Article V: Rules on Elections

Section 1: General Provisions
A) This section shall apply to all aspects of the electoral process for the Student Government Association (SGA) of University of North Texas at Denton. Candidates for any election, opponents/proponents for any referenda on the ballot (“Referendum Parties”), and members of the Election Board shall be responsible for the regulations provided herein. Ignorance of these regulations shall not be an acceptable defense in response to any violation in any election, either by the candidates or Referendum Parties themselves or by individuals campaigning on behalf of a candidate or Referendum Party.
B) These regulations are subject to interpretation only by the Election Board, interpretation of which is subject to review only by the SGA Supreme Court. Additionally, any liberties of interpretation given specifically to the Election Commissioner are subject to review by the SGA Supreme Court. No other member of SGA or the Election Board is authorized to provide interpretations of the Election Code.
C) Candidates and Referendum Parties may contact the Election Commissioner for the purpose of consultation pertaining to the election. The Election Commissioner shall be contacted via UNT e-mail, and the Election Commissioner will make reasonable attempts to respond to queries within one (1) business day.
D) The Election Code is intended to provide for the fairness, equitability, and efficiency of all SGA elections with respect to candidates, Referendum Parties, and voters. In the absence of established guidelines, rulings concerning elections should be made with this principle in mind.

Section 2: Election Board
A. The Election Board shall consist of six members and an Election Commissioner appointed by the SGA President.
B. The Election Commissioner shall be a paid member of SGA and, while not considered a member of the Executive Branch, will be held to the obligations outlined in Bylaws Article III, Section 5 (Student Government Paid Employee Obligations).
C. The job responsibilities, to include required office hours, and payment agreement of the Election Commissioner shall be approved by the Student Senate at the third full Senate meeting of each long semester.
D. General Duties of the Election Commissioner:
   A. to serve as a liaison between the Election Board and other entities on campus.
   B. oversee Election Board meetings, represent the Election Board in any public situation, draft the final election report, and only vote on an Election Board decision in the event of a tie.
C. hold office hours, plan Election Board-sponsored election events, maintain contact with electoral candidates, and coordinate other duties that may arise, as directed by the SGA President or Senate.

E. The Election Board shall have the power to rule on matters pertaining to Elections, including but not limited to: interpretations and violations of the Election Code, questions of candidate eligibility not covered in Article XIII, Section 1A of these Bylaws, candidate and Referendum Party complaints and concerns, questions of referendum eligibility, filing dates and deadlines, and the certification of any election results.

E. Appointees must be approved by the Student Senate at the second full Senate meeting of the fall semester and must be present to be confirmed, unless the appointee has class or work during this time, as verified by the SGA Advisor.

F. Election Board members must meet the active member eligibility requirements as stated in Article XIII of these Bylaws. No member of the Election Board shall be an active member of any branch of SGA or the Freshman Intern program, nor an elective candidate, while serving on the Election Board.

G. Election Board members shall not endorse or in any way promote a candidate.

H. In case of a vacancy in the Election Board, the SGA President must immediately appoint a replacement. This replacement must be present at the next full SGA or Senate meeting to be confirmed, unless the appointee has class or work during this time, as verified by the SGA Advisor.

I. All Election Board meetings will be open only to Election Board members and the SGA Advisor. The Board shall keep written minutes of all meetings, including hearings. Quorum for all Board meetings, including election certification meetings, shall be defined as three Board members plus the Election Commissioner.

Section 3: Election Calendar

A. The Election Board shall present a list of Official SGA Restricted Zones and an Election Calendar to the Student Senate at the third full Senate meeting of each long semester. The calendar shall include dates for filing periods, mandatory meetings, referenda deadlines, campaigning, general elections, run-off elections, and release of the final election report.

B. Dates for Special Elections shall be established by an act of the Student Senate or ballot referendum at least three (3) full academic weeks before the week of the election proposed by the legislation.

Section 4: Rules on Candidacy

A. To be eligible for candidacy, an individual must meet active member
eligibility requirements as stated in the SGA Constitution and Article XIII, Section 1, of these Bylaws. An individual must meet these requirements prior to the beginning of campaigning. These requirements shall only be confirmed by the SGA Advisor.

B. An individual must file for candidacy via the designated application. At the close of the application, the Election Commissioner will notify applicants, by email, of their eligibility for candidacy.

C. Each candidate must attend an Election Code meeting hosted by the Election Commissioner; attendance at all mandatory meetings is required for election eligibility.

D. Only in the event that a position is running unopposed shall a write-in candidate be allowed.
   a. After the application closes, write-in candidates may file a Voluntary Compliance notice with the Election Board. This notice shall bind write-in candidates to election regulations and subject the candidate to disciplinary action in accordance with said regulations. This notice shall also allow such a write-in candidate to participate in forums, debates, election guides, or other events or activities deemed appropriate by the Election Commissioner. Write-in candidates shall not be able to participate in such activities without such a notice. The required content of the notice shall be determined by the Commissioner. A write-in candidate shall never be placed on an official ballot by means of this notice.
   b. If elected, write-in candidates shall be accepted provided they meet the active member eligibility requirements as stated in the SGA Constitution and Article XIII, Section 1 of these Bylaws. These requirements will be confirmed by the SGA Advisor.
   c. Upon release of the final election report, elected write-in candidates must submit the following to the Election Commissioner within forty-eight (48) hours:
      i. A Statement of intent to serve in the elected position.
      ii. An expense report, if required by that position.
   d. If a write-in candidate fails to submit these documents, or exceeds the campaign expenditure limit for the position in which they are elected, then they shall be disqualified.

E. Any candidate may withdraw his/her name from the ballot any time prior to 5 p.m. on the business day before the election by submitting written notification to the Election Commissioner. The Election Commissioner shall verify said notification and provide notice to the SGA Advisor.

Section 5: Rules on Campaigns

Subsection 1: General Campaign Rules

A. Candidates and Referendum Parties shall take reasonable measures to ensure that every individual campaigning on behalf of or volunteering for the candidate/Referendum Party is aware of campaign regulations and guidelines.
Candidates/Referendum Parties may be liable for the campaign infractions of their campaigners and volunteers even if the candidate/Referendum Party did not specifically direct the offending action.

B. Candidates and Referendum Parties may only begin publicizing their campaigns after the Election Code meetings have been held and on the date set forth on the Election Calendar. If candidates or Referendum Parties are found publicizing their campaigns in any way before the above dates, it is grounds for disqualification.

C. Candidates and Referendum Parties shall abide by all University policy, which supersedes Election Board mandates and Election Code regulations.

D. Candidates and Referendum Parties shall not damage any University property and shall be responsible for any damage caused by said candidate’s/Referendum Party’s campaign materials.

E. Candidates and Referendum Parties shall not unduly disrupt the normal activities of the University.

F. Candidates and Referendum Parties shall assume responsibility for the accuracy and truthfulness of their statements and campaign materials.

G. No University, State, or public funds may be used by Candidates or Referendum Parties. This includes the utilization of employee work time. No Candidate or Referendum Party may solicit campaign assistance from an employee during the employee’s work hours.

H. The Election Commissioner and Election Board members have the right to solicit the names of all members of a campaign from the affiliated candidate or Referendum Party.

I. All posters and signs must be placed in accordance with University policy and may not exceed 18x24 inches.

J. No more than 20 ground signs may be placed on campus, but other promotional items are not limited in quantity.

K. Each candidate and Referendum Party shall be responsible for the removal of their campaign materials from public areas and buildings by the Monday following the final election report. Failure of Candidates and Referendum Parties to remove their materials may result in a violation of the Student Code of Conduct.

**Subsection 2: Rules on Presidential Campaigns**

A. President/Vice-President candidate teams may spend up to 1000 dollars on their campaign.
   a. An additional 300 dollars may be spent in the event of a run-off election.

B. A typed expense report must be filed with the Election Board at the close of polling. These reports must include itemized
receipts of all purchases made pertaining to the candidate team’s campaign.

Subsection 3: Rules on Senatorial Campaigns
A. Senatorial Candidates may spend up to 300 dollars on their campaign.
a. An additional 100 dollars may be spent in the event of a run-off election.
B. In the event of a dispute, candidates must be able to provide a typed expense report, to include itemized receipts of all purchases made pertaining to the candidate’s campaign.

Subsection 4: Rules on Election Board-Sponsored Campaigns
A. In the interest of increasing undergraduate student engagement and voter turnout, the Election Board may produce campaign materials or host campaign events, to be promoted via SGA communication and marketing channels.
B. Such materials or events shall not endorse any one candidate or item on the ballot, but shall give unbiased information about the election, candidates, and referenda.
C. Such events and materials may include, but are not limited to: debates, town halls, forums, and election guides.

Subsection 5: Rules on Special Buildings and Areas
A. SGA Office
No campaigning may take place within the SGA Office. Any materials that are campaign related may not be stored or left in the SGA office/space.
B. Campus Housing
All campaigning and campaign material in or on the property of UNT Housing requires the expressed consent of the Director of UNT Housing & Residence Life or designee, and must abide by UNT Housing policies. Door-to-door campaigning shall not be permitted under any circumstances.
C. Willis Library
No campaigning may take place inside of Willis Library, or within 50 feet of its front doors.
D. Restricted Zones
Candidates and Referendum Parties shall not campaign or display in any manner campaign material within fifty (50) feet of Restricted Zones. Restricted Zones will be defined by the Election Board, and presented with the Election Calendar each semester.

Section 6: Ballot Referenda
A. Ballot referenda for any legal purpose may be proposed by a two thirds (2/3) absolute majority vote of the Student Senate or by a verifiable petition of 5% of the members of the undergraduate Student Body.
i. All proposed referenda must be submitted at least seven (7) weeks prior to the end of the semester in Fall and at least one (1) week prior to Campaign Week opening in Spring.
ii. Any action proposing a ballot referendum must specify whether the issue shall be considered in the immediately following general election or in a special election called for that purpose and must state the requirements for the passage of any such referendum.

iii. Meeting the requirements for the proposal of referenda shall be considered sufficient grounds and merit for the calling of such an election.

iv. No petition may call for the re-vote of a student election without evidence of gross violations of election regulations as stated in Article VI of these Bylaws. The validity of a petition for a re-vote will be determined by the Election Board or the SGA Supreme Court.

B. For referendum items affecting the entire student body, referendum processes shall be governed by the most current Memorandum of Understanding with the Graduate Student Council.

Section 7: Rules on Elections

A. General Elections shall be held no later than three weeks prior to Pre-Finals Week, unless the Election Board deems this impossible.
   a. The Fall General Election shall exist for the election of referenda by the undergraduate Student Body, if necessary.
   b. The Spring General Election shall exist for the election of members of the Senate, President and Vice-President, and referenda by the undergraduate student body.

B. Polls must be open for a minimum of three (3) school days in any election.

C. Elections shall be held solely via SGA’s voting platform.

D. At the close of polling, the Election Commissioner will create a final election report. The report shall be certified by the signatures of the Election Commissioner, every member of the Election Board present at the election certification meeting, and the SGA Advisor. The final election report shall be considered official 24 hours after being certified. The report shall include:
   a. The total number of votes cast for each candidate;
   b. The total number of consenting and dissenting votes in any referenda and whether they passed or failed;
   c. Any written rulings issued by the Election Commissioner;
   d. The minutes of any Election Board hearings;
   e. Information about any election irregularities or problems reported to date; and
   f. Any other appropriate information deemed necessary by the Election Commissioner.

E. Unofficial results shall not be released to any party, under any conditions.
F. In the event that no Presidential/Vice-Presidential candidate team receives a simple majority of votes, or in the event that two or more Senatorial candidates tie for a seat, a run-off election will be held.

G. Candidates in a run-off election will be given at least 72 hours to campaign.

**Section 8: Rules on Oversight**

**Subsection 1: Election Commissioner Rulings**

A. Any candidate or Referendum Party in an SGA election wishing for clarification may request a ruling on any part of the Election Code by submitting a request in writing to the Election Commissioner.

B. The Election Commissioner shall honor all requests within one business day and post rulings on the SGA web page and distribute them to all candidates by e-mail.

C. The Election Commissioner's ruling shall be considered binding until overturned by the SGA Supreme Court.

D. The Election Commissioner shall not make any ruling beyond interpretation of the Election Code.

**Subsection 2: Election Code Violations**

A. Failure to comply with the regulations of the Election Code may result in punitive action being taken by the Election Board. Any alleged Election Code violation is subject to a hearing by the Election Board. Furthermore, if the Election Code violation is also a University policy violation, this may result in disciplinary action being taken by the Dean of Students office.

B. All complaints regarding violations of election regulations shall be submitted in writing to the Election Board within 24 hours of the close of polling. Complaints shall include details of the presumed violation, such as date, time, and name(s) of involved individuals. Evidence shall be provided when appropriate.

C. Upon receiving a complaint, the Election Board shall have 72 hours to conduct a hearing. Each involved party will be given a reasonable amount of time to state their case, during which period any Election Board Member may ask questions.

D. After hearing all applicable evidence, the Election Board will deliberate on a ruling of candidacy. A majority vote of Election Board Members present, assuming quorum is met, is required to render any decision. The Election Commissioner may vote only in the event of a tie. Any decision of the Election Board shall be made public immediately.

E. Should a hearing be unable to be scheduled before the release of the final election report, the election results affected by the complaint will be withheld until after the Election Board ruling. All other election results shall be published according to the approved Election Calendar.

**Section 9: Senatorial Succession**

A. In the event that an elected Senator vacates their seat prior to the Fall
semester, the following process shall take place:

a. The Speaker of the Senate will use the previous General Election results to determine who the candidate with the next most votes was, within the same College, School, or Academy.
b. This is to pertain specifically to each College, School, or Academy as to not allow senators who ran for other Colleges, Schools, or Academies to occupy a seat outside of their constituency.
c. In the event that the first Senatorial candidate rejects the offer of the seat, the Speaker of the Senate will contact the Senatorial candidate with the next most votes.
d. The process mentioned above will continue until either all the seats in each College, School, or Academy are filled or the list of Senatorial candidates is exhausted.
e. In the event that the next eligible senatorial candidate ties with another in number of votes, all candidates will be informed of the tie.
f. Following communicating with the candidates, if and only if all senatorial candidates want the seat, the Speaker of the Senate will look at the candidate application dates to determine who applied for the seat first. That candidate will receive the seat.

B. If an elected Senator vacates their seat after the start of the Fall Semester, the appointment process described in Article I, Section 6 of these Bylaws will be followed.