



# ELECTION CODE

## ARTICLE I. GENERAL PROVISIONS

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

**Section 2.** The purpose of the Election Code is to define, regulate, and clarify the campaigning process of the Student Government Association for all eligible candidates.

- A.** The campaigns for the Student Government Association shall be run according to the Code.
- B.** The Elections Committee shall have the power to interpret and apply this Code.
- C.** For further responsibilities of the Director of Elections, refer to the Election Processes.

**Section 3.** All aspects of the Election Code 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 Code and its guidelines prior to the start of campaigning.
- B.** If candidates have any questions or concerns regarding any aspect of the Processes or Code, then they shall seek clarification from the Elections Committee.

**Section 4.** All aspects of the Election Code apply to all materials produced by or on behalf of the candidate.

## ARTICLE II. CANDIDATES

**Section 1.** The positions available for annual election are the SGA President, Vice President, and Senators.

**Section 2.** The term of office for the President, Vice President, and Senators begins May 1st and continues until April 30th of the following year unless the individual resigns or is removed from their office.

**Section 3.** President, Vice President, all ten (10) College Senators, the Upperclassmen Senator, and the Academic and Greek Student Organization Senators will be elected in the Spring semester. The Lowerclassmen Senator, and Civic Engagement, Diversity, and Leisure Student Organization Senators will be elected in the Fall semester.

**Section 4.** The qualifications for candidates seeking office in the election shall include:

- A.** Must meet eligibility requirements as defined by the SGA Constitution and By-Laws;
- B.** Individuals running for a Senate seat must declare what seat they want to run for with completion of the candidate packet;
- C.** If a Student Organization or Upper/Lowerclassmen Senatorial candidate, one must present a nominating petition with fifty (50) unique signatures from currently enrolled undergraduate students and whom fall within their constituency;
- D.** If an Academic Senatorial candidate, one must present a nominating petition with thirty (30) unique signatures from currently enrolled undergraduate students and whom fall within their constituency;
- E.** If a Presidential or Vice Presidential candidate, the candidates on an unofficial ticket must submit their own packet and present a nominating petition with a total of two hundred (200) unique signatures;
- F.** If a Presidential or Vice Presidential independent candidate, the candidate must present a nominating petition with a total of one hundred (100) unique signatures;
- G.** All petitions to run for office must be accepted by the Elections Committee;

**Section 5.** Senate Seats:

- A.** Academic Senators (1 per college);
  - i.** Must have a declared major within the college to seek office.
- B.** Class Senators (2 total);
  - i.** For spring general elections, class year will be determined by the expected number of credits completed at the end of Spring semester.
  - ii.** For Fall general elections and any special elections, class standing will be determined by the current number of completed credits.
  - iii.** Lower-classmen shall be classified as a student who has completed less than sixty (60) credits; Upperclassmen shall be classified as a student who has completed sixty (60) credits or more.
- C.** Student Organization Senators;
  - i.** Academic Student Organization Senator
    - 1.** Represents academic organizations, professional organizations, and honor societies that are recognized by the Department of Student Engagement.
  - ii.** Civic Engagement Student Organization Senator
    - 1.** Represents civic engagement organizations that are recognized by the Department of Student Engagement.
  - iii.** Diversity Student Organization Senator
    - 1.** Represents diversity, cultural, spiritual, and religious organizations that are recognized by the Department of Student Engagement.

- iv. Greek Student Organization Senator**
  - 1.** Represents the social Greek organizations that are recognized by the Department of Student Engagement.
- v. Leisure Student Organization Senator**
  - 1.** Represents the leisure, special interest, performance and arts, recreational, fitness, and wellness organizations that are recognized by the Department of Student Engagement.
- D.** If no one has completed a candidate packet on Engage for a specific seat by the deadline, the Director of Elections will notify all candidates at the mandatory candidate meeting of available seats and give them an opportunity to change their candidacy to another seat for which they are eligible. The candidates will have twenty-four (24) hours after the meeting to change the seat they are seeking. Each individual will only have one opportunity to change sought seat.
- E.** If a Senate seat is not filled by an election, the position will remain open until the following election. During the next election, the empty position will be eligible for candidacy, first as its original constituency, then as an At-Large seat if there are no candidates for its original position.

### **ARTICLE III. OFFICIAL DECLARATION OF CANDIDACY**

#### **Section 1. Independent Candidacy**

- A.** Candidates must submit a completed campaign packet on Engage by the specified date as determined by the Elections Committee to have their names placed on the ballot.

#### **Section 2. Unofficial Ticket Campaign**

- A.** Those running for President and Vice President may choose to run as an unofficial ticket. This can be done with the completion of a Ticket Campaigning form and filed with the Director of Elections during the filing period.
- B.** A ticket may pool together their resources. Therefore, the ticket is entitled to four hundred dollars (\$400) of campaign finances.
  - i.** The ticket will only file one joint campaign finance form.
  - ii.** The Student Government Association will refund up to \$300 of an unofficial campaign resource.
- C.** Candidates will not be listed together on the ballot.

#### **Section 3. Write-in Candidacy**

- A.** Write-in candidates must complete and submit a campaign packet no later than four (4) academic days prior to the first day of voting. Write-in candidates will not have their names or campaign summaries placed on the ballot. A blank space for the candidates' names will be provided on the ballot.

- B.** Write-in candidates are not required to attend the candidate meeting or submit a candidate bio or summary. Any questions regarding elections or campaigning should be directed to the Director of Elections.
- C.** If a student submitted an incomplete packet during the traditional filing period but still wishes to run as a write-in candidate, an entirely new packet must be submitted.

**Section 4. Filing**

- A.** For filing processes, please refer to Election Processes Article VI, Section 4.

**Section 5. The Mandatory Candidate Meeting**

- A.** Attendance at the candidate meeting is mandatory for all running candidates.
- B.** If the candidate cannot be in attendance, the candidate must send a proxy and notify the Director of Elections in writing (emails or written notes – not text messages) that they will have a proxy and who that proxy will be at least one (1) hour before the scheduled meeting. The proxy is required to have the signed acknowledgment form from the candidate that they are representing.
  - i.** The candidate may not select a proxy who is running for the same constituency.
- C.** Failure to attend or send a proxy to the candidate meeting could result in sanctions and/or disqualification as deemed appropriate by the Elections Committee.

**ARTICLE IV. CAMPAIGN RULES, REGULATIONS, AND DEFINITIONS**

**Section 1. Campaigning is defined as:**

- A.** Utilizing any type of print, electronic, or social media and marketing strategies to promote a specific candidate or belief.
  - i.** Talking about your platform when gathering signatures for the petition is permitted.
- B.** Must be willing to campaign with a spirit of healthy and friendly competition without attacking another candidate or demeaning another candidate's campaign.

**Section 2. Campaigning Policies and Procedures:**

- A.** Candidates or the candidates' proxy must attend the mandatory candidate meeting to sign the candidate in and submit the required acknowledgment.
- B.** Candidates for Senate must campaign as an individual. A candidate may not advertise with any other person running for election in the same campaign cycle unless they apply to run as a ticket for the executive offices.
- C.** Campaigning does not constitute creating or producing marketing material provided such material is not published or viewable to the public, particularly any student eligible to vote.

**Section 3.** The timeline for campaigning shall be as follows:

- A.** Campaigning shall begin five (5) academic days prior to the first day of elections;
- B.** The exact date and time campaigning begins shall be determined by the Director of Elections but shall conform to the following:
  - i.** Election voting shall run from Monday at 12:00 am to Wednesday at 5:00 pm unless otherwise approved by the Elections Committee.
  - ii.** Early voting shall be acceptable two (2) academic days prior to the start of election week for amendments.
- C.** All campaign materials must be removed from campus at the conclusion of election voting week by that Wednesday at 5:00 pm. Failure to comply will be referred to the Elections Committee.

**Section 4.** Campaign and Expense Report

- A.** For campaign purposes, candidates are permitted to spend no more than one hundred dollars (\$100) if running for Senate and two-hundred dollars (\$200) if running for President or Vice President. Any expenditures donations must be cited on the Campaign and Expense Report for the value and deducted from the overall allotted budget.
- B.** Candidates must submit a complete and signed Campaign and Expense Report to the Director of Elections on Engage at the conclusion of election voting week by that Wednesday at 5:00 pm.
- C.** Failure to submit the Campaign and Expense Report by the deadline or spending money after submitting the form as defined above will result in immediate disqualification.
- D.** Candidates must submit the Campaign and Expense Report even if the amount spent on the campaign was zero dollars (\$0).
- E.** The Student Government Association will refund up to fifty dollars (\$50) for Senate candidates and one-hundred-fifty dollars (\$150) for independent President and Vice President candidates.

**Section 5.** The general guidelines for the means of campaigning shall be as follows:

- A.** Campaigns may not use any copyrighted materials unless written permission was expressly given by the copyright holder;
- B.** At no time may a candidate bribe or threaten persons in order to procure votes, or require any individual commit beyond their own free will to vote or support a particular candidate or issue;
- C.** No one shall access the voting portal using another student's login information;
- D.** Candidates shall not behave in a manner that challenges the integrity of the election process, including providing inaccurate information about other candidates or the election process, or requesting others to do so.
- E.** At all times, the candidate must abide by the Student Conduct Code, Housing, and Residence Life Policies, this Election Code, and the Student Government

- Association governing documents, and specific policies within the candidate packet and will request others to do likewise.
- F.** In the event that information in the candidate packet conflicts with the regulations of the Election Code, the rules and regulations of the Election Code shall govern.
  - G.** All activity on behalf of campaigns will be treated as if they were initiated and endorsed by the candidate.
  - H.** Candidates must have any designs used for flyers, social media, etc., shown to and approved by the Director of Elections prior to its distribution.
  - I.** The use of the SGA logo in campaign materials is not permitted.

## **Section 6. Electronic Media**

### **A. Mass emails**

- i.** Mass emails, including emails sent through Chapman University listserv, are permitted to be sent by the candidate provided that a copy of the email message is given to and approved by the Director of Elections prior to sending it to the intended recipients.

### **B. Social networking groups**

- i.** Social media groups and events are all permitted for campaigning purposes. If a candidate chooses to utilize these methods, however, the candidate must notify the Director of Elections within ten (10) minutes of its creation by inviting the Director of Elections to the said group or event. Messages and updates may be sent to social media groups and events. Candidates may invite their social media friends to the event or to be a member of the group;
- ii.** Statuses and profile pictures are also acceptable forms of campaigning. The Director of Elections does not need to be notified of changes to these parts of social media.
- iii.** If a candidate chooses to create a new account or utilize an existing social media account for the purposes of campaigning, they must notify the Director of Elections prior to use for campaign purposes.
- iv.** Candidates are not permitted to campaign on anonymous social media platforms including but not limited to, Fizz or YikYak.

### **C. Websites**

- i.** The creation of a website promoting a candidate's position, viewpoints, and opinions is an acceptable form of campaigning. If candidates choose to create a website, however, they must notify the Director of Elections within ten (10) minutes of its publication via email.

### **D. Podcasts**

- i.** The creation of a podcast station is an acceptable form of campaigning, but a candidate must inform the Director of Elections within ten (10) minutes of its creation via email of its existence.

## **Section 7. Print Media**

- A.** Pamphlets, newsletters, flyers, and bulletins are all acceptable formats of campaigning, but must be no larger than 8 ½ x 11". Any of these materials are permitted to be hung/distributed according to University posting policy. Any print larger than 8 ½ x 11" will be considered a poster.
- B.** Posters are permitted but cannot exceed a 36" x 36" size and can be hung according to University Posting Policy.
- C.** Individual pieces of print media cannot be combined together to create a larger message or poster.
- D.** No candidates may produce and/or distribute any stickers.
- E.** The use of chalk for campaigning is permitted as long as the proper procedures for using the chalk on campus property as stated in the University Posting and Publicity Policies are followed.
- F.** All candidates who wish to utilize print media in the Residence Halls or Residence Life area must adhere to the Residence Life Posting Policy.
- G.** Guidelines for all print media:
  - i.** No materials may be placed over another candidate's materials. No materials may be placed in Argyros Forum 303.
  - ii.** Any campaign materials that harm or destroy campus property will be considered a violation of the Election Code and the Student Conduct Code, and the candidate will be responsible for full restitution. The restitution fees will be considered campaign expenses, and if the amount results in a candidate spending more than allowed, the candidate shall be disqualified.
  - iii.** No defacing of opposing candidate's materials will be permitted.
  - iv.** All postings and publicity materials must follow the Posting Policy.

## **Section 8. Other forms of campaigning**

- A.** Candidates may hold meetings, town halls, and otherwise (including meet and greets), in which they discuss their positions and promote their candidacy for office, as long as they follow the correct calendaring procedures for use of Chapman University facilities and have the Director of Elections approve the use of space.
- B.** Candidates may hold meetings in Residence Halls or Residence Life areas when approved by the Resident Director of the Residence Life facility in/around which they wish to hold the meeting, as well as by the Director of Elections. If a session is to be held outdoors, the candidate must follow the correct calendaring procedures and have the Director of Elections approve the use of space.
- C.** No campaigning of any kind may be done through mass phone calls to the student body.
- D.** Other forms of campaigning shall be acceptable as permitted by the Posting Policy and the Student Conduct Code.

### **Section 9. Reporting Violations**

- A.** For candidates or other students who wish to report an infraction of the Election Code by a candidate during either the campaigning or election day process, they need to file a complaint form with the Director of Elections by email within twenty-four (24) hours after gaining knowledge of the alleged infraction in order for the case to be heard by the Elections Committee.
- B.** The Director of Elections is required to report election violations and to ensure that a complaint form is filled out and forwarded to the Elections Committee within twenty-four (24) hours of gaining knowledge of any alleged infractions, either firsthand or via email.
- C.** Complaint forms can be found on the SGA website.

### **Section 10. Penalty for Violations**

- A.** Penalty for any of the above violations will be at the discretion of the Elections Committee. Violations may cause disqualification from an election and/or other sanctions as recommended by the Elections Committee. (For more information see Article II, Section 2, Part B of Election Processes.)

### **Section 11. Process of Appeal**

- A.** If the Elections Committee has deemed a candidate as violating the Election Code and has decided upon an appropriate sanction or disqualification, a candidate may appeal the decision or sanction to the Student Government Association Review Board, hereinafter referred to as the SGA Review Board.
  - i.** The appeal must come within one (1) academic day after the Elections Committee's decision is announced.
  - ii.** 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.
  - iii.** All candidates affected by the decision of the Elections Committee may file for appeal.
  - iv.** 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.
  - v.** The Director of Justice must provide the decision of the Review Board to the candidate 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 V. ELECTION DAY**

### **Section 1. Definitions**

- A.** A private room includes but is not limited to, residence hall rooms, suites or apartments, and any other room the voting student has ownership over.



- B.** A private polling place is defined as any personally owned computer or device capable of voting, including a smartphone, that is being used or with intent to access the online voting system.
- C.** A public polling place is defined as any polling station set up by the Student Government Association or any university-owned computer logged onto the online voting system during the election period.

**Section 2.** Rules and Regulations

- A.** Candidates may not be present within the same private room while another student is utilizing the online voting system.
- B.** Candidates may not provide a computer or other device capable of voting to students with the intent of encouraging people to vote.
- C.** Campaigning is prohibited within the general vicinity of any university-owned computer and is prohibited in any computer lab and in Leatherby Libraries.
- D.** Campaigning is prohibited within the general vicinity of any public polling place unless approved by the Director of Elections.
- E.** In the event a student lives with another student who is eligible to vote, they cannot be present in their room when their roommate is voting.
- F.** Campaign materials may be stored in the candidate's residence hall, apartment, or private room.

**ARTICLE VI. ELECTION RESULTS**

**Section 1.** 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 2.** Validation of General Election Results

- A.** If no complaints or appeals are registered by 5:00 PM within one (1) academic day of the announcement of Election results, all Election results shall be deemed final.

**Section 3.** 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 4.** 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 5. Validation of Run-off Election Results**

- A. If no complaints or appeals are registered by 5:00 PM within one (1) academic day after the announcement of the Run-off Election results, all Election results shall be deemed final.

**Section 6. Declination of Position**

- A. After Election results have been announced, elected candidates shall be informed via email that they have a minimum of one (1) academic day to notify the Director of Elections if they choose to decline their position. Failure to notify the Director of Elections of their acceptance of the position within one academic day shall be considered a declination.

**Section 7. 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. AMENDMENTS**

**Section 1.** In order to alter the Election Code, the amendment must be approved by a simple majority vote of the Senate.

- A. Powers not specifically defined in the Election Code are reserved by the Director of Elections and Elections Committee.



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**Student Government Association President**  
Rachel Berns