Committee must preserve the Initiative Petition for the same time period as the Elections Committee preserves the ballots for the election for which the Initiative qualified or attempted to qualify for placement on the ballot.

ARTICLE VIII – REFERENDA

8.1 Power of Referenda

1. By a majority vote of the entire Senate, any questions may be submitted to a vote of the students of Morehouse, as set out in these by-laws.

8.2 Submission to Attorney General

1. Prior to adoption by the Senate, the Attorney General shall certify that the question is an impartial and accurate description of the proposal, and shall assign the Referendum an Official Name. If the Initiative is a Constitutional Amendment or creates a by-law, the Attorney General shall prepare an Official Summary of the Referendum.

ARTICLE IX –SGA HONOR CONDUCT REVIEW BOARD

9.1 Jurisdiction

1. The SGA Honor Conduct Review Board (herein referred to as “HCR Board”) shall have sole jurisdiction in all cases disputed under these by-laws. If a candidate finds an elections grievance, he should first cite this issue with the Elections Committee, which then will be referred to the HCR Board via the Attorney- General

9.2 Statute of Limitations

1. Sanctions may be assessed against an individual for violating these by-laws at any time, whether the individual has filed for candidacy yet or not. Any sanctions imposed shall be accumulated only until the regularly scheduled SGA election of that year.
2. The Senate may amend these by-laws at any time during the year. It is the responsibility of the campaigner to obtain the current rules and procedures for campaigning.

9.3 Grievances and Sanctions

1. Grievances are sent to the Elections Committee account when a candidate finds another candidate violating these by-laws.

2. Sanctions are given to candidates after the Election Committee conducts a full investigation of any violation, or grievance.
3. After a candidate or a Leadership Team has received three (3) sanctions, he (or they) will be disqualified.

ARTICLE X – SAFEGUARDS AND NEW ELECTIONS

10.1 Additional Safeguards

1. The Attorney General of the SGA shall have the privilege of attending all polls and places where ballots are kept and tabulated.
2. One (1) observer representing each candidate shall be allowed to be present at all handling and tabulating operations of **non-third parties** conducting elections.
3. This privilege includes the right to inspect all equipment and machinery used for collection, transportation, and tabulation of ballots, but not to do so in a way that interferes unduly with the orderly and efficient operation of the Elections Committee.
4. When not being officially handled or tabulated, the ballots must be kept in a neutral, safe location at all times.

10.2 New Elections

1. Any student may petition the SGA HCR Board to void an election, on grounds of the integrity of the Elections Committee, its mismanagement of the election, or the mechanism of the count.
2. The HCR Board shall review the case and submit its finding to the Senate.
3. If the SGA HCR Board rules that there was mismanagement, or that there was an unpunished violation, the SGA HCR Board may void the election on the grounds that the actions of the Elections Committee substantially affected the outcome of the election.
4. The SGA HCR Board may not void an election on any other grounds, or by any other procedure, other than those stated above.
5. Only the SGA HCR Board may void an election.
6. If the HCR Board voids an election, the Senate shall provide for a new election to be held within four (4) full semester weeks, or as soon as it is feasible.

ARTICLE XI: CAMPAIGN FINANCE PROVISION

11.1 Intent and Definitions

1. Campaign material is defined as material initiated by a leadership team, candidate or campaign team with the intent to contact voters publicly, that explicitly speaks, pleads, or argues in favor of the election or defeat of a candidate or leadership team.
2. Further, materials that are controlled by a candidate's campaign and/or leadership team that mention a candidate's name, a candidate's ballot number, and/or the office a candidate is seeking, shall be defined as explicitly speaking, pleading, or arguing in favor of the election of a candidate. Therefore, it will be included in the definition of campaign material.
3. Electronic mail and telephone calls will be assessed a cost of zero.
4. News or editorial articles in a publication not run by a candidate/leadership team, not controlled by candidate/leadership team, not receiving a portion of their funding from a candidate/leadership team, or not operating under a specific agreement between the publication and a candidate/leadership team, shall not be included in the definition of campaign material.
5. Any material produced by a group or organization not run by a candidate/leadership team, not controlled by a candidate/leadership team, not receiving a portion of its funding from a candidate/leadership team, or not operating under a specific agreement between the publications and a candidate/leadership team, shall not be included in the definition of campaign material.
6. Any negative campaigning shall be assessed toward the candidate/leadership team that produced the material.

11.2 Enforcement

1. Enforcement of these By-laws shall be the responsibility of the SGA Elections Committee. The Assistant Chair is the chief administrator of campaign finance restrictions. The public has the right to obtain any candidate's spending information, but the information is not required to be widely disseminated by the Elections Committee.
2. It shall be the responsibility of the candidate and/or their leadership teams which act in coordination with the candidate to provide two copies of all campaign material to the Elections Committee and a receipt for the purchase of said material within twenty-four (24) hours of their request. If unable to provide a receipt, they may indicate so and instead provide an estimate of fair market value. Receipts may be requested beginning with the Candidates' Meeting and thereafter.
3. The Elections Committee shall have the responsibility of determining fair market value for any campaign material not accompanied by a receipt. The interpretation of fair market value may be appealed to the HCR Board.
4. Campaign materials that count as part of a candidate's spending, must have been produced, or authorized, by the candidate and/or leadership teams which act in coordination with the candidate.
5. Any campaign material advocating, by name, office seeking, or ballot number, more than one candidate, shall have its cost divided equally among all candidates listed on the material.
6. The candidates and/or leadership teams involved in the election shall have the responsibility of providing the Elections Committee with all documentation and receipts. Receipts must include information on what was purchased and the amount spent.
7. Copies of all receipts for all candidates must be submitted to the Elections Committee once hard campaigning has ended along with their Budget Report sheet.
8. All disputes and/or arbitration that arise over these by-laws shall be handled by the Senate.

11.3 Spending Limits

1. Each executive candidate and at-large candidate is limited to spending no more than \$1050.00 on his respective campaign. Each class candidates is limited to spending no more than \$750.00 on his respective campaign. Spending includes but not limited to: all payments made by the candidate himself, on his behalf or for his benefit. All candidates are required to maintain receipts of all financial expenditures, by the candidates or on his behalf, for review by the Elections Committee at any time during the elections process.

ARTICLE XII: ELECTION RULES AND REGULATION

12.1 Storage of Election Rules

1. This Article is so forth created per Article IX Student Elections, Section (i), of the Constitution which states:
"The Elections Committee shall set forth the rules and regulations of elections except where said rules & regulation conflict with the provision of this constitution. However, the said rules & regulation must be approved by the Student Senate and Office of Student Affairs."

12.2 By-Laws Amendments or Revisions in Constitution

1. All revisions and/or amendments made to the SGA Constitution that modifies the SGA By-Laws should receive consultation from the SGA Senate Ethics Committee and the Elections Chairman before any changes are placed into effect.

Updated: Spring 2015 Elections Committee