

**STUDENT GOVERNMENT ASSOCIATION CODE (SGC)  
TITLE VI: ELECTION POLICY**

**Chapter 1: Voters**

Subchapter 1: Voter Eligibility

- 6-1-1-1 All SGA members shall be eligible and entitled to vote in all SGA elections.
- 6-1-1-2 Voter eligibility shall not be affected by any factors other than SGA membership status and membership in the relevant district for Senate elections.

Subchapter 2: Access to Polls

- 6-1-2-1 No eligible voter who chooses to participate in SGA elections shall be required to register, submit personal information, or pay any fee in order to do so; beyond those normally required as a student.
- 6-1-2-2 SGA shall coordinate with the University to provide access to SGA election polls to any eligible voter who chooses to participate in SGA elections.

**Chapter 2: Senate Seats**

Subchapter 1: Senate Apportionment

- 6-2-1-1 The Senate shall consist of thirty-five (35) seats.
- 6-2-1-2 The total number of Senate seats shall be apportioned as described below:
- (A) A total of twenty-one (21) seats to shall be elected at-large in the Spring Election among all commuter voters and all voters living in off-campus university housing, such as the University Apartments.
  - (B) A total of fourteen (14) seats to shall be elected by each on campus residence hall in the Fall Elections. The apportionment for each hall shall be the following: Blumberg and Cromwell: three (3) seats, Burford: one (1) seat, Hines and Jones: three (3) seats, Lincoln Quad: three (3) seats, Mills and Rhoads: three (3) seats, and Sandison: one (1) seat.
  - (C) In multi-seat Senate districts, the winner shall be the candidates with the highest total number of valid votes. If two or more candidates are tied for a given seat, the tie shall be broken by the Senate at its next meeting.

## **Chapter 3: Candidates**

### Subsection 1: Qualifications for Office

- 6-3-1-1 All candidates for elected SGA positions, including positions representing SGA before other entities, shall meet SGA membership requirements under the SGA Constitution to qualify for office at the time filing for the election and during their term of office.
- 6-3-1-2 In addition to SGA membership requirements, all candidates for elected SGA positions shall be in good conduct standing with the University as determined by the department of Student Judicial Programs.
- 6-3-1-3 Candidates for elected SGA positions shall meet all additional requirements particular to their positions under the SGA Constitution, the SGC, and any other governing SGA documents to qualify for office.

### Subchapter 2: Meeting Qualifications for Office

- 6-3-2-1 Candidates must meet qualification for office at the time of filing, taking office, and while in office, except for district qualifications.
- 6-3-2-2 Candidates for the Senate must intend to move into the districts that they are competing for by the start of the Fall Semester and remain in the district until the end of the Spring Semester. A Senator does not have to live in the district over the summer or during the winter break to continue to hold the Senate seat.
- 6-3-2-3 The Election Commissioner shall disqualify candidates who fail to maintain qualifications for office during the election.

### Subchapter 3: Release of Qualification Information

- 6-3-3-1 Prospective candidates for elected office shall sign a disclosure statement allowing the Election Commissioner to verify all candidate information relevant to qualification for office.
- 6-3-3-2 The Election Commissioner shall not certify any candidates who refuse to release information or who intentionally provide false information relevant to qualification for office.

## **Chapter 4: The Board of Elections**

### Subchapter 1: Composition

- 6-4-1-2 A Board of Elections shall be created for every SGA election. The Board of Elections shall dissolve upon certification of all election results for the given elections.
- 6-4-1-2 The Board of Elections shall be composed of five (5) voting members, one of whom shall serve as Chair of the Board of Elections.
- 6-4-1-3 All members of the Board of Elections must, at the time of appointment and throughout holding office, meet the following requirements:
- (A) SGA membership requirements under the SGA Constitution;
  - (B) Good academic and disciplinary standing with the University;
  - (C) No participation in any race in the relevant SGA election; and
  - (D) No affiliation or public endorsement of any candidate in the relevant SGA election.

#### Subchapter 2: Selection Process

- 6-4-2-1 No later than eight (8) weeks before the first day in which polls are open, the Director of Public Relations shall begin to advertise Board of Elections positions to the student body.
- 6-4-2-2 The SGA Office shall establish an application process for Board of Election positions beginning no earlier than eight (8) weeks and ending no later than six (6) weeks before the first day in which polls are open.
- 6-4-2-3 The Senate shall vote to choose the Board of Elections no later than six (6) weeks before the first day in which polls are open. The Senate may choose from those who have applied in advance and/or from those who shall be nominated from the floor with a second senator in support. The Senate shall vote for all qualified candidates for Board of Elections positions at once, with each senator voting in turn by publically stating their preference for a single candidate. The five (5) candidates receiving the most votes shall become Board of Elections members. In case of ties, the Senate shall vote to break individual ties.
- 6-4-2-4 After the Board of Elections members are chosen, the Senate shall vote to choose one of the members as Chair of the Board of Elections. The Senate shall vote for all the Board of Elections members at once. The candidate receiving the most votes shall become Chair of the Board of Elections. In case of ties, the Senate shall vote to break individual ties.

#### Subchapter 3: Duties and Powers

- 6-4-3-1 The duties of the Board of Elections shall be:

- (A) To attend the Training Session with the Election Commissioner and the SGA Advisor;
- (B) To vote on the Election Commissioner's proposed schedule of election events and deadlines
- (C) To meet weekly to monitor the administration of SGA elections;
- (D) To advise the Election Commissioner on SGA election policies and regulations as necessary;
- (E) To give fair hearing to all appeals from Election Commissioner decisions; and
- (F) To certify election results.

6-4-3-2 The powers of the Board of Elections shall be:

- (A) To deliberate and adjudicate upon charges brought by the Election Commissioner against candidates;
- (B) To decide upon appropriate penalties for candidates, including restrictions on campaigning opportunities, fines, and/or disqualification;
- (C) To establish additional election policies and regulations to supplement those contained in this Title; and
- (D) To approve any modifications to election events and deadlines.

#### Subchapter 4: Business and Operations

6-4-4-1 All Board of Elections decisions shall be made during official Board of Elections meetings. No decision shall be made unless a quorum of three (3) Board of Elections members is present.

6-4-4-2 Board of Elections meetings may be called by the Chair of the Board of Elections, the Election Commissioner, the SGA Advisor, or a quorum of three (3) Board members.

6-4-4-3 The Chair of the Board of Elections shall preside over all Board of Elections meetings. If a quorum is attained but the Chair is absent, the present members shall elect one of their own to serve as Acting Chair of the Board of Elections to preside over the meeting.

6-4-4-4 The SGA Office shall post or otherwise make public all Board of Elections decisions within one (1) calendar day of the decision.

#### Subchapter 5: Removal

6-4-5-1 Board of Elections members shall only be removed by resignation or by the removal process outlined in the SGA Constitution.

6-4-5-2

Failure to maintain qualifications for office, neglect of duties under this Title, or failure to comply with any SGA laws shall be grounds for removal of Board of Elections members under the process outlined in the SGA Constitution.

## **Chapter 5: The Election Commissioner**

### Subchapter 1: Office Qualifications and Tenure

- 6-5-1-1 An Election Commissioner shall be selected for every SGA election. The tenure of the Election Commissioner shall continue until the certification of all election results.
- 6-5-1-2 The Election Commissioner shall, at the time of appointment and throughout tenure in office, meet the qualification requirements for paid positions under the SGA Constitution and for members of the Board of Elections. The Election Commissioner shall not be a member of the Board of Elections.

### Subchapter 2: Selection Process

- 6-5-2-1 The President shall appoint the Election Commissioner no later than eight (8) weeks before the first day in which polls are open.
- 6-5-2-2 The Senate shall vote to confirm the appointment no later than six (6) weeks before the first day in which polls are open. If the Senate fails to vote on confirmation the appointment, the Board of Elections shall vote to confirm the appointment within one (1) week of the Senate vote. If the Board of Elections fails to vote on confirmation of the appointment, the Supreme Court shall designate an Election Commissioner.

### Subchapter 3: Duties and Powers

- 6-5-3-1 The duties of the Election Commissioner shall be:
- (A) To attend the Training Session with the Board of Elections and the SGA Advisor;
  - (B) To draft a schedule of election events and deadlines;
  - (C) To preside over the Candidate Informational Meeting;
  - (D) To plan and coordinate debates;
  - (E) To coordinate with the Director of Public Relations to publicize the election and educate voters;
  - (F) To coordinate with the University to verify information necessary to certify candidates;
  - (G) To coordinate with the University to ensure polls are open and accessible; and
  - (H) To enforce SGA election policies and regulations.

- 6-5-3-2 The powers of the Election Commissioner shall be:
- (A) To make and implement decisions as to the proper conduct of an election;
  - (B) To charge candidates with violations of SGA election policies and regulations; and
  - (C) To recommend to the Board of Elections sanctions against candidates for violating SGA election policies and regulations.

#### Subchapter 4: Compensation and Election Financing

- 6-5-4-1 The Elections Commissioner shall be compensated at the same hourly rate as the highest paid SGA executive staff member, other than the President or Vice President.
- 6-5-4-2 The SGA Budget shall allocate money for the compensation of the Elections Commissioner and the proper conduct of elections.

#### Subchapter 5: Removal

- 6-5-5-1 The Election Commissioner shall only be removed by resignation, action of the Supreme Court, or by the removal process outlined in the SGA Constitution.
- 6-5-5-2 Failure to maintain qualifications for office, neglect of duties under this Title, or failure to comply with any SGA governing documents shall be grounds for removal of the Election Commissioner.

### **Chapter 6: Election Timeline**

#### Subchapter 1: Training Session

- 6-6-1-1 No later than five (5) weeks before the first day in which polls are open, the SGA Advisor shall preside over the Training Session with the Election Commissioner and the Board of Elections.
- 6-6-1-2 In the Training Session, the SGA Advisor shall educate the Election Commissioner and the Board of Elections on SGA election policies and regulations, and shall present to the same a recommended schedule of election events and deadlines.
- 6-6-1-3 In the Training Session, the Election Commissioner shall schedule, with the approval of the Board of Elections, the schedule of all election events and deadlines.

6-6-1-4 In the Training Session, the Chair of the Board of Elections shall schedule, with the approval of a majority of the Board, one regular Board of Elections meeting for every week until the election results are certified.

#### Subchapter 2: Candidate Informational Meeting

6-6-2-1 The Election Commissioner shall preside over a minimum of two (2) Candidate Registration Meetings no later than (4) weeks before the first day in which polls are open. The meetings must take place on different days of the week and at different times of the day.

6-6-2-2 The Election Commissioner shall coordinate with the Director of Public Relations to advertise to the student body the Candidate Registration Meeting. All Candidate Informational Meeting advertisement must specify that attendance to the meeting is a prerequisite for filing to run for office. The Candidate Registration meeting shall be advertised starting no later than one (1) calendar day after the Training Session.

6-6-2-3 In the Candidate Informational Meeting, the Election Commissioner shall:

- (A) Distribute to all attendees a copy of this Title;
- (B) Educate attendees on SGA election policies and regulations;
- (C) Present the schedule of all election events and deadlines;
- (D) Distribute to all attendees a copy of the Filing Packet; and
- (E) At the conclusion of the meeting, register all prospective candidates.

#### Subchapter 3: Filing Packets

6-6-3-1 The Election Commissioner shall coordinate with the Director of Public Relations to create the Filing Packet. The Filing Packet must require from prospective candidates information necessary for the conduct of the election. The Board of Elections shall approve the contents of the Filing Packet before it is distributed to the attendees of the Candidate Informational Meeting.

6-6-3-2 In order to be certified to run for office, prospective candidates must submit a completed Filing Packet to the Student Activities and Organizations (SAO) department's main office no later than three (3) business days after the Candidate Informational Meeting.

6-6-3-3 The SAO office shall issue receipts to all prospective candidates who submit Filing Packets before the deadline.

#### Subchapter 4: Candidate Certification

- 6-6-4-1 The Election Commissioner shall coordinate with the University to verify all candidate information relevant to qualifications for office.
- 6-6-4-2 The Election Commissioner shall certify all prospective candidates who meet qualifications for office and who submitted Filing Packets before the deadline. The Election Commissioner shall notify candidates of their certification in writing no later than two (2) business days after the deadline to submit Filing Packets.
- 6-6-4-3 The Election Commissioner shall not certify any prospective candidates who do not meet qualifications for office or who failed to submit Filing Packets before the deadline. The Election Commissioner shall notify in writing prospective candidates who are not certified of the grounds of the decision no later than two (2) business days after the deadline to submit Filing Packets.
- 6-6-4-4 Prospective candidates may only appeal lack of certification based on factors other than failure to meet qualifications for office, such as incorrect information used in the certification process.

#### Subchapter 5: Election Campaigns

- 6-6-5-1 The Elections Commissioner shall specify in the schedule of election events and deadlines that election campaigns may begin no earlier than one (1) calendar day after certification of candidacy. The Elections Commissioner shall also notify candidates of this restraint upon notifying candidates of their certification.
- 6-6-5-2 Election campaigns shall last from one (1) calendar day after candidate certification until polls are closed. Election campaigns shall be conducted irrespective of the University academic calendar.
- 6-6-5-3 Election campaigns shall be conducted in accordance with all regulations contained in this Title, University policy, and the law.

#### Subchapter 6: Debate

- 6-6-6-1 The schedule of election events and deadlines shall designate a public presidential and vice presidential debate for no earlier than two (2) weeks and no later than one (1) week before the first day in which polls are open. The Election Commissioner shall, with the approval of the Board of Elections, plan and coordinate the debate.

6-6-6-2 The schedule of election events and deadlines may designate a public senatorial debate for no earlier than two (2) weeks and no later than one (1) week before the first day in which polls are open. The Election Commissioner shall, with the approval of the Board of Elections, plan and coordinate the debate.

#### Subchapter 7: Open Polls

6-6-7-1 The schedule of election events and deadlines shall specify the days during which polls will be open. The Elections Commissioner shall coordinate with the University in order to ensure polls are open in accordance with the schedule of election events and deadlines.

6-6-7-2 Polls shall open at 6 a.m. on the first day of the election and shall remain open until 6 p.m. on the last day of the election for a total of thirty-six (36) hours.

#### Subchapter 8: Unofficial Election Results

6-6-8-1 The Election Commissioner will coordinate with the University to obtain sealed vote totals within two hours of the closing of the polls. The vote totals at the closing of the polls shall be considered the unofficial election results.

6-6-8-2 The Election Commissioner shall hold a public announcement of the unofficial election results no later than two (2) hours after receipt of the election results, unless one of the following happens (1) a candidate files a dispute or appeal related to the election; or (2) the Elections commissioner has pending or intends to bring charges against a candidate. The Election Commissioner shall inform the Board of Elections of the unofficial election results before holding the public announcement.

6-6-8-3 If a dispute or pending sanction exists, the election results may not be opened or revealed to any person until the case is resolved by both the Board of Elections and the Supreme Court, if necessary. Until such time, the Election Commissioner and the SGA advisor shall secure the results.

6-6-8-4 In all cases, the Election Commissioner shall inform the Board of Elections of the unofficial election results before holding the public announcement.

#### Subchapter 9: Election Certification

6-6-9-1 At 8 p.m. on the last day of the election, the Board of Elections shall meet to hear appeals or complaints regarding the conduct of the election or of individual candidates.

- 6-6-9-2 The Board of Elections shall only certify election results for races where, after the period of inquiry, the Board finds compliance with SGA election policies and regulations. The Board of Elections shall have the authority to certify election results for races for which the Board does not have a standing case or concern.
- 6-6-9-3 If the Board of Elections fails to certify the election results for any official by the official's first day in office, the Supreme Court shall have the authority to issue temporary election result certificates. In such a case, the Supreme Court shall have the authority to review the unofficial election results.

### **Chapter 7: Election Regulations**

- 6-7-1-1 All forms of on campus and off campus campaigning must comply with the rules and requirements of the place and manager of the place wherein the campaigning shall take place. No campaign may utilize any methods of campaigning that is not available to all other candidates. It is the responsibility of the candidate to learn of all necessary rules and requirements prior to using any form of campaigning.
- 6-7-1-2 Candidates may campaign on the campuses of Indiana State University under the authority of the SGA. The following restrictions also apply to on campus campaigning:
- (A) No campaigning inside a classroom during a class session or within fifteen (15) feet of the doorway or window to said classroom.
  - (B) No form of campaigning may interfere with the normal operations and purposes for the use of university space or other people in the space.
  - (C) No messages may be sent using mass emails from the University computer system by individual candidates. This statement shall not be construed to prevent the Election Commissioner from advertising for voters to become aware of the elections.
  - (D) No campaigning inside a computer lab while polls are open or within fifteen (15) feet of the doorway or window to said lab.

### **Chapter 8: Sanctions**

#### Subchapter 1: Authority

- 6-8-1-1 The Board of Elections shall have the sole authority to levy sanctions against candidates for violation of SGA election policies and regulations.

6-8-1-2 The Election Commissioner shall have the right to recommend sanctions against candidates based on violations of election policies and regulations. The Board of Elections shall give the candidate charge with violations a timely and fair hearing in order to determine whether sanctions are appropriate. The Board of Elections shall notify the candidate of its decision in writing within one (1) calendar day of the hearing.

#### Subchapter 2: Sanction Types

6-8-2-1 Sanction types shall be limited to the following:

- (A) Temporary or permanent removal of campaign materials from limited areas or the entirety of campus;
- (B) Temporary or permanent suspension of all campaign rights in limited areas or the entirety of campus; and
- (C) Disqualification.

6-8-2-2 The Board of Elections shall have full discretion in levying sanctions against candidates. However, sanctions shall be levied as to do justice, and shall be based on:

- (A) How adverse the effect of the violation is on other campaigns and the election process; and
- (B) Whether the violation is a first offense or a repeated offense.

6-8-2-3 Candidates shall be automatically disqualified if they are sanctioned by the Board of Elections for either five (5) or more violations during the campaign period, or three (3) or more violations while polls are open.

### **Chapter 9: Appeals**

#### Subchapter 1: Appeals from Election Commissioner Decisions and Complaints

6-9-1-1 All candidates and prospective candidates shall have the right to appeal decisions by the Election Commissioner that affect their participation in SGA elections to the Board of Elections. They may also file complaints as to the conduct of the election or the conduct of other candidates. All appeals must be completed and submitted in writing as soon as possible and no later than by 8 p.m. on the last day of each election and delivered to the Board of Elections or an SGA Advisor. Failure to provide a written appeal shall constitute a waiver of all rights to appeal.

6-9-1-2 The Board of Elections shall provide a timely and fair hearing to all appeals and complaints. The Board of Elections shall issue a verbal decision as soon as possible, but no later than twenty-four (24) hours after receipt of the appeal or complaint. A written copy of the decision shall be distributed within twelve (12) hours after the verbal decision is given.

Subchapter 2: Appeals from Board of Election Decisions

6-9-1-1 Candidates and prospective candidates may petition the SGA Supreme Court to review a decision by the Board of Elections. The SGA Supreme Court shall have discretionary jurisdiction over such review. Candidates shall provide notice of their intent to appeal a Board of Elections decision within two hours of the issuance of the verbal decision to the Supreme Court or an SGA Advisor. Failure to provide a written statement of intent to appeal shall constitute a waiver of all rights to appeal.

6-9-1-2 Once candidates and prospective candidates have exhausted their right to appeal within the SGA, they shall have the right to bring judicial action against the Board of Election.