

Xavier University
Board of Elections

Elections Code

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Elections Code

This Code implements and responds to the requirements of the Association Constitution adopted February 1994 and all current amendments. A copy of this Code shall be maintained in the Association historical record.

Table of Contents

Chapter 1: General Provisions

- 1.1 Effective Date
- 1.2 Amendment Criteria
- 1.3 The McMorran Clause
- 1.4 University Policy

Chapter 2: Board of Elections

- 2.1 Board of Elections
 - a. Definition
 - b. Appointment
 - c. Role of Chairperson
 - d. Role of Members
 - e. Vacancies
 - f. Removal from Office

Chapter 3: Voter and Candidate Eligibility

- 3.1 Voter Eligibility
- 3.2 Candidate Eligibility
 - a. Student Senate
 - b. Executive

Chapter 4: Requirements of Candidacy

- 4.1 Requirements of Candidacy
 - a. Student Senate Requirements
 - b. Executive Requirements
- 4.2 Candidates Studying Abroad

Chapter 5: General Elections Guidelines

- 5.1 Election Schedule
- 5.2 Announcement of Candidacy
- 5.3 Campaigning
 - d. Canvassing
 - e. Social Media and Websites
 - f. Indoor Signs
 - g. Outdoor Signs
 - h. Flyers, Handouts, and

Giveaways

- 5.4 Budget and Budget Reporting
 - a. Value Assessment
 - b. Reporting Penalties

- c. Run-Off Elections
- d. Secure Donations Clause

5.5 Executive Campaign Grant

Chapter 6: Rules Violations and Penalties

- 6.1 Rules Violations
- 6.2 Penalties
 - a. Immediate Disqualification
 - b. Five (5) Points
 - c. Ten (10) Points
 - d. Fifteen (15) Points
- 6.3 Appeals

Chapter 7: Voting

- 7.1 Voting

Chapter 8: Election Procedures (BOE)

- 8.1 Official Ballots
 - a. Issue Questions
- 8.2 Promotions
 - a. Posting Guidelines
- 8.3 BOE Sponsored Events
- 8.4 Designated Polling Stations
- 8.5 Determining the Winner(s)
 - a. Run-Off Elections
- 8.6 Announcing Results
 - a. Write-In Candidates
 - b. Issue Questions

Addendums:

- a. Declaration of Candidacy
- b. Candidate Profile & Headshot
- c. Election Contract
- d. Senator Informational Meeting Verification
- e. Executive Advisor Informational Meeting Verification
- f. Executive Ticket Nominating Petition

Chapter 1 General Provisions

Para 1.1 *Effective Date:* This Elections Code, hereinafter “Code”, will be effective immediately upon approval by a three-fourths (3/4) vote of the Student Senate and ratification by the Association President and will govern all Student Government Association elections.

Para 1.2 *Amendment Criteria:* This Code may be amended by a simple majority of the Board of Elections, hereinafter “BOE”, in coordination with a two-thirds (2/3) vote of the Student Senate and ratification by the Association President. Amendments to this Code may not occur within thirty (30) days of the start of any Student Government Association election.

Para 1.3 *The McMorran Clause:* Any issue that arises, that is not stated in this Code, will be decided by simple majority vote of the BOE.

Para 1.4 *University Policy:* This code does not supersede the Student Handbook or any Xavier policies/procedures. It is expected that all candidates will adhere to Xavier policies and procedures throughout the campaign and election process or could face disciplinary action with the University.

Chapter 2 Board of Elections

Para 2.1 *Board of Elections:*

- a. *Definition:* There will be a BOE to conduct all Student Government Association elections. The BOE will be a Subordinate Body under the provisions stated and defined in the Association Constitution and will consist of five members:
 - i. One (1) Chairperson and
 - ii. Four (4) members.
- b. *Appointment:* Following an application and interview process, the newly elected Association President will appoint all members of the BOE, including the Chairperson, with ratification by the Student Senate.
 - i. The Chairperson and upper-class members will be appointed by the end of the current spring semester and will serve a term of one calendar year.
- c. *Role of the Chairperson:* The Chairperson shall:
 - i. Ensure that the requirements of this Code are met by all members and candidates
 - ii. Serve as the official spokesperson for the BOE
 - iii. Determine the dates on which the required meetings, filings, permitted campaigning, events, and polling will occur
 - iv. Coordinate Informational Meetings
 - v. Confirm all relevant policies, BOE procedures, and specific canvassing times with Residence Life
 - vi. Select volunteers who are not candidates in the current election to assist in election-related activities
 - vii. Maintain an accurate record of the BOE’s decisions
 - viii. Set up the process for online voting
 - ix. Monitor voting throughout each election with the Advisor
 - x. Inform campus on how to submit rules violations
 - xi. Present a summary of each election to the Student Senate within two (2) weeks of the close of each election

- d. *Role of the Members:* Members shall:
 - i. Assist the Chairperson in conducting all official election tasks.
 - ii. Be present at all meetings and functions as required by their duties and as delegated by the Chairperson.
- e. *Vacancies:* Should a vacancy arise on the BOE within thirty (30) days of the start of any campaign period, the seat will remain unfilled until after the election period. In the event of a vacant Chairperson position, the BOE and BOE advisor will jointly appoint a Chairperson from the remaining members. All other vacancies will be filled in accordance with Para 2.1 Section B.
- f. *Removal from Office:* Any member of the BOE may be removed from office by a three-fourths (3/4) vote of the Student Senate and approval by the Association President for negligence, dereliction of duty, gross incompetence in the performance of office, or actions that tend to discredit or reflect poorly on the Association.

Chapter 3 Voter and Candidate Eligibility

Para 3.1 Voter Eligibility: All members of the Association, as defined by the Association Constitution, are entitled to vote in all Elections. The records of the Office of the Registrar shall determine the eligibility status of all voters.

Para 3.2 Candidate Eligibility: All candidates must be enrolled Xavier students and must be in good academic and judicial standing as defined by the University's Student Handbook. Per the SGA constitution, this means that by the time the official campaign period begins, they must have a semester and cumulative GPA of 2.25, and must maintain a good conduct standing defined as the absence of a probation sanction, either university or residence life, and that all previously assigned conduct sanctions have been completed on time. Candidates in their first semester at Xavier who do not have a GPA on record are excused from the GPA requirement until they take office. No person shall be a candidate for more than one office in any one Election. Eligibility will be determined and verified by the Board of Elections Advisor.

- a. *Student Senate:* Candidates for Student Senate must be available for mandatory Monday meetings from 3:00 p.m. to 5:00 p.m. for the entirety of their term.
- b. *Executive:* Candidates for any executive title on a ticket must have completed at least 24 credit hours at Xavier University by the time the election process begins. Per the SGA Constitution, Article II, Section 1a, there shall be an Association President and one (1) Vice President who together will comprise the Executive, elected from and by the student body each year under the provisions of the Elections Code. The Executive shall serve a one-year term from January 1 until December 31.
- c. Additionally, per Article 11, Section 11a, to be eligible to assume the Executive positions, at least one (1) member of the Executive ticket must have served one (1) full-year term as a Senator prior to the commencement of their Executive term on January 1st.

Chapter 4 Requirements of Candidacy

Para 4.1 Requirements of Candidacy: To be eligible for candidacy the following requirements must be met.

All documents and forms are included as addendums to this Code.

a. Student Senate Requirements:

- i. BOE Informational Meetings: All candidates must attend one (1) Informational Meeting. A minimum of three (3) Informational Meetings will be offered two weeks before forms are due.
- ii. Student Senate will select enough senators to ensure that at least one senator is present at each BOE informational session to speak on senator experience.
- iii. Declaration of Candidacy, Candidate Profile, and Headshot: All candidates must complete the Candidate Profile and submit a recent headshot via an EngageXU survey. The link to the survey can be found on the BOE webpage.
- i. The Declaration of Candidacy, Candidate Profile, and Headshot are due to the BOE by 11:59 p.m. on the Wednesday night prior to the beginning of the campaigning period. Failure to comply with these requirements will result in ineligibility.

b. Executive Requirements:

- i. BOE Informational Meetings: All candidates must attend one (1) Informational Meeting. A minimum of three (3) Informational Meetings will be offered two weeks before forms are due.
- ii. Executive Advisor Informational Meeting: All tickets must schedule and attend a meeting with the Executive Advisor by 5:00 p.m. on the Monday prior to the date of election. Any candidate needing special consideration to complete this requirement must contact the BOE Chairperson immediately
- iii. Declaration of Candidacy, Candidate Profile, and Headshot: All candidates must complete the Declaration of Candidacy and Candidate Profile and submit a recent headshot via an EngageXU survey by 11:59 p.m. on the Wednesday night prior to the beginning of the campaigning period. The link to the survey can be found on the BOE webpage.
- iv. Nominating Petition: All tickets must complete a Nominating Petition with the names and signatures of 200 eligible voters and turn into the Office of Student Involvement by 5:00 p.m. on the Wednesday prior to the beginning of the campaigning period.
- v. Failure to comply with these requirements will result in ineligibility.

Para 4.2. Candidates Studying Abroad: Candidates still enrolled in the University, but who are studying abroad, are eligible to run for Senate position but ineligible to run for an Executive position.

- a. While candidates can run for the position virtually, they cannot serve in the position while studying abroad. If elected, students must fulfill all in-person duties and responsibilities associated with the Senator position, which cannot be done abroad.
- b. Students campaigning for a Senate position while studying abroad must adhere to all campaign regulations outlined, including but not limited to deadlines for filing paperwork and campaign expenditure limits. These candidates are responsible for ensuring their ability to actively participate in any required virtual campaign events.

Chapter 5 General Elections Guidelines

Para 5.1 Election Schedule: There will be one General Election held each fall to elect four (4) first-year Senators and sixteen (16) at-large Senators, and two (2) Executives. This election will take place on a Wednesday between the 3rd week of October and 1st week of November, specific dates to be determined by the Board of Elections and announced at least one week prior to the beginning of the fall semester each year.

Para 5.2 Announcement of Candidacy: Any person or ticket may announce their candidacy at any time but will not be considered an official candidate by the BOE until all eligibility requirements are met. Announcements of candidacy are limited to private conversations (in person and on a 1:1 basis) until the beginning of the campaign period.

Para 5.3 Campaigning: Public campaigning will begin two (2) Sundays prior to the Election and will include the following:

- a. Current sitting executives on the Student Government Association may, in their capacity as individual students, publicly express their opinions regarding candidates or tickets in an election. However, they may not utilize their official SGA titles or resources to endorse any specific candidate or ticket, nor may they actively assist with or organize any campaigning events in a manner that could be perceived as an official act of the Executive branch.
- b. One (1) BOE hosted event for Senate and Executive candidates combined, to be determined by the BOE each year.
- c. One (1) debate for candidate forum for Executive tickets.
- d. Two (2) days of outdoor campaigning, with specific locations designated for each Executive ticket and one location designated for Senate candidates. Candidates may have outdoor signage at their designated location for campaigning on these days that will not count towards their allotted outdoor signage. One day will take place at the beginning of the campaign period and one on the Wednesday of the election. Outdoor campaigning will take place from 9:30 a.m. until 4:00 p.m.
- e. Executive tickets will be allotted two 2-hour tabling opportunities during the campaign period. Candidates can decide and inform BOE on where/when they would like to table either outside Hoff Dining Commons or on the 1st floor of GSC. BOE will arrange the table reservation on behalf of the tickets.
- f. Off-campus canvassing is subject to the discretion of solicitation rules and regulations. Please inform BOE if you are considering this option.
- g. One (1) day of Residence Hall canvassing for Executive tickets only to take place the Sunday prior to the election. Canvassing will be held between 3:00 p.m. and 6:00 p.m. on the Sunday prior to the Election in all Residence Halls and Apartments. Canvassing guidelines are as follows:
 - i. Tickets and any supporters must sign in and out with the BOE at each location. If possible, canvassers should be wearing something to signify they are supporting a particular ticket.
 - ii. Tickets are not included within the supporter count allotted.
 - iii. The number of supporters canvassing is limited by building: Four (4) in Justice, four (4) in Kuhlman, two (2) in Buenger, three (3) in Brockman, two (2) in Husman, and four (4) in the apartments (Commons/Village/Manor House/University Apartments/1019). These may be the same canvassers, though once a canvasser leaves a building, they are not allowed to re-enter.

- iv. Tickets and supporters may go door to door to distribute materials but materials may only be handed to a resident. Materials may not be put under doors or posted to doors/door decs/walls/etc.
- v. The ability to canvass is dependent upon the permission of Xavier Residence Life. If Residence Life determines that canvassing would be unsafe, unwise, or otherwise unable to occur because of an unanticipated event or circumstance, then canvassing will not occur. In such a case, the BOE will work to create a substitute opportunity, but this cannot be guaranteed.

f. Social Media and Websites:

- i. **Social media accounts & webpages may only be published and utilized once the official campaigning period has begun.** Candidates or tickets who make or use campaign based social media accounts before the official campaigning period has begun may be penalized.
- ii. Updates to the accounts may be made outside of stated campaign hours, but only after campaigning has begun. Candidates or tickets who make or use campaign based social media accounts before the official campaigning period has begun may be penalized.
- iii. Use of any official university affiliated or departmental social media accounts is prohibited.
- iv. The BOE considers social media and websites to be inclusive of all social media platforms including but not limited to (facebook, twitter (X), snapchat, Instagram, groupme, tiktok, LinkedIn, Canvas, etc.).

g. Indoor Signs:

- i. Residence Halls: One (1) sign in each lobby that may not exceed 2' x 3', with prior permission from each Hall Director. Window signs are not permitted.
 - a. Executive tickets: One flyer (not to exceed 11' x 17') in each wing of each residence hall/apartment building. These flyers must be submitted to the BOE Chair and/or Advisor by the Thursday prior to the start of campaigning, who will then deliver them to the appropriate Residence Life staff.
- ii. All other buildings: Posting of flyers up to 8.5" x 11" is allowed as permitted by University posting guidelines for each building.

h. Outdoor Signs:

- i. One (1) sign, front-and-back, on the Academic Mall, not exceeding 3' x 5'
- ii. One (1) sign, front-and-back, on the Xavier Yard, not exceeding 3' x 5'
- iii. Sign Approval Form on EngageXU must be completed

a. Chalking:

- a. Per University guidelines, chalking is not allowed.

b. Flyers, Handouts, and Giveaways:

- i. May include but are not limited to paper handouts, t-shirts, candy, and buttons.
 - a. Stickers are not allowed.
- c. Campaign material must be appropriate, cannot violate copyright law, and cannot be posted until the campaign period begins. Tickets and candidates must be respectful of the campaign materials of other tickets and candidates. Campaign materials are the responsibility of the ticket/candidate and should not be found littering campus in an egregious way.

Para 5.4 Budget and Budget Reporting: Each Senate candidate is allowed a budget of \$150.00 and each Executive ticket is allowed a budget of \$600 from personal expense. Candidates and tickets are required to submit a final campaign budget to the BOE by 8:00 p.m. on the day of the Election. Failure to do this will result in immediate disqualification. The final campaign budget will include documentation and receipts of all items purchased and donated. Candidates must submit *proof of payment*, not outstanding invoices.

- a. *Value Assessment:* Common campaign items will be assessed as follows:
 - i. T-shirts will be assessed at \$10.00 per shirt
 - ii. Black and white prints will be assessed at \$0.05 per copy
 - iii. Color prints will be assessed at \$0.20 per copy
 - iv. Any materials without receipts or donated will be assessed at fair market value
- b. *Reporting Penalties:* All monetary fines should be reported as an expense on the ticket or candidate's budget and are subject to budget limitations. If a ticket or candidate neglects to include a monetary fine in their final campaign budget, they will be immediately disqualified.
- c. *Run-Off Election:* In the case of a run-off election candidates will be allowed an additional \$100.00.
- d. *Secure Donations Clause:* Any donation of money, materials, resources, etc. made to a candidate's or ticket's campaign must be approved by a simple majority vote of the BOE before the donation may be accepted, spent, used, or distributed. Senate candidates and executive tickets may not accept donations, funding, materials, or other resources from outside organizations with political affiliations. The BOE reserves the right to deny campaign donations from persons, organizations, or entities believed to demonstrate risk of influence over the campaigns and actions of candidates or tickets.

Para 5.5 Executive Campaign Grant: Qualified tickets with financial need may be eligible to apply for a grant to offset costs of their campaign. Grants will be awarded through an application process. Only tickets that have met all of the eligibility requirements will have the option to apply for a grant. Grants will be awarded on a scale based on individual need.

Chapter 6 Rule Violations and Penalties

Para 6.1 Rule Violations: Any student may report, via email, alleged violations to the Chair of the BOE. Candidates or tickets will be notified upon receipt of any complaint brought against them. All members of the BOE will meet to determine the validity of the claim by a simple majority vote. Complaints will be addressed within 24 hours; however, if the complaint is received after business hours (5pm – 8am), it will be addressed upon the start of the following day. If the claim is found to be valid, the decision, rationale, and penalty will be communicated, in writing, to all candidates or tickets.

Para 6.2 Penalties: The BOE is authorized to impose penalties for rules violations, based on a five (5) strike violation system. Strikes will be accumulated for rules violations, which will be determined based on severity by a simple majority vote by the BOE. Penalties are either in the form of monetary fines deducted from the candidate's or ticket's budget, revocation of privileges, or disqualification.

- a. *Immediate Disqualification:* Candidates or tickets will be immediately disqualified for any of the following:
 - i. Exceeding stated budget
 - ii. Paying for votes

- iii. Preventing eligible voters from voting
 - iv. Unsanctioned soliciting of votes
 - v. Making false statements to the BOE
 - vi. Accepting a donation without the approval of the BOE
 - vii. Accepting a donation which the BOE has denied
- b. *Strikes*: strikes are issued for any code violation pending review from the BOE. Additionally, depending upon severity of violation and majority BOE vote, additional strikes could be issued in one instance.
- c. *Two strikes*: Upon accumulation of two strikes, the ticket will be issued a monetary deduction to their allotted budget decided upon by the BOE.
- d. *Five Strikes*: Upon accumulation of fifth strike, the ticket is immediately disqualified.

Para 6.3 Appeals: Candidates or tickets may submit a written appeal within twenty-four (24) hours of the issued penalty. Appeals will be decided by a simple majority vote of the BOE. If the candidate deems further proceedings necessary, a hearing will be scheduled with the BOE and the Advisor. Decisions from this hearing are final.

Chapter 7 Voting

Para 7.1 Voting: All eligible voters will vote online. Voters may vote for as many candidates as the election will allow and may vote once per election. Ballots may be accessed from 8:00 a.m. until 8:00 p.m. on the day of the election. No person may vote on behalf of another person.

Chapter 8 Election Procedures (BOE)

Para 8.1 Official Ballots: The ballot will be located online with instructions during the designated voting period. Names will appear in random order and will be hyperlinked to the Candidate Questionnaire and accompanying headshot. All confirmed ballots are final and will be added to the total vote count.

- a. *Issue Questions*: The Student Senate with approval of the Association President may agree to place issue questions on the ballot for the general student body to answer. All questions must be concise and written to be answered “yes” or “no” and must be published campus-wide one week before the Election. If there is a tie on an issue question, it will not be approved. Issue ties will not be broken.

Para 8.2 Promotions: The BOE is responsible for promoting Informational Meetings and all elections. Promotional material will include pertinent dates, times, locations and any additional information as necessary.

- a. *Posting Guidelines*: Promotional material must be posted prior to the start of the promoted event according to the schedule below and all University guidelines must be followed. Additional promotions may be posted at the discretion of the BOE.
 - i. By Club Day: Promote process to run for any SGA position
 - ii. Promote SGA election dates: Two Weeks Prior to the Election

- b. *Promotional Requirements:* Promotions should include, but are not limited to, posters, banners, yard signs, materials in the Hoff, Student Weekly, and social media.

Para 8.3 BOE Sponsored Events: The BOE is responsible for hosting three (3) events throughout the two (2) week election campaign period. These events may include, but are not limited to; debates, friendly competitions, and social events.

Para 8.4 Election Promotional Tables: The BOE will designate at least two (2) tabling stations across campus, each running for at least two (2) hours, the day of the election to promote voting.

Para 8.5 Determining the Winner(s): In Elections with multiple candidates or tickets, the candidate or ticket who receives the most votes will be elected until all available positions are filled. Election results will be confirmed by the BOE and the Advisor and Associate Provost for Student Affairs (or their designee) before results are posted. In elections with only one candidate or ticket, the candidate or ticket must receive at least 50% + 1 of the votes cast to win the desired position (ex: if 100 votes are cast, candidate/ticket must receive 51 to win).

- a. *Run-Off Elections:* In the event of a tie, the BOE will host a run-off election within two (2) weeks of the initial results being published. The date of the run-off election will be set by the BOE and published with the initial results. Run-off elections will follow all policies that are outlined in this Code. Should another tie occur, this process will be repeated

Para 8.6 Announcing Results: Following the certification of the election results, the BOE will publicly post the following information: the names of the candidates elected to the Executive position, the total number of votes received by each Executive ticket, the names of the candidates elected to each Senate position, and the total number of undergraduate student ballots cast in the election. These results will be posted on xavier.edu/sgaelections, OSI social media, and the Student Hub after the official certification. The Advisor of the BOE, the Senior Director of Student Affairs (or their designee), and the appropriate IT support personnel will have access to the detailed vote counts. The Chairperson may access specific results as deemed appropriate by the Advisor.

- a. *Write-in Candidates:* Write in candidates will not be allowed in either the executive or general senate election.
- b. If enough candidates are not elected, or fewer appear on the ballot than open position, vacancies will be filled in accordance with vacancy policies in the SGA constitution.
- c. *Issue Questions:* Issue question(s) will be posted along with election results and will include total votes cast for each response.

