

## **Lamar University SGA Election Rules**

### **I. Purpose**

This document establishes the rules and regulations governing the SGA election process, effective upon approval by the Student Senate. This policy shall be the highest binding authority on the election. The Office of Student Engagement shall serve as the administrators of the election.

Ignorance of the Election Rules shall not be an acceptable defense in response to any offence committed in any election under this code; either by the candidates themselves, their workers, or the election regulatory bodies, as defined by this code.

#### **A. Application**

##### **1) Candidate Obligations**

All candidates for office shall:

- i.** Completely fill out the application form
- ii.** Attend all of the mandatory candidate meetings
- iii.** Follow all University and SGA policies

#### **B. Mandatory candidate meetings**

Meetings which are conducted under the discretion of the Ex-Officio Advisor

#### **C. Election commission advisor**

The Chief Student Affairs Officer and Ex-Officio Advisor to the Student Government Association (SGA) or his/her designee shall be the Election Commission Advisor. He or she shall serve as ex-officio with voice, but not vote, in all Election Commission meetings.

### **II. Definitions and Clarifications**

#### **A. Bribery**

Offering or promising any eligible voter a monetary incentive, a gift of any financial value, or promise of an appointed position within the SGA, for the purpose of inducing said person to vote or refrain from voting for or against any candidate. These items include, but are not limited to, money, giveaways, and food products. Items not considered bribery include campaign buttons, stickers or printed brochures/flyers/business cards. Any Candidate or Representative of a Candidate found guilty of bribery shall be subject to disciplinary action by the Commission.

#### **B. Misrepresentation**

Communicating information that the communicator either knows to be false or misleading, or upon reasonable efforts could know to be false or misleading, to any

voter other than the person that the information is about for the purpose of inducing any person to vote or refrain from voting and/or to undermine proper Election Commission activities. Any Candidate or Representative of a Candidate found guilty of misrepresentation will be subject to disciplinary action by the Commission.

**C. Sabotage**

Damaging, destroying, removing, or undermining in some way proper campaign and/or Election commission activities with the purpose of assisting or harming a candidate and/or to subvert an election or referendum. Any Candidate or Representative of a Candidate found guilty of sabotage shall be subject to disciplinary action by the Commission.

**D. Formal campaigning**

Electronic or physical posting or distribution of campaign tokens and/or literature advertising candidacy in mass or student media or conducting campaign activities that require scheduling through the University or that use University equipment.

**E. Handbill**

Leaflet of paper which is handed out and not affixed to permanent objects

**III. Election Commission**

In order to maintain the highest degree of impartiality and fairness, all SGA elections shall be conducted by a neutral Election Commission known as the “SGA Election Commission” or “Election Commission”.

**A. Authority**

Decisions regarding SGA Elections that are charged to the Ex-Officio Advisor, Chief Student Engagement Officer or designee, when in accordance with this document, and the SGA Constitution/Bylaws, shall be binding. The SGA shall have no authority over the Election Commission other than that stated herein.

**B. Requirements**

Election Commission Applicants must:

- 1) Be a currently enrolled full-time LU student
- 2) Not be on academic probation
- 3) All applicants must sign and agree to uphold all requirements of their appointed office

**C. Commission**

**1) Voting Members**

The Commission shall contain five appointed members in addition to the Chairperson and non-voting Advisor as specified in the SGA Constitution.

**2) Chairperson**

The sitting SGA Chief Justice of the Supreme Court shall serve as Chairman of the Election Commission. Given the circumstance that the SGA Chief Justice of the Supreme Court chooses to run in an election, he/she shall forfeit his/her participation in the Election Commission. The new Chairman shall be appointed by the President with a 2/3 vote by the Senate.

**3) Selection Process**

Members will be comprised of remaining members of the Supreme Court of the Student Government Association. The remaining vacant positions are appointed by the Chairman of the Election Commission and must be confirmed by 2/3 vote in the Senate. The Ex-Officio Advisor is responsible for the election process. The Ex-Officio Advisor can remove a member who is deemed to have a conflict of interest in the election. Appointments must be confirmed by 2/3 vote in the Senate.

**4) Vacancies**

The Chairman of the Election Commission shall have the power to appoint temporary commissioners from the Student Body to replace members who for some reason cannot fulfill their duties as approved by the Senate with a 2/3 vote.

**5) Supreme Court Justice Ineligibility**

In the case that the Chief Justice of the Supreme Court either plans on being a candidate or campaign staff member in the election, he/she must relinquish his/her appointment duties. A replacement must be appointed by the President of SGA and approved by the Senate with a 2/3 vote.

**D. Powers**

The Election Commission shall have the power to:

- 1) Interpret and uphold the policies and provisions of documents affecting the election process.
- 2) Recommend to the Ex-Officio Advisor or appointed advisor sanctions of any candidate based on a violation of election rules or regulations on or off campus. Sanctions may range from warnings to disqualifications.
- 3) Have the power to adopt provisions affecting the Election Process so long as they do not conflict with the Constitution, By-Laws, and any other Executive orders or Legislation of the Student Government Association.

Additionally, the Chairman of the Election Commission shall:

- 1) Serve as the voice of the Election Commission, but not single-handedly determine Election Commission policy.
- 2) Interpret the parliamentary rules with regards to the Election Commission as set for in the By-laws.

**E. Ex-Officio Advisor Duties**

- 1) Maintaining records of all candidates, including the finance report and campaign team documents.
- 2) Design Ballot. Ballot will be categorized by office. Names will be drawn by the Ex-Officio advisor in alphabetical order.
- 3) Filing a statement signed by the candidate indicating knowledge of and agreement to comply with all election rules and regulations.
- 4) Advertising SGA elections and establishing/ensuring that deadlines for applications are publicly announced in advance.

**F. Election Chairman Duties**

- 1) Representing the SGA in any dispute arising with a candidate regarding SGA elections
  - i. Ensuring public awareness of the election
  - ii. Maintaining the integrity of all those involved in the elections process through confidentiality
  - iii. Preside over Election Commission meetings

**G. Candidate Affiliation**

No Election Commission member may campaign, serve as a campaign staff member, give or take bribes, or commit sabotage. Any Election Commission member found guilty of any of these shall be removed from the Election Commission by action of the Election Commission Advisor.

**H. Meetings**

Meeting may be called by the Chairman. A quorum of simple majority must be established for decision to be binding.

- 1) Filing a statement signed by the candidate indicating knowledge of and agreement to comply with all election rules and regulations.
- 2) Advertising SGA elections and establishing/ensuring that deadlines for applications are publicly announced in advance

#### IV. Campaign Requirements

##### I. Campaigning

Campaigning shall be defined as any public soliciting of votes for a particular candidate, slate of candidates, or issues involved in the election concerned.

Candidates are able to use the resources and benefits of student organizations as forms of campaigning. However, all student organizations that are endorsing or supporting candidates must know the Election Rules. If a student organization violates any of these rules when supporting or endorsing a candidate, then the candidate is responsible for this violation and may receive sanctions.

Candidates, campaign managers, campaign workers, and any individuals shall refrain from actions and remarks that will be in any way detrimental, defamatory, ridicule, or embarrass any individual. This includes indirect statements made from personal or campaign social media accounts. Should the statement that is made be indirectly targeted towards a particular individual or their campaign, the Election Commission has authority to recommend sanctions with proper documentation and reasonable judgement. The Commission reserves the right to refer any violators to the Office of Student Engagement for disciplinary action.

- J. No SGA representative may campaign in any classroom or academic event in which he/she has the power to alter, mark, or assign any sort of grade, including extra credit. Additionally, candidates may not request endorsements or support from faculty or staff of Lamar University.
- K. If candidates are running as a campaign team, then candidates must fill out the Campaign Team Form. This form serves as an official connection between candidates. This formal recognition of Campaign Teams is not reflected on the ballot and students do not cast ballot for a team.
- L. Candidates must complete and turn in the Financial Report by the specified due date. If candidates run as a campaign team, then a Campaign Team Financial Reports must be submitted.
- M. Campaigning shall begin at the close of the Mandatory Election Rules Meeting. Should a candidate *not* attend the Mandatory Election Rules Meeting, the candidate will not be allowed to run for office and their name will not be placed on the ballot. No exceptions are granted for not attending this meeting.
  - 1 All university building posting guidelines must be adhered to.
  - 2 No campaigning or campaign signs 25 feet in front of an official election station.
  - 3 Usage of the SGA Office for purposes of printing campaign materials, signs, or handbills, electronic messages sent out on media platforms by any device as well as any other campaigning shall be strictly prohibited.

4 All university-wide elections may use media for campaigning, in accordance with the restrictions of this code.

5 The use of sidewalk chalk is prohibited.

6 Candidates shall have 1 week to remove, delete and/or clean up on campus all campaigning material.

- N. Reporting Requirements: Should any candidate or student be made aware of or witness any violation committed by any candidate; they are to report the violation to the Chair of the Election Commission. The Election Commission may compel any candidate or campaign worker, to appear before the Board and/or to provide documentation as necessary for each case.

**V. Appeals**

In order to maintain the highest degree of impartiality and fairness, all SGA elections appeals shall be handled by the SGA Advisor, Chief Student Engagement Officer and Ex-Officio Advisor or his/her designee.

**O. Campaign Grievances**

Appeals of the election results must be made within 24 hours of the posting of the results. Unless appealed, election results shall become legally binding 24 hours after they are publicly announced.

- 1) Appeals shall be made directly to the Chief Student Engagement Officer and Ex-Officio Advisor or his/her designee through The HUB (online portal Document: Elections Appeals)
- 2) Chief Student Engagement Officer and Ex-Officio Advisor or his/her designee will review the appeal and decision will be binding.

**P. Application**

**1) Candidate Obligations**

All candidates for office shall:

- i. Completely fill out the application form
- ii. Attend all of the mandatory candidate meetings
- iii. Complete and submit the Campaign Teams Form prior to Mandatory Election Rules meeting.
- iv. Complete and submit Finance Report Form by 5 pm one day after the election results are posted.
- v. Follow all University and SGA policies

**Q. Results**

**1) Notification**

The Ex-Officio Advisor, Chief Student Engagement Officer or designee shall notify candidates by telephone as soon as possible after the results

have been verified. A candidate may request an alternative means of notification before the close of the polls. Election results will be made public through The Hub and the University Press will be contacted within 24 hours of certification of election results.

**1) Certification**

After the polls have been closed for 24 hours without any pending appeals, the Chief Student Affairs Officer and Ex-Officio Advisor or his/her designee must certify the final results of the election.

**R. Run-off Elections**

In the event that no candidate receives more than 50% of the total votes cast before the designated closure of the election polls for any contested office, a run-off election shall be held one week after the original election. The SGA Election Policy shall apply to all run-off elections. Only the individuals receiving the top two numbers of votes cast shall participate in the run-off election.

**S. Resignation Prior to Swearing-In**

In the event that a candidate-elect decides not to confirm his/her seat prior to swearing-in, the candidate with the next highest number of votes shall be declared the winner and receive the seat.

*Updated and Approved May 31, 2020*