

The Election Code Manual

Of the McNeese State University Student Government Association

Revised March 12, 2014

Preamble

“These Election regulations of the McNeese State University Student Government Association are established, consistent with the Student Government Association Constitution, to govern and maintain the regulation of any authorized Student Government Election at McNeese State University. The purpose of the Student Government Election Code is to provide guidelines to ensure that all SGA elections are fair to the individuals involved. These election regulations will not succeed the Student Government Association Constitution. In upholding its responsibility to the McNeese Student Body, the Election Board will endeavor to hold candidates to the highest level of accountability for their own actions, as well as those actions performed on their behalf.”

Purpose

This code shall be the governing document in regards to all aspects of the elections process for the Student Government Association of McNeese State University.

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Article 1

General Provisions

Section 1: Election Code Accountability

Every person who files for an office elected under the authority of the Student Government Association Constitution shall receive a copy of this Election Code Manual. All candidates and their representatives shall be responsible for the knowledge of its contents. A copy of the Election Code Manual must be given to the prospective candidate immediately following their filing for candidacy. All questions about the Election Code Manual shall be addressed to the Commissioner of Elections of the McNeese State University Student Government Association. A representative of each ticket or those running independently shall attend a mandatory meeting, set by the Attorney General or Commissioner of Elections, prior to active campaigning.

Section 2: Voter Qualifications

- A.) Voters must be students enrolled in McNeese State University for the current semester of the particular election.
- B.) All qualified voters wishing to cast their vote must have an active McNeese State University Portal account.
- C.) This will be determined in the procedures of the General Elections set forth by the Election Board Committee.
- D.) Only voters who have met the above qualifications will be allowed to cast their ballot.

Section 3: Records

The Following election records shall be kept for a period of five years:

- 1. Documentation and recordings of the suspected violations
- 2. Notification and Review Letters
- 3. Determinations of violations and appeals.

The Following election records shall be kept for a period of one year:

- 1. Expense Report

Article 2

Governance of Elections

Section 1: Commissioner of Elections

The Commissioner of Elections shall be appointed and confirmed by the Senate.

They shall have the following powers and responsibilities:

1. To serve on the Election Board Committee; and shall vote only to break a tie
 2. To serve as the administrative head of the election process;
 3. To have charge over all election personnel;
 4. To execute the provisions of the Student Government Constitution and Election Code.
 5. To ensure the Election Board presents a defense if any of their decisions are appealed or a complaint is filed against them;
 6. To provide to the Student Senate a weekly progress report during the election period;
 7. To provide to the Student Senate a calendar with the election timeframe two weeks prior to the first day of filing;
 8. To properly inform the campus community of 5th election timetable in a timely and public manner;
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9. All actions of the Commissioner of Elections require the Election Board's approval;
 10. All actions of the Commissioner of Elections done in opposition to the Election Code must be met by the majority vote of the Election Board.

Section 2: Accountability Commissioner of Elections

1. The Commissioner of Elections shall be responsible for upholding the Election Code and executing all decisions of the Election Board.
2. The Election Board may overrule any action of the Commissioner of Elections by two-thirds (2/3) vote of those present and voting.
3. Should the Commissioner of Elections fail to uphold his/her responsibilities he/she shall be removed from office following the Constitution.

Section 3: Election Board Committee

Sub-Section 1: There shall be seven members of the Election Board, including the Commissioner of Election. All members shall serve both semesters of the current academic year.

Sub-Section 2: The positions are to be appointed from the Senate by the Senate Chair and approved by the Senate.

Sub-Section 3: The Election Board will have the following powers and responsibilities:

1. If a vacancy occurs on the Election Board, the seat will be appointed by the Senate Chair and confirmed by the Senate for senate vacancies or appointees;
2. members of the Election Board shall remain politically neutral and shall be removed if they express any public or official form of support for a particular candidate at any time;
3. members of the Election Board shall enforce all election regulations in regards to this code and shall retain the right to subject any violations to the Dean of Student Services;
4. The Election Board may overrule any action of the Commissioner of Elections with a 2/3 vote.

Section 4: Election Board Duties

The Student Government Election Board will be responsible for performing a number of specific duties:

1. The Election Board shall meet within five school days before filing begins for the semester to assure they are familiarized with the election rules;
2. The Election Board shall enforce candidate filing deadline;

3. The Election Board shall certify the eligibility for candidate filing;
4. The Election Board shall certify candidates' names and submit them to the Senate Judicial Committee to be released to the Student Body. The names shall be released to the Student Body no less than two calendar weeks prior to the election;
5. The Election Board shall conduct a meeting to explain election regulations to all qualified candidates;
6. The Election Board shall supervise all activities and events related to the election. This shall include ensuring internet access to students wishing to cast their ballot, investigating complaints and providing assurance of a successful and fair election, and set official hours of availability to allow candidates and students to ask questions regarding elections;
7. Clarify the Rules and Producers governing student elections to all interested parties
8. Advise the Ethics and Judicial Committee on matter of statutory enforcement and complaints during the campaign period.
9. The Election Board shall submit the results of the election to the Senate of the Student Government Association at the first scheduled meeting after the close of elections. The Election Board must also inform the candidates and campus media of the results of the elections and the status of the Senate approval of election results;
10. The Election Board shall keep minutes of all meetings for public access and shall be filed with the Speaker of the House.
11. Keep a full and public record of their meetings and any hearings or rulings they may make and add a digital copy to the SGA website.

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Section 5: Election Board Ethics

The Election Board shall uphold these Election Code ethics as outlined:

1. Election Board members should have no affiliation or bias with a qualified candidate(s)'s campaign;
2. It shall be a violation of this code for any member of the Election Board to endorse or campaign for or against a candidate and/or ticket; as well as no member may file for candidacy without first giving up their position on the Election Board with a written letter of resignation to the Commissioner of Elections prior to the election;
3. Soliciting votes, wearing campaign material, or wearing any organization material that endorses a candidate or ticket is strictly prohibited.

Section 6: Quorum of the Election Board

Quorum of the Election Board shall consist of three members and the Commissioner of Elections. The Board may not conduct business without quorum. If in the case of a vacancy, then quorum shall consist of a majority of the remaining seats of the Board.

Section 7: Election Board and Judicial Committee Nomination Circumstances

Should any member of the Election Board or Judicial be nominated for an Honor Election, or desires to run as a candidate in an election, they must:

1. They must resign from the Election Board with a typed and signed letter of resignation in order to stand for the election. The vacancy on the Election Board will be filed in accordance with all other SGA ruling documents; or, they must turn down the nomination or drop out of the election.
2. If the Commissioner of Elections or The Attorney General:
 - a. They must temporarily resign from the Election Board or Judicial Committee with a typed and signed letter of resignation to stand for the election. Their vacancy on the committee shall be filled by another member of the committee; or,
 - b. they must turn down the nomination;
 - c. In the event that both the Attorney General and Commissioner of Elections are nominated

for an election, then the Chair of the Senate will appoint another member as a temporary Commissioner of Elections.

Section 8: Reporting

The Commissioner shall report to the President and Senate Body within two weeks following an election, the Committee shall submit a written report assessing the operations of the election. The report shall include conclusions on effectiveness of election regulations, and recommendations on ways to improve electoral administrations.

Article 3

Election Timetable

Section 1: Purpose

Shall be the official Timeline of the election process, detailing all deadlines and restrictions outline in the Election Code.

Section 2: Selection of Dates and Deadlines

1. The Election Board shall be in charge of setting all dates of the election-related events for the Fall and Spring Elections.
2. These date shall be approved by a two-thirds (2/3) Senate vote no later than the second meeting of the semester.
3. Once the dates have been set and approved the Commissioner of Elections will immediately deliver to Student Media, Student Body President, Speaker of the House, and the Attorney General.

Section 3: Announcement of Elections:

The Commissioner of Elections shall:

Sub-Section 1: Shall issue a press release at least five (5) class days prior to the opening of the filing period for fall and spring elections.

The announcement release shall list the following:

Sub-Section 2:

1. The positions to be filled by election;
2. Dates for the opening and closing of elections
3. Time and Place a person my file for office
4. Dates of Elections and any run-off; and
5. Name and contact information of the Commissioner of Elections.

Section 4: Order of Events

Sub-Section 1: The election time frame is not to begin before fourteen class days into the semester and not to be held any later than fourteen days before the end of the semester.

Sub-Section 2: The order of events for a campus-wide Student Government Association sponsored election, not including election for the consideration of a referendum brought by petition, shall be as followed:

- A. Selection of election related dates and deadlines.
- B. Announcement of elections
- C. Informational Meeting(s)

- D. Filing period
- E. Qualifying
- F. Posting of Sample Ballot
- G. Mandatory Meetings, Indoctrinations, Seminars
- H. Posting of Official ballot
- I. Active Campaigning
- J. General Election
- K. General Election expenditure reports filed
- L. General Election Results
- M. Filing of any Election Grievances
- N. Validation of General Election Results

Sub-Section 3: In circumstances of a runoff election the next five steps are as follows:

- A. Run-off Election
- B. Run-off Election Results
- C. Run-off Election expenditure reports filed
- D. Filing any Run-off Election Grievances
- E. Validation of Run-off Election

Section 5: Filing for Office

Sub-Section 1: An individual shall file as a candidate by:

- a. Filing his/her intention for candidacy by completing registration packet with the Election Board
- b. filing their platform stating the objectives of the year, with the Election Board during the filing period, and
- c. submitting a candidate information sheet as well as a signed grade release statement, provided by the Commissioner of Elections, and
- d. Any other information deemed necessary by the Election Board will be turned in to the SGA

office

Secretary.

Sub-Section 2: A period for filing shall be no more than 21 days before the date of the general election.

Sub-Section 3: Once a student has filed for a particular office, he/she may change to any other office during the filing period. After filing the student may either run for the position or drop out of the election completely.

Sub-Section 4: Any candidate or ticket that files for office shall file a campaign staff list. The staff list may be added or removed by the candidate until the close of filing period. Any modifications after will have to be brought up to the Election Board.

Sub-Section 5: Candidates for President and Vice President shall both be listed together on the ballot and identified as to which office the candidate seeks. If after the closing of filing, a candidate for Student Body President or Vice President has not qualified, has been disqualified, or withdrawn, then the remaining candidate may submit a name of a replacement candidate to the Commissioner of Elections and the candidate must be qualified by the Commissioner of Elections by 3:00pm on the fifth (5th) class day preceding the Election. The remaining candidate will also have the discretion to re-file as either President or Vice President upon selecting their replacement candidate.

Sub-Section 6: Any candidate or ticket that does not comply with all filing requirements shall not be qualified for any election to any office for the current election.

Section 6: Qualifying

The qualifications to run as candidate for any election shall be established by the McNeese Student Government Association Constitution.

Sub-Section 1: After the close of filing, the Commissioner of Elections shall submit the appropriate information for each potential candidate to the Office of the Dean of Students for verification. Once the Office of the Deans of Students replies to the Commissioner, they shall report to the Election Board with a listing of filed candidates. The Board will then review each candidate's eligibility for the Election at hand. After any amendments and final approval by the Election Board, the official list of qualified candidates will be posted outside of the SGA office.

Sub-Section 2: Failure to properly qualify shall mean automatic removal of the unqualified candidate from the election.

Sub-Section 3: Any student wishing to make an appeal on a candidate pertaining to their academics and/or discipline should be addressed to the Office of the Dean of Students. All other appeals should be made to the Commissioner of Elections and the Election Board.

Sub-Section 4: In the event only one candidate qualifies they will be declared the winner. Their name will still be put on the ballot with the option of "other".

Section 7: Indoctrinations and Candidate Seminar

Sub-Section 1: Indoctrination and Seminar meetings shall discuss campaign practices and answer any candidate questions. The exact time and place shall be determined with the Election timetable and announced by the Election Board Committee no later than five (5) days after qualifying.

Sub-Section 2: It is the duty of the Election board to use the meeting to inform potential candidates of policies of all policies within the election code as well as presenting the election timetable and answering questions candidates may have. Also, have no less than two meetings to provide this information.

Sub-Section 3: The Commissioner of Elections shall hold an Election Informational meeting before filing and qualifying. The purpose of this meeting will be to provide a simple explanation of basic campaign guidelines, and general election timetable, in hopes to fully educate potential candidates

Sub-Section 4: At indoctrinations, candidates shall sign a release stating that they understand all rules governing campaign procedures, and will adhere to the rules. Candidates who fail to abide by the procedures of the signed release will be immediately brought to the Election Board with suggestion of removal from the current elections.

Sub-Section 5: Indoctrinations are mandatory meetings when the Election Board will explain Election regulations, answer any questions of the candidates, announce any interpretations of this code pertaining to candidates and/or current elections. Failure to attend Indoctrinations will result in disqualification of a candidate/ticket by a majority vote of the Election Board.

Section 8: Use of an Agent

A candidate may send an agent to represent them at the seminar. Any person claiming to be an agent of a candidate shall be required to show written verification, signed by the candidate, identifying the person as an agent.

Sub-Section 1: If a candidate cannot attend these meetings that must have a valid university excuse provided (24 hours) in advance to the Election Board for review.

Sub-Section 2: Any candidate who fails to attend, personally, by agent, or who fails to contact the chair will not have his or her name placed on the ballot.

Sub-Section 3: Staff- It is a recommended that all campaign staff attend the candidate's meeting in addition to the candidate.

Sub-Section 4: If a staff member cannot attend they do not have to notify the Committee or send an agent; however, he or she will be held responsible for knowing all the Election Code policies and adhering to them.

Article 4

Tickets & Ballot

Section 1: Valid Ticket

All students wishing to run for an Executive Branch position in the Spring McNeese State University Student Government Election must form and run on a ticket. The eligible ticket will consist of a President and Vice President. A student will be allowed to run alone on a single ticket for the Office of the Treasurer.

Section 2: Ticket Name Recognition

In order for a ticket to be recognized in an election, it must be presented complete with a list of candidates and members affiliated with the said ticket. This will be presented to the Election Board at the indoctrination meeting, mentioned in the election time frame, for review and approval.

Section 3: Definition of Ticket

A ticket is recognized by this Election Code as an affiliation of candidates who group together to organize campaigning for an election.

1. Tickets are to have a Presidential/Vice Presidential candidate(s).
2. Tickets must account for the total amount of expenditures of the candidates who are affiliated with them.
3. Tickets as a whole may be held responsible for infractions of this code

Section 4: Ticket Organization and Preparation

Sub-Section 1: Ticket organization can include, but is not limited to the following stages:

1. Private discussions of prospective candidacy and ticket formation;
2. Selecting and forming a campaign staff; and,
3. Brainstorming ideas, strategies, slogans, and colors.

Sub-Section 2: Ticket preparation can include, but is not limited to the following stages:

1. Collecting financial contributions;
2. Holding campaign staff meetings;
3. Sharing platform ideas and issues with the campaign staff;
4. Recruiting candidates;
5. Reserving rooms for ticket meetings;
6. Holding initial ticket meetings with candidates affiliated with the ticket; and, designing, ordering, or receiving campaign materials.

Sub-Section 3: Ticket organization and preparation may begin at any time, but absolutely no campaigning may take place during these stages outlined in this section.

Section 5: Ballot

Sub-Section 1: Candidates shall appear on the General Election ballot in alphabetical order. This order shall be reversed in the Run-off Election.

1. Student Body President and Vice President shall not be voted on separately; they shall be listed together.
2. No ticket affiliation shall be listed anywhere on the ballot.

Sub-Section 2: The Commissioner of Elections shall post sample ballots outside the Student Government Executive Office and, the Office of Student Services, and in an issue of The Contraband, two (2) class days prior to any General or Run-off Election. The wording and layout of these sample ballots shall be the same as those used on Election Day.

Sub-Section 2: Corrections to Ballot

Candidates have the right to submit any corrections regarding the sample ballot two days (48 hours) prior to the elections.

Sub-Section 2: Withdrawal

If a candidate wishes to withdraw from an election, they must do so by a meeting with the Commissioner of Elections, in person, presenting a valid picture ID, and giving the Commissioner a written, signed statement of their withdrawal. After a candidate's resignation the Commissioner of Elections must inform all members of the Election Board to prevent any misinformation to eligible voters.

Article 5

Homecoming Elections

Section 1: General Provision

One candidate per class and per sex may be nominated by each University organization and by the student body and elected by the Student Association.

Sub-Section 1: All nominees must turn in an application to the SGA Secretary by the set date. The SGA Secretary shall turn in the name and ID number of each nominee to the Commissioner of Elections.

Sub-Section 2: The Commissioner of Elections shall check candidate's qualifications through the Office of Student Services and then report back to the SGA Secretary the status of candidate qualifications. The SGA secretary shall turn the qualified candidate's anonymous applications and essays in to the Selection Committee Chair.

Section 2: The Selection Committee

Sub-Section 1: The Homecoming Selection Committee shall be jointly appointed by the Student Government President and the Senate Chair and shall be a nine (9) member committee consisting of:

1. one (1) Executive Branch Officer who will serve as the Committee Chair;

2. one (1) Executive Branch or Judicial Branch member
3. one (1) Legislative member either The Senate Chair, Pro Tempore, or Appointed Designee;
4. two (2) Senators not affiliated with any of the nominating organizations as appointed by the Senate Chair or Pro Tempore or Appointed Designee;
5. one (1) member of The Contraband or the Log;
6. one (1) member of the Student Union Board; and
7. Two (2) members of the Faculty or Administration.

Sub-Section 2: The Selection Committee shall narrow down the nominees to the official ballot, which shall consist of the following of both sexes:

1. Seven (7) seniors/graduates, seven (7) juniors, seven (7) sophomores, and seven (7) freshmen.
2. from this number, three (3) seniors/graduates, two (2) juniors, one (1) sophomore, and one (1) freshman shall be elected to the court through a general student wide Election.
3. The senior/graduate candidate receiving the most votes shall be deemed Homecoming Queen and Homecoming King.

Section 3: Honors Election Prohibited Candidates

Executive Branch Officers including Student Government President, Vice President, Secretary, excluding the Treasurer shall not be allowed to run or accept nominations for Homecoming elections during their elected term.

Section 4: Honors Election Campaigning

In the Honor Elections, active campaigning is prohibited, with the exception of verbal solicitation. Any candidates found actively campaigning in an Honors Election will be voided from the ballot pending a majority vote by the Election Board.

Article 6

Campaign Practices

Section 1: Definition of Campaigning

Campaigning is any activity by a person that is intended, or likely, to encourage or discourage a voter to cast a ballot or affect how they votes, this includes the placement of any signs, posters, flyers or the like, on display. If a candidate or ticket member campaigns before the date set on the election timeline, the candidate or ticket member will be disqualified.

1. Active Campaign- the term "active campaigning" shall mean any direct distribution of campaign materials or verbal communication to promote or oppose a campaign
2. Campaign Materials- the term shall mean any advisement, document, or device of any kind whatsoever intended to promote or oppose a campaign
3. Campaigning will only be counted in active school days.

Sub-Section 1: Applicability

All individuals campaigning for the positions in Student Government shall fall under the provisions of this title and all other relevant provisions of this code.

Sub-Section 2: Campaigning includes but is not limited to verbal and/or electronic solicitation of votes and the following:

1. Distributing campaign materials other than private distribution to

- immediate campaign staff and candidates;
- 2. Announcing or discussing potential candidacy and/or ticket name in print, broadcast, public forum, or any other media;
- 3. Seeking endorsement (other than financial contributions) or voter support for a campaign at an official meeting of a registered student organization;
- 4. Posting any campaign materials; and,
- 5. Wearing apparel, buttons, stickers, and/or similar items explicitly reflecting an affiliation with a candidate or ticket; and,
- 6. Disseminating any campaign material via standard mail, e-mail, text message, or social media.
- 7. Using pictures to promote voters to sway a certain way.

Sub-Section 3: Display of Candidates

Candidates are allowed to submit a photograph for display during the election adhering to the following guidelines:

- 1. Candidates should have a photograph no larger than 8 inches by 10 inches;
- 2. Candidates are responsible for ensuring the availability of photographs for display;
- 3. All candidates whose pictures are turned in on time will be displayed;
- 4. The SGA is not responsible for any lost or damaged photographs;
- 5. All photographs are to be picked up in the SGA office after the election is held;
- 6. Campaigning may not begin until the time and date set forth by the Election Board Committee.

Sub-Section 4: Prohibited Events

- 1. Soliciting votes prior to active campaigning is prohibited and will result in immediate dismissal from the Election at hand, pending a meeting with the Election Board and Judicial for appeals.
- 2. In the Honor Elections, active campaigning and verbal solicitation are prohibited. Any candidate found actively campaigning in an Honors Election will be voided from the ballot pending a majority vote by the Election Board.

Sub-Section 5: Campaign Staff Rules

Candidates may form a campaign staff prior to campaigning period in order to assist candidates to prepare for the campaign period. The candidate must inform their staff of all rules of the Election Code in account that the candidates will be accused of all infractions of campaign staff.

- 1. Each Campaign should establish one member to be a Campaign Liaison.
- 2. The Liaison will be the leading person to submit complaints on behalf of the campaign
- 3. The Liaison will be the leading person to submit and represent a candidate at a scheduled hearing if he/she can not attend.

Section 2: Endorsements

Any student or organization that is registered with the University may publicly endorse any candidate and/or ticket for office that it has the prior approval of the candidate to be endorsed.

Sub-Section 1: Process

No candidate shall claim to endorse by any individual or organization, other than, unless the candidate has secured a written statement of endorsement from the endorsing individual or organization and presented it to the Election Committee.

Section 3: On Campus Rules and Regulations

Campaigning on campus must be conducted in compliance with all University rules. Failure to comply with any part of this code will be considered a violation of the Election Code. The rules are

as follows:

1. Campaign signs may be posted inside any campus building, following university guidelines. The only on campus buildings not permitted for campaigning will be in any McNeese State University Computer Lab. Campaign signs within academic buildings must be no larger than 8.5 by 11 inches.
2. campaign signs are permitted on bulletin boards
3. The area of any on-campus sign/billboard may not exceed fifty square-feet (5 by 10 feet). The Election Board will determine the locations where billboards can be placed.
4. signs are allowed off campus, and are not restricted by the campus limitations; however, these must be included in the total campaign expenditures.
5. Candidates are allowed to campaign in classrooms, but candidates must receive written permission from the professor.
6. All candidates shall conduct themselves according to the Student Code of Conduct of McNeese State University. Any candidate who violates the rules shall be subject to disciplinary actions by the Election Board.

Sub-Section 1: Education

1. Campaigning must not interfere with the educational life of the University. This includes but is not limited to the posting of campaign signs and/or posters in classrooms, and writing on chalkboards or similar devices.
 - a. Specifically exempt are candidate and ticket organizational meetings and meetings of registered student organizations, or events authorized by a building coordinator.
 - b. An Academic Building is defined as any place where classes are held on a regular basis.

Section 4: Campaign Ethics

- A. Candidates are expected to conduct themselves in an ethically appropriate manner in accordance with Student Government documents and the Student Code of Conduct, University Policies, and local and state law.
- B. A candidate or volunteer may under no circumstances intentionally interfere with the campaign of another candidate in any way, including but not limited to the destruction of campaign materials.
- C. No student shall make any threats to any voter to affect the students vote.
- D. No candidate or any individual working on a campaign may damage the character of another candidate, staff member or Elections Committee Member.

Section 5: Campaigning, Prohibited Materials

Rules:

No forms of campaign materials may be distributed prior to indoctrinations. The following methods of campaigning may not be used:

1. No individual posters, signs, cards, or the like may be placed on the floors, ceilings, or building structures without permission from the proper authority or authorities.
2. No sound equipment of any kind is to be used on university property or the streets adjacent to university property in connection with campaigning. No announcements may be made in cafeterias, residence halls, computer labs, New Ranch, Old Ranch, or Office of Student Services with regard to a specific candidate or candidates;
3. Decorating any car without the owner's consent is prohibited. This includes putting any flyers on a vehicle without the owner's knowledge.
4. Chalking of any kind (i.e. sidewalks, buildings, columns, structures, etc...) is prohibited.
5. The removal, or altering, of other candidates campaign material is prohibited under all

- circumstances. No candidates or supporters shall cover up or overlap another candidates material while on display.
6. Campaigning in the residence halls will only be allowed pending the approval of the house director.
 7. Students may not participate in campaigning while in the Student Government office, meetings, or at any sanctioned event. This includes distributing any campaign materials while at these places/events.
 8. No university logos, including the Student Government logo, are allowed on campaign materials.
 9. The use of alcoholic beverages, narcotics controlled illegal substances, or any sum of money in any SGA election by any candidate or his/her representative in connection with campaign materials, solicitation of votes, or any action that furthers the candidate's course is expressly prohibited..
 10. Any method that violates university or state policy is prohibited.
 11. No person shall make any threat to any voter to affect their vote. This includes candidates or people associated with their campaign.
 12. Any candidate found guilty of misconduct or slander shall be in violation of the Election Code.
 13. Any candidate or their supporters disrupting classes while actively campaigning shall be in violation of the Election Code.
 14. Any willful destruction or defacing of opposing campaign materials shall be considered a violation of the Election Code.
 15. No campaign signs may be posted within any computer labs on campus.
 16. Candidates are not to campaign negatively, or mudslinging as defined as "the exchange of assault or abuse": specifically the use of criticism and accusations, especially unjust ones, to damage the reputation of an opponent.
 17. Any activity may be prohibited with the vote of the Election Board Committee before qualifying for the election, and will be counted as a following rule.

Article 7

Campaign Spending

Section 1: Financial Terms

- A. Monetary Contributions are funds provided to a candidate or any ticket affiliate for use in the election or use in any way furthering that candidate's campaign or detracting from the campaign of any or all of that candidate's opponents.
- B. Expenses are spending incurred by any candidate or any ticket affiliate for use in the election or use in any way furthering that candidate's campaign or detracting from the campaign of any or all of that candidate's opponents.
- C. Donations are goods and/or services utilized by any candidate or ticket affiliate for use in the election or use in any way furthering that candidate's campaign or detracting from the campaign of any or all of that candidate's opponents.
 1. Funds used to purchase these items must not originate from monetary contributions or be purchased by any candidate, campaign staff member, or ticket affiliate for the express purpose of campaigning
 2. All donations shall be valued and reported at the fair market value of that good or service. Barring reasonable doubt, the Election Board will recognize the retail value paid for a good or service as its fair market value.
 3. Donations will count toward the total expenditure a candidate or ticket may spend.

- D. Total Expenditures are the summation of expenses and donations of which shall not exceed the ticket spending limit which is calculated based on Article VII, Section 2 of this document.
1. The Election Board reserves the right to revalue an expense or donation in response to a discrepancy and/or complaint that the good or service is not reported at its fair market value.

Section 2: General Election Spending Limits

Sub-Section 1: Total expenditures for President/Vice President tickets shall not exceed \$1200 per ticket including donations and services for any one election.

Sub-Section 2: Total expenditures for all other candidates/referendums shall not exceed \$500 per individual to include donations and services for any one election.

Section 3: Run-off Election Spending Limits

The expenditure limit for the Run-off Election of any candidate or ticket shall be one-half of the limits stated for the General Election.

Section 4: Scope of Expenditures

Total expenditures shall include all goods and services purchased or donated to a candidate or ticket for use in the election. This also includes what candidates spend on campaigning for the election.

Section 5: Valuation of Expenditures

All goods and services donated shall be valued at the fair market value of that good or service. The Election Board reserves the right to revalue a good or service in response to a complaint that the good or service is not reported at its fair market value. If more than one candidate is using a single campaign sign, each candidate will be charged an equal portion of the expenditure.

Section 6: General Expenditure Reports

All candidates are required to submit detailed expenditure reports. All receipts (copy of receipts) shall be submitted to the Commissioner of Elections by 12:00 p.m. in the SGA office on the day of the election. Candidates shall sign their reports and certify that they are accurate and complete under penalty of disqualification. These documents shall be put in the senate files and made public record after being certified by the Election Board.

Section 7: Expenditure of Unopposed Candidates

Candidates who are unopposed are considered elected; therefore, they should have no expenditures to be submitted for that election.

Article 8

Voting, Elections, and Results

Section 1: Voting Identification

Each member of the Student Body as defined by the Student Government Constitution shall be entitled to vote in each race for which the Student Body Constitution, Bylaws, or other applicable rules entitles him/her to vote.

Section 2: Voter Fraud

Should a student or candidate be found guilty of casting or receiving votes not in accordance with McNeese State University Student Government Association Election Code; shall be removed from the Election immediately by the Commissioner of Elections. Any ballots that are in question of not being valid due to multiple votes cast on one's behalf or internet malfunctions shall be cast as void after a majority vote of the Election Board. Any students who are involved with the fraud shall be called upon to meet with the Election Board to state their case, and shall then be brought to the Dean of Students for disciplinary actions under the McNeese State University Codes of Conduct.

Section 3: Online Voting

Students may vote from any voting apparatus, including but not limited to laptops or personal digital assistants, with access to the internet using Portal, or voting stations provided by the Election Board.

Sub-Section 1: Ballots will only be allowed to be cast once due to set regulations in the program. Should an eligible voter be unable to cast their vote, they will be directed to the Registrar's office to reset their password for the banners program. The problem will then be notified to the Commissioner of Elections and the student will be allowed to re-enter the program and cast their valid vote. This occurrence will be reviewed by the Election Board to assure no voting fraud was involved.

Section 4: Run-off Elections

Sub- Section 1: If no candidate or ticket in a Election receives a majority 50%+1 of the votes, the two candidates or tickets with the highest votes in the said election shall be in a Run-off Election. The Run-off election shall be held no less than three and no more than ten days class days following the election with the exception of when the University is not in session. The Election Board Committee will set the dates.

Sub-Section 2:

Should a candidate wish to call for a recount of the ballots, they must file the correct paperwork to the Election Board within (24) hours of the posting of the results.

Sub-Section 3:

Run-off election shall be conducted in the same manner as General Elections.

Sub-Section 4:

Should a tie occur in a runoff election, the election shall be decided by a coin toss to be held in the presence of the Commissioner of Elections, the SGA Advisor, and a current Election Board member. The Commissioner of Elections shall administer a Student Senate vote

Sub-Section 5:

Honors Elections are won by plurality vote and not necessarily by a majority vote. In the case of a two way tie, both candidates will receive the honor. The next highest vote receiver of the opposite sex shall also receive the honor.

Section 5: Special Elections

Special Elections will be held to the following rules and regulations as all others. The Election Board Committee shall have the power to set dates and timetable for the elections.

Section 6: Delaying Elections

The Election Board Committee shall have the power to delay the dates of election given that the election period set by the Committee to the previous dates that were approved.

Section 7: Election Results

Results of all Elections must be approved by a majority vote of the Election Board to be

submitted to the Senate. Approved results must be certified by a majority vote of the Student Senate on the next scheduled meeting after elections. Results of all elections shall be announced and posted by the Election Board within 48 hours (2 school days) after the approval of the Senate. Sub-Section 1:

If the Senate chooses not to ratify the results, then it shall instruct the Election Board to carry out remedies or conduct another election on a date which the Senate specifies.

Section 8: Validation of Election Results

All election results will be made final by majority vote of the Student Government Senate members. If no grievances or appeals are registered by 4:00 p.m. within two days of the announcement of the election results to the Senate, then all results are deemed final.

Article 9

Complaints, Appeals, Referendums and Petitions

Rule 1: Time Limits on Complaints

Complaints of Election Code violations must be submitted in writing to the Commissioner of Elections within twenty-four hours of the alleged violation. The Election Board will then, by the end of the next class day, decide what action shall be taken as a result of the complaint and notify both parties of the said action prior to the Board meeting. No action shall be taken by the Election Board unless the action is properly filed by the accusing party. A copy shall be presented to the Office of Student Services, and the Attorney General.

Rule 2: Standing Complaints

Any McNeese student may bring complaints of Election Code violations to the Election Board or the Judicial Committee.

Rule 3: Complaints Procedure

A complaint concerning irregularities in the conduct of an election by the Board may be brought by any McNeese Student. This complaint must be filed with the Attorney General within twenty-four hours after the closing of the election polls of the election in question. The student may pick up a template from the Student Government office to file their complaint.

- A. Complaints regarding violations of Election Code provisions must be submitted in writing to the Student Government office by 4:00 P.M. within two (2) class days of the alleged violation.
- B. The Election Board may also file complaints concerning irregularities in the conduct of an election. The Commissioner of Elections must submit these complaints to the committee by 4:00 P.M. within two (2) class days of the alleged position.
- C. Election results shall be deemed final at 4:00PM two (2) class days after their announcement. No complaints may be filed after the election results have been finalized. If the person who filed the complaint is not present at the hearing (if such presence is requested by the Election Board), the complaint shall be dismissed, pending a majority vote by the Election Board.
- D. At any given time prior to the hearing, the party filing the complaint may withdraw their

complaint in writing to the Commissioner of Elections

Section 1: Grievance

Any student, candidate, or faculty member wishing to protest any possible infraction of this Code shall submit the complaint in writing. The filer of the grievance shall be kept confidential for the public records.

- A. A candidate may not receive multiple numerical sanctions for the same incident, only steeper remedies if so deemed.
- B. May be dismissed if the complaint was not filed within two school days of the conclusion of all election procedures.
- C. May be dismissed if the complaint fails to state a cause of action for which a relief may be granted.
- D. May be dismissed if the Election Board Committee lacks jurisdiction over the subject or a party in the dispute.

Rule 4: Burden of Proof

The person(s) making the complaint shall have the burden of proving the alleged violation. There must be at least two eyewitnesses to substantiate any charge of Election Code violations. If the person who filed the complaint is not present at the hearing (if such presence is requested by the Election Board), the complaint shall be dismissed, pending a majority vote by the Election Board.

Rule 5: Notification of the Plaintiff and Defendant

After a complaint has been ruled on, the Election Board, or the Judicial Committee, shall take immediate action to notify the plaintiff and the defendant; this must be done within twenty-four hours of the Election Board ruling.

- A. All rulings of the Election Board shall be made publicly disclosed within twenty-four hours

Rule 6: Hearings

- 1. Shall set a time and place of hearing. The time should be reasonable where the public would be able to attend.
- 2. Shall notify the plaintiff and defend of the time and place of the hearing
- 3. Shall be open to the public
- 4. Shall determine the format of the hearing in such a manner where all parties represented equally and the information necessary to make a decision is provided.
- 5. The presentation by witnesses or expert testimonies is allowed. However, the witness shall not be questioned on their testimony by any party.
- 6. Ignorance of the Election Code, either by candidates, staff, parties, or members of the Election Board Committee, shall not be an acceptable defense in response to any offense committed in any election governed by this code.
- 7. Decisions, orders, and ruling of the Election Board Committee shall be announced as soon as possible after the hearing and must be concurred to by the majority of the Committee.
- 8. All Hearings and sanctions shall be dismissed or ruled on within three school days.
- 9. Failure to attend or send a representative by either party shall not constitute an admission of violating the election regulations.

Rule 6: Appeal Certification

In the case of an appeal, the Judicial Committee is the last to review the rulings of the Election Board. A candidate may present their case to the Judicial Committee and it will then be decided by a majority vote if the Election Board was unjust on their rulings of the accused party. The Judicial Committee will then propose an alternative ruling to the candidate's eligibility for the election at hand.

- 1. Any determination of violations made by the Commissioner and Election Board may be appealed by the complainant or respondent.

2. Appeals must be filled with the Attorney General within 15 hours of the ruling of the Board.
3. At the completion of the hearing, The Judicial Committee shall notify the original complainant and respondent, Commissioner, and make public decision of appeal.

Sub-Section 1: Grounds for Appeal

1. The determination of violation failed to follow written procedures and rules outline by the Election Code.
2. There was not sufficient evidence to support the determination of violation
3. The determination of violation was reached in an unjust manner including but not limited to presence of bias; unreasonable or discriminatory action.
4. The penalty was too harsh or lenient.
5. There is new evidence that was not known nor could have been discovered at the time of review.

Rule 7: Definition of Petition and Procedural Steps

A petition is the device whereby a constitutional amendment, a matter affecting a student self-assessed fee, or a recall of an elected officer is placed on the ballot as provided by the Student Government Constitution.

Section 1: Procedure for Filing Petitions

A. A petition is the device whereby a constitutional amendment, a matter affecting a student self-assessed fee, or a recall of an elected officer is placed on the ballot as provided by the Student Government Constitution.

The procedural steps to be followed are:

1. Submission of the petition with the Election Board or the Office of the Dean of Students;
2. Collection of signatures by the proponents; and,
3. Submission of the signatures to the Student Body President, recipient, or proposed recipient of the self-assessed student fee or the entity considered a candidate.

Section 2: Petition Submission

Prior to a petition being circulated for collection of signatures, it must be registered with the Election Board.

- A. Submission is accomplished by filing a copy of the petition with the Election Board in the Student Government office or the Advisor of SGA.
- B. If the Election Board obtains a proposed amendment to the Student Government Constitution under the guidelines of the Student Government Constitution, a full copy of the text of the amendment must be filed at this time also.
- C. If the Election Board is unable or unwilling to accept the submission of the petition, it may be registered with the Office of the Dean of Students instead.

Rule 7: Referenda

Section 1: Referendum Submission

The procedures for submitting a referendum shall be as follows:

- A. Submission of the referendum to the Election Board from the Student Senate after approval; or,
- B. Submission of a petition signed by ten percent (10%) of the membership of the Student Body presented to the Student Body President.

Section 2: Regulations for Candidates of a Petition or Referendum

- A. The proposed recipient shall be held to the same regulations and sanctions as candidates for office mentioned in on this code.

- B. The benefiting group or entity shall register a representative to serve as a Liaison for matters dealing with the Election Board. The name of said person must be submitted to the Commissioner of Elections by the same methods of the Ticket Representative discussed in this Code.

Section 3: Titling and Describing a Referendum

- A. The Election Board shall title the referendum for the ballot, with the consent of the recipients, and shall place the name of said referendum on the ballot.
- B. If a title cannot be agreed upon, the referendum shall be named according to its legislative number given by the Senate.
- C. For a referendum regarding self assessed student fees, it must include the name of the fee and the proposed cost for students.
- D. For a referendum concerning any other matter, it must include the title of the referendum and an unbiased description of the two possible outcomes written by the Election Board and approved by the appropriate adviser(s).

Article 10

Penalties

Rule 1: General Provision

If the Election Board Committee is satisfied beyond a reasonable doubt that an individual or group has violated provisions of this rule, the individual or group shall be sanctioned. All infractions resulting sanctions will be publicly disclosed within twenty-four (24) hours within class days after any hearing. Such penalties may only be given and enforced by the Committee.

Rule 1: Sanctions: Violations of Campaign Spending Limits Rules

Any candidate failing to file any report of campaign expenditures or exceeding the limit on campaign expenditures set forth by this Code shall be disqualified. The Commissioner of Elections has twenty-four hours to inform the candidate of disqualification; the candidate must then have all campaign material removed by 4:00 p.m. the following day.

Rule 2: Sanctions: Candidates

Section 1: If a candidate or ticket is found guilty of violating this Code, the candidate or ticket shall be penalized by the Election Board, and/or the Judicial Committee, in the manner deemed appropriate from the following:

1. public censure, for the minimum sanction;
2. forfeiture of the candidate's deposits;
3. restriction of the candidate or ticket from campaigning for a fixed period of time in such a manner as the Election Board feels appropriate;
4. suggestive, self-imposed punishment suggested by the defendant and agreed upon by the Election Board;
5. Disqualification from the election they are currently in (in which case the Election Board may pursue disciplinary action with the Dean of Students.);
6. bar the accused from running for any other public office of the university while they are a member of the McNeese Student Association (in which case the Election Board may pursue disciplinary action with the Dean of Students.); or
7. Any combination of the above.

8. The Election Board Committee shall look at past precedence for assigning penalties.

Section 2: Provisions

1. A sanction while on probation will, at least automatically suspend the candidate from further campaigning or for a set time with discretion of the Election Board.
2. Any decision by the Elections Committee other than a formal reprimand shall be considered a sanction.
3. If the candidate has chosen to appeal the timeframe of the appeal will be frozen until the Judicial Committee has ruled.
4. The Candidate shall have at least twenty four (24) hours to acted on a sanction.

Rules 3: Penalties for Others

- A. If a person who is not a candidate or if an organization is found responsible for violating this Code by the Election Board and/or Judicial Branch, the person or organization shall be penalized by the Election Board and/or the Judicial Branch in the manner deemed appropriate from the following:
 1. Private censure reserved for only unusually minor cases;
 2. Public censure, the general minimum sanction;
 3. Suggestive, self-imposed sanction made by the appellate and agreed upon by the Election Board; or
 4. Pursue disciplinary action with the Office of the Dean of Students.
- B. The Election Board is encouraged to consider past precedent when distributing penalties.

Rule 4: Report with the Office of Student Services

The Election Board and the Supreme Court may require the Commissioner of Elections to file a report with the Dean of Student Services. It shall be written as a recommendation that the Office of Student Services review the alleged offense of the individual, the ticket, or the organization under the provisions of the Code of Student Conduct or other appropriate University rules.

Article 11

Miscellaneous and Amendments

Section 1: Ratification

Upon ratification by a two-thirds vote in Student Government Association Senate, this Election Code shall supersede all previous governing documents regarding elections, which shall be deemed null and void.

The Amendment Procedure shall be as follows:

Rule 1: Election Code Copyright

No words may be changed from pages 1-21 of the McNeese State University Student Government Association Election Code Manual without first going through the proper amendment process; unless it is grammatical or spelling errors.

Rule 2: Process of Election Code Amendment

The Election Code amendment process shall be as follows:

- a. a proposed Election Code amendment shall be recommended by a majority vote of the Senate through legislation;

- b. The recommendation shall lie on the table for a week. After that period, it shall be taken off the table and proposed to the Senate for a two-thirds vote;
- c. after a two-thirds vote of the Senate is achieved, the amendment shall be deemed pass.

Section 2: Prohibition of Multiple Candidacies

No person may be a candidate for more than one (1) office established under, or elected under the authority of, the Student Government Constitution.