

Xavier University
Board of Elections

Elections Code

Written By: 2012 -2013 Board Of Elections

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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.

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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 “B of E”, 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 McMorrان Clause:* Any issue that arises, that is not stated in this Code, will be decided by simple majority vote of the B of E.

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 B of E to conduct all Student Government Association elections. The B of E 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; one (1) from each class
- b. *Appointment:* Following an application and interview process, the newly elected Association President will appoint all members of the B of E, 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.
 - ii. The first year member will be appointed within three weeks of the start of the academic year and will serve a term ending with all other members.
- 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 B of E
 - 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, B of E 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 B of E’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 B of E 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 B of E and B of E 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 B of E 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.

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. *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. *Senate Meeting:* All candidates for Student Senate must attend one (1) Student Senate meeting prior to the Election and complete the Senate Meeting Verification Form. Any candidate needing special consideration to complete this requirement must contact the B of E Chairperson immediately.
 - iii. *Candidate Questionnaire and Headshot:* All candidates must complete the Candidate Questionnaire and submit a recent headshot.
 - iv. *Nominating Petition:* All candidates must complete a Nominating Petition with the names and signatures of 100 eligible voters.

- v. Code Assessment: All candidates must complete a Code Assessment outlining important points in the Elections Code.
 - vi. The Senate Meeting Verification Form, Candidate Questionnaire, Headshot, Nominating Petition, and Code Assessment are due to the B of E by 12:00 p.m. (Noon) on the last day of classes prior to fall break. Failure to comply with these requirements will result in ineligibility.
- b. *Executive Requirements:*
- i. Informational Meetings: All tickets must schedule and attend a meeting with the B of E by 12:00 p.m. (Noon) on the last Friday of September, but not to take place prior to Labor Day.
 - ii. Ticket Questionnaire and Ticket Photo: All tickets must complete the Ticket Questionnaire and submit a recent Ticket Photo.
 - iii. Senate Meeting: All member of the ticket must attend one (1) Student Senate meeting prior to the Election and complete the Senate Meeting Verification Form. Any candidate needing special consideration to complete this requirement must contact the B of E Chairperson immediately.
 - iv. Nominating Petition: All tickets must complete a Nominating Petition with the names and signatures of 300 eligible voters.
 - v. Code Assessment: All tickets must complete a Code Assessment outlining important points in the Elections Code.
 - vi. The Ticket Questionnaire, Ticket Photo, Nominating Petition, and Code Assessment are due to the B of E by 12:00 p.m. (Noon) on the last day of classes prior to fall break. 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, must have a student on campus that will fulfill their eligibility and candidacy requirements.

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 three (3) 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 by July 1 each year.

- a. First-year candidates will be designated by credit hour status.

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 B of E until all eligibility requirements are met. Announcements of candidacy are limited to private conversations until the beginning of the campaign period. Senate candidates must run individually and cannot run as a slate or ticket with other candidates.

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

- a. One (1) B of E hosted event for Senate candidates, to be determined by the B of E each year.
- b. One (1) B of E hosted event for Executive tickets, to be determined by the B of E 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. 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 10:00 a.m. until 4:00 p.m.
- e. 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 B of E at each location. If possible, canvassers should be wearing something to signify they are supporting a particular ticket.
 - ii. The number of supporters canvassing is limited by building: Four (4) in Fenwick, 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.
 - iii. 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.
- f. *Social Media and Websites:*
 - i. Updates may be made outside of stated campaign hours, but only after campaigning has begun.
- 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 B of E 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 OrgSync must be completed
- j. *Chalking:*
 - i. Per University guidelines, chalking is not allowed.
- k. *Flyers, Handouts, and Giveaways:*
 - i. May include but are not limited to paper handouts, t-shirts, candy, and buttons.
 - a. Stickers are not allowed.
- l. 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 B of E 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 \$6.00 per shirt
 - ii. Black and white prints will be assessed at \$0.05 per copy
 - iii. Color prints will be assessed at \$0.35 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.

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 Rules Violations and Penalties

Para 6.1 Rules Violations: Any student may report, in writing, alleged violations to the Chair of the B of E. Candidates or tickets will be notified upon receipt of any complaint brought against them. All members of the B of E 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 B of E is authorized to impose penalties for rules violations, based on a fifteen (15) point merit system. Each candidate or ticket is allotted fifteen (15) points. Points will be accumulated for rules violations, which will be determined based on severity by a simple majority vote by the B of E. 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 B of E
- b. *Five (5) Points:* When a candidate or ticket has accumulated five (5) or more points, they will be assessed their first penalty.
- c. *Ten (10) Points:* When a candidate or ticket has accumulated ten (10) or more points, they will be assessed their second penalty.
- d. *Fifteen (15) Points:* Disqualification

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 B of E. If the candidate deems further proceedings necessary, a hearing will be scheduled with the B of E 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 (B of E)

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 B of E 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 B of E.
 - 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 B of E Sponsored Events: The B of E is responsible for hosting three (3) events throughout the two (2) week Executive 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 B of E 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 B of E 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 B of E 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 B of E 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: The results will be compiled and candidates or tickets will be contacted at the close of the election and settling of accompanying business. In addition, the results will be certified and posted to xavier.edu/sgaelections, B of E social media, and the Student Hub. The posted results will only include those candidates or tickets elected to a position. Any candidate or ticket not listed on the website has not been elected

to a position. All results will include total ballots cast, but individual vote counts will be excluded. Only the Advisor of the B of E, the Associate Provost of Student Affairs (or their designee) and the appropriate IT support personnel may see results. The Chairperson may see 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.

Board of Elections
Senate Meeting Verification Form

Ticket/Candidate Name: _____

Date of Meeting Attended: _____

Candidate Signature: _____

Date: _____

Current SGA Executive Signature: _____

Date: _____

Please complete the senate verification form and return to the B of E by the 12pm (noon) on last day of classes prior to fall break. Failure to comply with this requirement will result in ineligibility.

Board of Elections

Candidate/Ticket Questionnaire

Candidate or Ticket Name(s): _____

Office(s) Sought: _____

Please respond to the following three questions (200 words or less per question). Responses will be hyperlinked to your name on the Official Ballot to better educate eligible voters.

1. Why are you interested in serving in the role of the office(s) sought?

2. What makes you qualified to serve in the office(s) sought?

3. If you could change one thing about Xavier, what would it be, and how would you accomplish it?

Please complete the questions above and return to the B of E by the 12pm (noon) on last day of classes prior to fall break. Failure to comply with this requirement will result in ineligibility.

Board of Elections

Nominating Petition

Candidate or Ticket Name(s): _____

Office Sought: _____

Signatures on this Nominating Petition indicate that the eligible voter feels that the candidate or ticket is qualified to run for the office sought. Eligible voters may sign as many Nominating Petitions as they wish, but may only sign each candidate's or ticket's once. Nominating petitions must be submitted by 12pm (noon) on the last day of classes prior to fall break.

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Board of Elections

Code Assessment

Candidate or Ticket Name(s): _____

Office(s) Sought: _____

Please complete the following questions and return to the B of E by 12:00pm (noon) on the final day of classes prior to fall break. Failure to comply with this requirement will result in ineligibility.

- 1) When does campaigning begin for candidates or tickets?
- 2) What types of materials are allowed to be distributed to students?
- 3) When are nomination materials due to the B of E?
- 4) When are the hours for outdoor campaigning?
- 5) What are the thresholds for sanctions for rules violations?
- 6) Where can students vote?
- 7) What is the process for reporting violations?
- 8) What other rules does the Code not supersede?
- 9) What does a candidate or ticket need to hang a sign up around campus?
- 10) What is the "McMorran Clause"?