



B4-S2016

WHEREAS, the current Election Code is outdated and antiquated.

LET IT BE RESOLVED, the Student Government Association updates the Election Code by amending Article VI of the By-Laws; reflected in the document attached to B4-S2016.

LET IT BE FURTHER RESOLVED, this amendment is effective immediately.

Respectfully Submitted,

Adam Alattry

SGA President

In Witness thereof, I hereby certify the Student Senate of the University of North Texas Student Government Association has approved this document and is referred to the office of the President.

[Signature of Christopher Lee]
Christopher Lee
Speaker of the Senate

2/27/16
Date

Presidential Action:

- Vetoed
Approved

[Signature of Adam Alattry]
Adam Alattry
President of the Student Government Association

2-24-16
Date

[Signature of Elizabeth With]
Elizabeth With
Vice President of Student Affairs

3.1.16
Date

Article VI: Election Code

Section 1: General Provisions

- A. This section shall apply to all aspects of the electoral process for the Student Government Association (SGA) of University of North Texas at Denton. Candidates for any election, **opponents/proponents** for any referenda on the ballot (“Referendum Parties”), and members of the Election Board shall be responsible for the regulations provided herein. Ignorance of these regulations shall not be an acceptable defense in response to any violation in any election, either by the candidates or Referendum Parties themselves or by individuals campaigning on behalf of a candidate or Referendum Party.
- B. These regulations are subject to interpretation only by the Election Board, interpretation of which is subject to review only by the SGA Supreme Court. Additionally, any liberties of interpretation given specifically to the Election Commissioner are subject to review by the SGA Supreme Court. No other member of SGA or the Election Board is authorized to provide interpretations of the Election Code.
- C. Candidates and Referendum Parties may contact the Election Commissioner for the purpose of consultation pertaining to the election. The Election Commissioner shall be contacted via UNT e-mail, and the Election Commissioner will make reasonable attempts to respond to queries within one (1) business day.
- D. The Election Code is intended to provide for the fairness, equitability, and efficiency of all SGA elections with respect to candidates, Referendum Parties, and voters. In the absence of established guidelines, rulings concerning elections should be made with this principle in mind.

Section 2: Election Board

- A. The Election Board shall consist of six members and an Election Commissioner appointed by the SGA President.
- B. The role of the Election Commissioner will be to serve as a liaison between the Election Board and other entities on campus. The Election Commissioner shall oversee Election Board meetings, represent the Election Board in any public situation, draft the final election report, and only vote on an Election Board decision in the event of a tie.
- C. The Election Board shall have the power to rule on matters pertaining to Elections, including but not limited to: interpretations and violations of the Election Code, questions of candidate eligibility not covered in Article XIII, Section 1A of these Bylaws, candidate and Referendum Party complaints and concerns, questions of referendum eligibility, filing dates and deadlines, and the certification of any election results.
- D. Appointees must be approved by the Student Senate at the **second** full Senate meeting of the fall semester and must be present to be confirmed, unless the appointee has class or work during this time, as verified by the SGA Advisor.

Commissioner. A write-in candidate shall never be placed on an official ballot by means of this notice.

- b. If elected, write-in candidates shall be accepted provided they meet the active member eligibility requirements as stated in the SGA Constitution and Article XIII, Section 1 of these Bylaws. These requirements will be confirmed by the SGA Advisor.
 - c. Upon release of the final election report, elected write-in candidates must submit the following to the Election Commissioner within forty-eight (48) hours:
 - i. A Statement of intent to serve in the elected position.
 - ii. An expense report, if required by that position.
 - d. If a write-in candidate fails to submit these documents, or exceeds the campaign expenditure limit for the position in which they are elected, then they shall be disqualified.
- E. Any candidate may withdraw his/her name from the ballot any time prior to 5 p.m. on the business day before the election by submitting written notification to the Election Commissioner. The Election Commissioner shall verify said notification and provide notice to the SGA Advisor.

Section 5: Rules on Campaigns

Subsection 1: General Campaign Rules

- A. Candidates and Referendum Parties shall take reasonable measures to ensure that every individual campaigning on behalf of or volunteering for the candidate/Referendum Party is aware of campaign regulations and guidelines. Candidates/Referendum Parties may be liable for the campaign infractions of their campaigners and volunteers even if the candidate/Referendum Party did not specifically direct the offending action.
- B. Candidates and Referendum Parties may only begin publicizing their campaigns after the Election Code meetings have been held and on the date set forth on the Election Calendar. If candidates or Referendum Parties are found publicizing their campaigns in any way before the above dates, it is grounds for disqualification.
- C. Candidates and Referendum Parties shall abide by all University policy, which supersedes Election Board mandates and Election Code regulations.
- D. Candidates and Referendum Parties shall not damage any University property and shall be responsible for any damage caused by said candidate's/Referendum Party's campaign materials.
- E. Candidates and Referendum Parties shall not unduly disrupt the normal activities of the University.
- F. Candidates and Referendum Parties shall assume responsibility for the accuracy and truthfulness of their statements and campaign materials.
- G. No University, State, or public funds may be used by Candidates or Referendum Parties. This includes the utilization of employee work time. No Candidate or Referendum Party may solicit campaign assistance from an employee during the employee's work hours.

C. *Willis Library*

No campaigning may take place inside of Willis Library, or within 50 feet of its front doors.

D. *Restricted Zones*

Candidates and Referendum Parties shall not campaign or display in any manner campaign material within fifty (50) feet of Restricted Zones. Restricted Zones will be defined by the Election Board, and presented with the Election Calendar each semester.

Section 6: Ballot Referenda

A. Ballot referenda for any legal purpose may be proposed by a two thirds (2/3) absolute majority vote of the Student Senate or by a verifiable petition of 5% of the members of the undergraduate Student Body.

- i. All proposed referenda must be submitted at least seven (7) weeks prior to the end of the semester in Fall and at least one (1) week prior to Campaign Week opening in Spring.
- ii. Any action proposing a ballot referendum must specify whether the issue shall be considered in the immediately following general election or in a special election called for that purpose and must state the requirements for the passage of any such referendum.
- iii. Meeting the requirements for the proposal of referenda shall be considered sufficient grounds and merit for the calling of such an election.
- iv. No petition may call for the re-vote of a student election without evidence of gross violations of election regulations as stated in Article VI of these Bylaws. The validity of a petition for a re-vote will be determined by the Election Board or the SGA Supreme Court.

B. For referendum items affecting the entire student body, referendum processes shall be governed by the most current Memorandum of Understanding with the Graduate Student Council.

Section 7: Rules on Elections

A. General Elections shall be held no later than three weeks prior to Pre-Finals Week, unless the Election Board deems this impossible.

- a. The Fall General Election shall exist for the election of referenda by the undergraduate Student Body, if necessary.
- b. The Spring General Election shall exist for the election of members of the Senate, President and Vice-President, and referenda by the undergraduate student body.

B. Polls must be open for a minimum of three (3) school days in any election.

C. Elections shall be held solely via SGA's voting platform.

- C. Upon receiving a complaint, the Election Board shall have 72 hours to conduct a hearing. Each involved party will be given a reasonable amount of time to state their case, during which period any Election Board Member may ask questions.
- D. After hearing all applicable evidence, the Election Board will deliberate on a ruling of candidacy. A majority vote of Election Board Members present, assuming quorum is met, is required to render any decision. The Election Commissioner may vote only in the event of a tie. Any decision of the Election Board shall be made public immediately.
- E. Should a hearing be unable to be scheduled before the release of the final election report, the election results affected by the complaint will be withheld until after the Election Board ruling. All other election results shall be published according to the approved Election Calendar.

Section 9: Senatorial Succession

- A. In the event that an elected Senator vacates their seat prior to the Fall semester, the following process shall take place:
 - a. The Speaker of the Senate will use the previous General Election results to determine who the candidate with the next most votes was, within the same College, School, or Academy.
 - b. This is to pertain specifically to each College, School, or Academy as to not allow senators who ran for other Colleges, Schools, or Academies to occupy a seat outside of their constituency.
 - c. In the event that the first Senatorial candidate rejects the offer of the seat, the Speaker of the Senate will contact the Senatorial candidate with the next most votes.
 - d. The process mentioned above will continue until either all the seats in each College, School, or Academy are filled or the list of Senatorial candidates is exhausted.
 - e. In the event that the next eligible senatorial candidate ties with another in number of votes, all candidates will be informed of the tie.
 - f. Following communicating with the candidates, if and only if all senatorial candidates want the seat, the Speaker of the Senate will look at the candidate application dates to determine who applied for the seat first. That candidate will receive the seat.
- B. If an elected Senator vacates their seat after the start of the Fall Semester, the appointment process described in Article I, Section 6 of these Bylaws will be followed.