



# ELECTION PROCESSES

## ARTICLE I. GENERAL PROVISIONS

**Section 1.** This Title shall be known, and may be cited, as the Student Government Association “Election Processes.”

**Section 2.** The purpose of the Election Processes is to define and regulate the election procedures of the Student Government Association.

- A.** The Director of Elections and the Committee itself shall administer election processes in a manner that allows for a fair and just electoral process which provides each qualified candidate with an equal opportunity to campaign for an elected office.
- B.** The Elections Committee shall have the power to interpret and apply these processes.
- C.** The Elections Committee shall run elections as fair as possible while adhering to the provisions of the Election Processes and the Election Code.

**Section 3.** All aspects of the Election Processes including the rules, regulations, and procedures of campaigning apply to a candidate’s campaign efforts both on and off campus.

- A.** All candidates seeking office and their volunteers shall be responsible for reading and adhering to the Election Processes and its guidelines prior to the start of campaigning.
- B.** If a candidate has any questions or concerns regarding any aspect of the Processes, then he or she shall seek clarification from the Elections Committee.

**Section 4.** All aspects of the Election Processes apply to all materials with the candidate’s name on them whether or not they were produced by the candidate.

## ARTICLE II. THE ELECTIONS COMMITTEE

**Section 1.** The Elections Committee shall exist to enforce the Election Code policies and guidelines and work to resolve any election concerns while maintaining their position as fair and impartial arbitrators of this Election Code; it shall also serve as the first hearing and sanctioning body if an alleged violation of the Election Code by a candidate arises.

**Section 2. Membership**

- A.** The Elections Committee shall be composed of the Director of Elections and at least three (3) other members of the student body who do not hold a position in SGA. Members will be recommended by the Director of Elections and approved by a simple majority vote of the Senate.
- B.** The Elections Committee has the authority to:

- i.** Enforce the Election Code and regulations agreed to in the candidate packet;
  - ii.** Disqualify candidates who violate the Code from the current on going election as well as potentially future elections, subject to individual review;
  - iii.** Lower the amount of funds a candidate is able to spend;
  - v.** Refer candidates to the Dean of Students if a violation of the Code may also be a violation of the Student Conduct Code;
- C.** The Elections Committee has the following responsibilities:
- i.** Maintain confidentiality before, during and after each Election hearing and meeting;
  - ii.** Gather information and conduct a hearing within forty-eight (48) hours of receiving a formal written notice (in compliance with Article II section 6 A of the Election Code) of an alleged Election Violation as long as quorum can be met;
  - iii.** Notify the parties involved via email of the results of any hearings within twenty-four (24) hours;
  - iv.** Complete duties as assigned by the Director of Elections;
  - v.** Conduct all of these actions with fairness and impartiality.
- D.** Optional Election Personnel:
- i.** All election personnel, such as poll workers or poll watchers, shall be appointed by the Elections Committee at least five (5) academic days prior to the start of voting.
  - ii.** A list of all election personnel shall be compiled and made available to the candidates at least three (3) academic days prior to an election.
  - iii.** All election personnel shall remain politically neutral and shall be removed if they express any form of support for a particular candidate through the election. Current members of SGA are eligible to serve as optional election personnel.
- E.** Removal from Office, Suspension and Filling of Vacancies
- i.** The Senate shall have the sole power to remove from office on grounds of nonfeasance or malfeasance of any member of the Committee. A Senator, member of Executive Council, Director of Elections, or the SGA Advisor may put the committee member on the agenda and lead the discussion and a Senator must make a motion to vote on the removal. Removal is passed with a majority vote of the Senate.
  - ii.** If the Director of Elections is removed or unable to serve, then an existing member of the Election Committee, appointed by the President and Vice President, shall become the Acting Director of Elections, unless one does not accept or is not approved.
    - a.** After the appointment has been filled, the President and Vice President will begin the Director of Elections appointment process.

## **F. Oath of Office**

- i.** The Student Government Association President or their designee shall administer the following oath to each member of the Elections Committee. The oath must be taken before the commencement of each member's respective duties: *"I, (name), do solemnly swear that I will faithfully execute the duties and responsibilities entrusted to me by virtue of my office, and will, to the best of my ability, preserve, protect, and enforce the Constitution, By-Laws, the Election Processes, and the Election Code of the Student Government Association at Chapman University."*

## **ARTICLE III. DIRECTOR OF ELECTIONS**

**Section 1.** The Director of Elections shall be selected following Executive Council elections. This individual will be selected by the incoming and outgoing President and Vice President and the SGA Advisor and must meet the GPA requirement of a 2.90 cumulative GPA and a 2.75 semester GPA.

**Section 2.** The Director of Elections shall have the following duties and privileges:

- A.** Coordinate the Election, preside over the Elections Committee, and oversee Election Procedures under the direction of the SGA Advisor or the Advisor's designee;
- B.** Announce and promote the Election to the student body in a timely fashion with the assistance of the Director of Public Relations;
- C.** Recruit, nominate and train all Elections Committee members in conjunction with the SGA Advisor or the Advisor's designee;
- D.** Chair Elections Committee meetings at least once a week during the campaign and Election period;
- F.** Provide agendas at all committee meetings or hearings and write and sign all meeting minutes;
- G.** Establish the General Elections calendar for fall and spring elections within sixty (60) calendar days of being appointed and ensure that the calendar is posted on the SGA website;
- H.** During an Election, return emails and phone calls within twenty-four (24) hours;
- I.** Assign and delegate responsibilities as well as coordinate and manage the activities of the Elections Committee members;
- J.** Call for a Special Election to be conducted upon receipt of a proper initiative, amendment, referendum or other special petition;
- K.** Release the Candidate Packets and the Campaign and Expense Report in accordance with the demands of the Election timeline;
- L.** Serve as the chairperson when interpreting the Election Code/Processes and decide upon appropriate sanctions if a candidate has violated the Election Code;
- M.** Serve as a mandatory reporter of Election violations when any are observed firsthand or brought to their attention;

- N.** Ensure that the findings of the Elections Committee in cases where a candidate has been sanctioned are posted on the SGA website;
- O.** Hold a pre-Election information meeting in which the precepts and rules of the Election Code and general campaigning procedures are reviewed with the approved candidates;
- P.** Ensure that publicity of the Election and education on how to vote is provided and available to the students eligible to vote;
- Q.** Promote the SGA Elections through the use of the allocated budget;
- R.** Powers not specifically defined in the Election Code are reserved by the Director of Elections and Elections Committee.
- S.** Additional duties are found in the SGA Job Description Papers.

#### **ARTICLE IV. COMMITTEE ACTION**

**Section 1.** Unless otherwise provided, the Elections Committee may take action only at a meeting with quorum and a simple majority vote. Should a decision need to be made in a more timely manner and the Committee is unable to find a time to meet, discussion and voting over email shall be permitted.

#### **ARTICLE V. QUORUM AND VOTING**

**Section 1.** Two-thirds of the entire Committee membership shall constitute a quorum.

**Section 2.** Decisions will be made by a simple majority vote. Each member shall cast one vote, excluding the Director, who shall vote only in the case of a tie.

**Section 3.** No candidates may serve on the Elections Committee. Any individual serving on the Elections Committee that decides to seek office must recuse themselves from the Committee for the duration of their candidacy.

#### **ARTICLE VI. ELECTION TIMETABLE**

**Section 1.** The order of events for any campus-wide Election, not including the Elections for the consideration of a referendum brought by petition or constitutional amendment, shall be as follows:

1. Selections of Election-related dates and deadlines
2. Announcement of Elections
3. Filing period
4. Qualifying
5. Posting of qualified candidates and appeals
6. Mandatory Candidate Meeting-
7. Campaigning begins
8. Posting of Official Ballot
9. General Election
10. Expense Reports filed

11. Election results posting
12. Appeals within two (2) academic days of posted results
13. Validation of General Election results

**Section 2. Selection of Election-related dates and deadlines**

- A.** The Elections Committee shall be in charge of setting all dates and times of the Election-related event. All deadlines and dates that are relative to filing, campaigning and Election Day for the Student Government Elections shall be declared by the Director of Elections.
- B.** The Election time frame shall span thirty (30) days beginning with the first day of filing, and ending two (2) academic days after the final Election results have been announced.
- C.** Once the dates have been set and approved by the SGA Advisor, the Director of Elections will immediately deliver this information to student media, the SGA President and Vice President, the Speaker of the Senate, and the Director of Public Relations.

**Section 3. Announcement of Elections**

- A.** The Director of Elections, in conjunction with the Director of Public Relations, shall
  - i.** Issue appropriate widespread campus announcements, including but not limited to postings on the SGA website, broadcast emails, flyers or advertisements at least ten (10) academic days prior to the opening of the filing period for the Election, except in the case of a Special Election of at least three (3) days notice.
- B.** The announcements shall include the following:
  - i.** Positions to be filled in the Election;
  - ii.** Dates for the opening and closing of filing;
  - iii.** Time and place that a person may file for office;
  - iv.** Dates of the Election;
  - v.** Name and contact information of the Director of Elections.

**Section 4. Filing**

- A.** A person shall file as a candidate by:
  - i.** Filing their intention for candidacy by completing the candidate packet and submitting it to the Director of Elections during the filing period.
- B.** A minimum of a five (5) academic day period for filing shall be opened no less than fourteen (14) calendar days before the date of the General Election. Any student may file a candidate packet for the office they seek by electronically submitting it via Engage with all required supporting documents by the filing deadline
- C.** In the General Election, each candidate can file for one position only. All subsequent filings must be considered void unless the second application amends the first application. An amendment to the filing must happen before the filing period ends to be considered valid.
- D.** After the filing period ends, candidates may only change the office for which they have filed if there is a seat that no one has filed for. In this case, the Director of Elections will notify all candidates via email of available seats and

- give them an opportunity to change their candidacy to another seat that they are eligible for. Candidates will have twenty four (24) hours after the email was sent to change the seat they are seeking. Each individual will only have one opportunity to change sought seat.
- E.** For President/Vice President candidates running as a ticket, the following exception applies:
    - i.** If, after the closing of filing, a candidate for SGA President or Vice-President has not qualified, has been disqualified or has withdrawn, then the remaining candidate may run alone. The individual cannot re-file as a ticket after the filing deadline.
  - F.** The names and positions of the candidates who have filed for Election shall be open to the public at all times.
  - G.** The candidate must sign or electronically submit the candidate packet; an official representative may not sign or electronically submit it on the candidate's behalf. No signatures by proxy will be allowed.

### **Section 5. Qualifying**

- A. Candidate Eligibility**
  - ii.** All candidates must be able to serve the full fall and spring semesters, or the remainder of the term of office, after the Election.
- B.** After the closing of the filing period, the Director of Elections and SGA advisor shall verify each individual candidate's qualifications for running based on their academic and conduct standings.
- C.** The Director of Elections shall report to the Election Committee with a listing of filed candidates, and whether or not each is qualified.
- D.** After any amendments and final approval by the Election Committee, the official list of qualified candidates will be posted on the SGA website. Appeals to the qualifying candidates may be filed during this time.

### **Section 6. Mandatory Meetings**

- A.** Candidates must attend the mandatory candidate meeting as described in the Election Code. If the candidate cannot attend, the candidate must send a representative and notify the Director of Elections in writing (emails or written notes- not text messages) that they will have a representative and who that representative will be at least one (1) hour before the scheduled meeting. Any candidate not in attendance or without a representative will be disqualified.
  - i.** The candidate may not select a representative who is running for the same constituency.
- B. Candidate Meeting**
  - i.** The topics of the candidate meeting shall include but are not limited to the following:
    - a.** The Election Processes
    - b.** University Posting Policy
    - c.** Election Schedule
    - d.** Structure and Functions of the Student Government Association

- e. Duties and Responsibilities of the elected officers of the Student Government Association
- f. Review of campaign strategies (should be led by the Director of Public Relations and/or their designee)
- ii. An individual office specific meeting shall be held by the outgoing officer for those running for President or Vice President. These meetings are for the explicit purpose of informing the candidates of their potential duties, responsibilities, expectations and expected challenges. All meetings must be completed before filing.
  - a. If an individual is seeking the same office, he or she must meet with a SGA Advisor.
  - b. The candidate shall have the outgoing officer or SGA Advisor sign the meeting attendance form and turn it in with the candidate packet.
- iii. If a candidate does not attend their appropriate meeting, they will be disqualified and therefore no longer considered a candidate.

**Section 7: Campaigning**

- A. There shall be no campaigning prior to the qualifying of candidates and specified campaigning days. Further rules will be discussed in Election Processes.

**Section 8: General Election Results**

- A. Regardless of complaints or appeals, the unofficial results of the General Election shall be announced by the Director of Elections after the Election closes.

**Section 9: Validation of General Election Results**

- A. If no complaints or appeals are registered by 5:00 PM within two (2) academic days of the announcement of Election results, all Election results shall be deemed final.

**Section 10: Run off Election**

- A. In the case of a tie, the two (2) candidates that tied shall be in a Run off election.
- B. The Run off election shall be held within three (3) to six (6) academic days after the General Election.

**Section 11: Run off Election Results**

- A. The unofficial results of the Run off Election shall be announced in the same manner as the results of the Election.

**Section 12: Validation of Run off Election Results**

- A. If no complaints or appeals are registered by 5:00 PM within two (2) academic days after the announcement of the Run off Election results, all Election results shall be deemed final.

### **Section 13: Decline of Position**

- A.** After Election results have been announced, elected candidates shall be informed that they have a minimum of two (2) academic to notify the Director of Elections and SGA Advisor if they choose to decline their position. Failure to notify the Director of Elections of their acceptance of the position within two academic days shall be considered a declination.
  
- B.** In the event that a newly elected candidate chooses to decline the position before induction, the candidate who received the next most amount of votes who ran for the same seat will be notified of their election into the position. If there are no runner-up candidates, another election will be scheduled.

### **Section 14: Change of Eligibility Status**

- A.** In the event that an elected candidate becomes ineligible before the start of their term, the runner-up candidate will be offered the position. If there are no runner-up candidates or the runner-up declines the position, another Election will be scheduled.

## **ARTICLE VII. PROCESS OF APPEAL**

**Section 1.** If the Elections Committee has deemed a candidate as violating the Election Code and has decided upon an appropriate sanction, a candidate may appeal the decision or sanction to the Student Government Association Review Board, hereinafter referred to as the SGA Review Board.

- A.** The appeal must come within two (2) academic days after the Elections Committee's decision is announced.
- B.** The SGA Review Board will hear any fairness challenges to the original decision made by the Elections Committee and will serve as the appellate body for the Election Code violation cases.
- C.** All candidates affected by the decision of the Elections Committee may file for appeal.
- D.** The decision made by the SGA Review Board within three (3) academic days will be final and no other appeals may be filed. By this deadline, the decision must be communicated to the Director of Elections via email.
- E.** The Elections Committee must provide the decision of the Review Board to the candidates via email within twenty-four (24) hours after the decision has been made. The decision must also be made available on the SGA website.

## **ARTICLE VIII. AMENDMENTS**

**Section 1.** In order to alter the Election Code, an amendment must be approved by a majority (fifty percent plus one) vote of Senate.

**Section 2.** Once an Election has begun, the Election Code and Processes cannot be amended until the Election is over.