



Angelo State University

SGA Election Code

Article I-The Election Commission

A. The Commissioner

1. The Election Commissioner shall be the Director of Student Life and will have final say over the Election Commission and all its actions during the course of the election.
 - a. If the Director of Student Life is unable to serve as Commissioner then the SGA faculty advisor shall fill the role.
 - b. If the faculty advisor is unable to fill the role, then the Executive Director of Student Affairs shall appoint the Commissioner.
2. The Commissioner shall assume duties at the last meeting of the Fall Semester.

B. The Commission

1. The Election Commission shall be composed of the Commissioner and 1) Two students who are non-members of Student Government that the Student President shall appoint (unless he/she is seeking reelection in which case the Election Commissioner shall appoint these students), 2) Four Student Senators not running for election appointed by the Student Body President (unless he/she is seeking reelection in which case the Election Commissioner shall appoint these students), and 3) The Student Body Vice President (unless he/she is seeking reelection, in which case this seat can be appointed at the discretion of the Commissioner).
2. All student members of the Election Commission must be approved by the Election Commissioner and two-thirds vote of the Student Senate after interviewing them. If a member of the Commission fails approval by the Commissioner or the Senate, then that person shall not be a part of the Election Commission and his/her spot must be filled by a representative the Commissioner and Senate both agree on. The acting student body president shall recommend replacement members and initiate the approval process.
 - a. Student members of the Election Commission shall be in good academic and disciplinary standing and currently enrolled in the University.
3. Commission members shall take this oath before the Senate upon the assumption of their duties, *"I ___ will execute the duties of Election Commission member to the best of my ability, uphold the Angelo State University Student Constitution and Election Codes, and execute all functions of this office with impartial treatment to ensure a fair and balanced election process."*
4. The Election Commission serves to offer advice to the Commissioner and assist in election related duties as requested by the Election Commissioner.
5. The Election Commission shall help promote and monitor the election through posting material (online and on campus) and hosting election events (debates, speeches, etc) in an impartial manner. The Commissioner shall hold Commission members accountable for their conduct during the election process.
6. No member of the Election Commission shall show any partiality towards any candidates. Partiality includes, but is not limited to:
 - a. Assisting in posting or distributing any campaign material (online or on campus)
 - b. Wearing campaign material
 - c. Sending voting information that is biased towards one ticket in any capacity (through email, print, or social media)
 - d. Encouraging students to vote biased towards one ticket over another
 - e. Criticizing any candidate that could be overheard by another student and influence that students decision as to who to vote for.
 - f. If any member of the Election Commission is accused of partiality, that member shall immediately be suspended by the Election Commissioner, who shall then launch a full investigation into the matter to ascertain the truth behind the accusations. If the Commissioner decides that member acted with partiality, the member shall be removed from the Commission. If any member be removed, that seat shall remain vacant for the duration of the election.
7. The Election Commission shall be confirmed at the last Senate meeting of the fall semester or no later than the first general senate meeting of the spring semester. The commission will serve until the next swearing in of the next administration.



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C. Powers and Duties

1. The Election Commission shall settle all disputes that arise during the election and its decision shall be final
2. The Election Commission shall ensure a fair and balanced election process
3. The Election Commission shall enforce all Student Government election rules, Student Government Code of Laws, and university Policies.
4. The Election Commission will comply with all requirements stated in the SGA Code of Laws. In the event that a situation arises which has not been explicitly provided for in the Code or in this Election Code, the Election Commission will determine its validity and enforce any decision the Commission might make in acting upon such a situation.
5. The Election Commission shall brief the Senate as necessary about election progress, or upon request from the Senate.
6. The Election Commission shall canvas the election results.
7. The Election Commission shall confirm election results and proclaim the election results official.

D. Removal

1. In the event that a member of the Commission is charged with dereliction of duty or partiality by a written petition to the Election Commissioner and the Student Body President (unless he/she is running for reelection):
 - a. The Commission member shall be immediately suspended from Election Commission duties.
 - b. If necessary, the Election Commissioner, with the advice of the Student Body President (unless he/she is running for reelection), shall appoint a student to the Election Commission to assist with election duties.
 - c. A special committee will be comprised of five (5) students to review the petition and the committee shall have three (3) university business days to review the case against the Commission member. The committee shall be composed of two (2) SGA members not on the commission, 2 (2) non-SGA students not on the commission, and the Student Body Vice President (unless he/she is running for reelection in which case the Student President shall fill that role unless he/she is running for reelection.)
 - d. The committee shall then present their decision to the Commissioner about the Commission member charged with misconduct.
 - e. The Commissioner shall use the committee's decision as a guide but shall make the final decision regarding the member's alleged misconduct.
2. If the Election Commissioner is accused with mishandling of the election process, partial treatment of candidates or misconduct unbecoming of the Election Commissioner, then a petition signed by two-thirds of the Senate shall be presented to the Executive Director of Student Affairs
 - a. The Executive Director shall then hold a meeting with the Commissioner to discuss the petition. If he/she decides the complaint is unfounded after that meeting he/she shall send a formal letter to the Senate dismissing the petition.
 - b. If the Executive Director of Student Affairs decides the accusation has merit then he/she shall have the Commissioner resign and then notify the Student Government Faculty Advisor.
3. In the event that the Commissioner is removed from office, then the Executive Director of Student Affairs shall become the new Commissioner



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Article II-Filing

A. The process of filing shall be conducted in the office of the Student Government Association.

1. Filing for the Spring General Election shall begin on the first class day of February at 8:00 A.M. and end at 5:00 P.M. on the first day of March. If the first day of March should fall during the university holiday or weekends, then all applications will be due no later than 5:00 P.M. on the Monday following such an occurrence.
2. Upon completion of filing for the Spring General Election, the Election Commissioner shall require all candidates attend a mandatory meeting within 5 university business day after filing closes to be briefed on the election process. If a candidate misses for an excused absence according to University policy, then the candidate and Commissioner shall set a new date to meet within 3 business days. The Commissioner shall use this time to disseminate knowledge and elicit discussion relative to the Election Code, expectations of the candidates and all applicable university policies.
 - a. All candidates shall sign a statement indicating they understand and agree to abide by the Election Code, expectations, and all applicable university policies. Once this is completed, official campaigning may begin.
3. To be considered an official candidate for an SGA office, the filer must meet all of the following requirements:
 - a. Be certified through the Student Life office.
 - b. Be in good disciplinary standing with the university as defined by the university handbook.
 1. If a candidate is not in disciplinary good standing after filing for office and before being sworn in, then that entire ticket shall be removed from the race.
 - c. Sign a release form which states the candidate has read and understood the rules and regulations of the SGA Election Code. **See attached release form**
 - d. Meet all GPA and enrollment requirements as outlined in the Student Constitution and Senate By-Laws.
 - e. Submit a written campaign strategy to Election Commissioner prior to campaigning (a candidate may submit a strategy as soon as they file).
 - f. Hold office hours throughout the entire summer prior to assuming office for presidential and vice presidential candidates, if possible.
4. An exemption request must be completed by the candidate and filed with Student Life and Student Government Association if a candidate is unable to meet one of the criteria prior to being certified as a candidate. **See attached exemption request**
5. A Presidential or Vice-Presidential candidate must choose a running mate prior to elections. Running mates will be placed on the same ticket.



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Article III-Campaigning and Publicity Rules

A. Publicity Materials

1. A candidate must comply with the posting rules as directed by the Election Commission before posting publicity materials on the ASU campus and gain approval of the appropriate authorized Election Commission Official before posting any campaign material on campus.
2. A campaign must seek approval of all online publicity (posters, memes, promotional videos, etc.) by the Election Commission prior to posting. A campaign does not need approval to post election updates (days of voting, general tweets to remind students to vote with mention of candidate names, updates about what candidates are doing like attending ASU games etc.). Any questionable material that falls into election updates shall be reviewed by the Election Commission and appropriate consequences shall be rendered.
3. Any inappropriate content posted online by supporters of any candidates shall be removed or reported to the Election Commission who will determine appropriate action.
4. All posted publicity materials must comply with University posting rules and regulations and on approved University locations. Any material posted in an unapproved location shall be removed by an appropriate Election official or designee.
5. Each candidate shall be responsible for the removal and disposal of all campaign paraphernalia bearing his/her name. Failure to comply with this provision will result in:
 - a. Payment for clean-up as determined by the Election Commission
6. The Election Commission condemns any and all vandalism to campaign material and perpetrators shall face due consequences if discovered.
7. Failure or refusal to comply with any provisions listed in this section shall be deemed a violation and action from the Election Commissioner shall result.

B. Campaigning

1. Candidates shall submit their campaign strategy to the Commissioner for approval and any additional plans must be approved at the Election Training held by the Commissioner or Commission representative prior to campaigning. **See attached form.**
2. No campaign material shall be placed in the ASU library (with exception to the third [3rd] floor) or Caf.
3. Candidates are responsible for the actions and conduct of individuals knowingly associated with a candidate's campaign.
4. No candidate or organization may utilize any facilities, equipment, and/or services that receive university funding and are not available to the general student body for the purposes of campaigning.

C. Election Week

1. The Election Commission shall organize activities that include a speech by the candidates with their vision for the University, a town hall meet and greet, and debates. A faculty or staff member shall moderate the events. Appropriate questions shall be given to the moderator from the Election Commission. **See attached moderator questions**
2. All candidates for president and vice president of the student body shall comply with the Election Code and participate in sponsored election activities.



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Article IV-Campaign Finance

A. Limitations

1. The total expenditures for the election shall not exceed \$1,000 for all tickets combined. If necessary, the Senate Budget and Finance Committee shall request more funding for the election.
2. In case of run-off, limitations shall be \$150 for all tickets combined.
3. In the course of the election, SGA will allot a maximum of \$500 to the Election Commission for the promotion of the elections. This money will be used for unbiased publications, debates, or other activities.

B. Regulations

1. All candidates for president, vice president, and Senate shall submit to the Election Commission a report containing their total campaign expenditures verified by receipts within 72 hours of the posting of the results.
2. No businesses shall be solicited for campaign donations.
3. No additional university funds beyond that allocated from the Election Commission may be used for campaigns or issues involved with the campaign; this does not include student wages paid on behalf of Angelo State University.

Article V-Election Process

A. Elections

1. The General Election in the spring semester will be held on two consecutive days beginning on the second Tuesday of April. Any Fall Special Elections will be held on two consecutive days beginning on the second Tuesday following the close of the filing period.
2. Special Elections for referendums or amendments may be approved by a two-thirds vote of the Senate.
 1. All elections shall be conducted in online polls. The online voting will take place in a manner which will make best use of current technologies and software available to Angelo State University. The method by which voting will be carried out is to be determined by the Election Commissioner after counsel with a representative from the Department of Information Technology.
 - a. The Commissioner shall review the results of the election and verify them with the Department of Information Technology before announcing results.
 - b. The Commissioner shall have up to twenty-four (24) hours to announce the election results after voting has ended.
 - c. The entire commission shall canvas the election results, verify the results are correct, and proclaim election results to be official within seventy-two (72) hours after the voting has ended.
 2. The Commissioner in conjunction with the Department of Information Technology shall create a ballot that has all qualified candidates listed in alphabetical order of last name of the presidential candidate. There must be a space for students to cast votes for senatorial write-in candidate on the ballot.
 3. The Election Commission shall not establish a voting booth or official areas of voting.
 4. No candidate may set up a voting booth or areas of voting with voting equipment.
 5. No candidate, or individuals knowingly associated with the candidate, may carry electronic devices around campus specifically for students to vote on. This includes, but is not limited to: cell phones, laptops, iPad's, and iPhone's.
4. All SGA elections shall be available and accessible to all Angelo State University students.
5. The Student President and Vice President shall be elected by a simple majority.



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6. Senators shall be elected by a majority vote, with a minimum of five (5) votes to qualify.
7. Restrictions on election officials:
 - a. No member of the Election Commission shall influence the vote of another student in any way while serving on the Election Commission. Influencing the student vote is defined, but not limited to: Working for a specific candidate either officially or unofficially. Working for a candidate includes, but is not limited to: Writing or saying anything in any form (social media, print, over a broadcast etc.) that can influence a student's vote in favor or against any candidate.

B. Run-off Election

1. In the event that general election results are protested and the Election Commissioner deems it necessary, then he/she shall call for a runoff:
 - a. All run-off elections will be held on two consecutive days and will be completed within ten (10) days from the night the initial election results are posted, barring extenuating circumstances as determined by the Election Commissioner, such as protests.
 - b. The Commissioner shall hold a meeting with the candidates as soon as possible after a runoff has been called to explain any extra rules or requirements during the runoff.
 - c. All campaigning rules, election policies, regulations, and limitations shall apply to candidates during the runoff that applied during the regular election.
2. Run-off elections will only be held for presidential/vice presidential tickets. If there is a tie for a senatorial position and a run-off election occurs, the senatorial position resulting in a tie will be added to the run-off ballot. If there is not a run-off election, the current SGA Senate will vote on the senatorial seats resulting in a tie via secret ballot.

C. Senatorial Write-in Candidate:

1. Senatorial write-in candidates shall be eligible only if they meet the qualifications for the position they seek and receive the required amount of votes necessary.
2. Write-in candidates for senatorial positions must receive a minimum of five (5) votes from eligible voters.
3. No senatorial write-in candidate shall be considered elected until certified through the Election Commissioner.
4. Elected senatorial write-in candidates must report to the SGA office to submit a current address, phone number, and campus I.D number. Failure to comply by the first class day of the fall semester with this clause automatically disqualifies the candidate.
5. Elected senatorial write-in candidates will be contacted by a member of the Election Commission and be notified of their election, as soon as possible.
6. All senatorial write-in candidates must comply with the Election Code.

D. Recounts and Protests

1. Any person intending to contest the election must give the Election Commission, a sealed written statement of the grounds on which such contestant relies, which may include any and all supporting evidence to sustain such contest before election results are announced. All protests will be opened and read upon reception, by the Election Commission. Discussion of the protests shall remain between the Election Commission and the individuals involved until all protests have been filed.
2. The Election Commission shall consider all requests for recounts and protests. The Election Commission shall, upon reviewing the contestant's written statement, research the grounds on which the contestant relies, and they shall formulate a written report to the Election Commissioner.
 - a. Any additional evidence or violations that are discovered in the process of research shall be included in the protest. The Election Commission shall consider violations by a candidate other than the defendant that are discovered in the process of research as separate protests.



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- b. If the Election Commission deems a hearing necessary it shall be held as soon as possible after the last day of the election. The Election Commission shall give at least one (1) days' notice of the date, time, and place of the hearing to all the parties involved.
3. Procedures for Hearings:
 - a. Each candidate shall be allowed ten (10) minutes to present his/her case. At this time, evidence may be presented to the Commission (photographs, written statements, etc.). The contesting candidate shall be allowed to speak first.
 - b. Each candidate or his /her representative shall be allowed one, five (5) minute rebuttal, with the defending party speaking last.
 - c. The Election Commission will then, if necessary, question each candidate. Each party will be allowed one, three (3) minute closing statements.
 - d. The Election Commission shall meet in private to deliberate on the hearings and the written evidence provided, determine the validity of the protest. Within one (2) university working day thereafter, the commission shall submit to the parties a written report including the grounds for the decision.
 4. In determining the validity of a protest, the Election Commission shall:
 - a. Determine that a violation of the Election Code did not occur; or
 - b. Determine that a violation of the Election Code did occur but was not of a serious nature. In this event the Election Commission shall determine that a punishment or penalty is deemed unnecessary; or
 - c. Determine that a violation of the Election Code did occur and was of a serious nature. In this event the Election Commission shall determine a punishment or penalty as deemed appropriate by them; or
 - d. Determine that a violation of the Election Code did occur and was of the most serious nature. In this event, the candidate in question shall then be disqualified:
 - e. If the disqualified candidate received a majority of the votes cast then the next candidate with the most votes shall be declared winner.
 - f. If a candidate who did not receive a majority of the votes is disqualified, then the election results shall stand.
 5. If a protest is filed against the actual Election Commission then the process outlined in Article I Section D of the Election Code shall be followed. If the Commission member is found to have acted improperly the Commissioner shall assess the influence the member's actions could have had on election results by taking such factors into consideration as: When their action occurred in relation to when voting started and ended, the avenue by which the member acted with partiality (social media, printed material, speaking to student organizations etc.) and the range which it allowed in comparison to tangible amount of votes cast. If the protest has merit and the actions of the member could have tangibly swayed the election one way or the other, then there shall be a runoff between the top two contenders according to procedures established by Article V Section B of the Election Code.



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Article VI --- Enforcement and Penalties

1. Any violation of the election code shall come under the jurisdiction of the Election Commission.
2. Penalties for said violations shall be determined by a special session of the Election Commission soon as possible after the violation.

Article VII – Ratification and Amendments

1. This Election Code shall constitute valid operating procedures upon majority approval of the Angelo State University Student Senate and signature of the Angelo State University Student Body President.
2. Amendments to this code shall be made by a majority vote of the student senate.
3. Minor housekeeping work and corrections (spelling, punctuation, etc.) may be made to the code by the Judiciary and Rules Committee without legislative action as long as such an action does not change the meaning or intent of the Election Code.
4. The Judiciary and Rules Committee must notify the President of the Senate in an open letter to the entire Senate what changes they made to the Election Code with minor housekeeping.