

Student Government Association



Election Policies and Procedures

Appalachian State University Student Government Association
Presidential and Vice Presidential Elections Policies and Procedures

Authority

These policies and procedures have been adopted by the Student Government Association Elections Board and Judicial Board as additions to, and for the purposes of, interpreting and clarifying the existing Elections Bylaws. These policies and procedures were adopted by the respective boards and, if necessary, approved by the Student Senate. All individuals and organizations involved with or part of any Student Government Association supervised election or campaign process must adhere to these guidelines. Failure to do so may result in a complaint against the alleged violator(s) and possible sanctions which are consistent with the Elections Bylaws and the Appalachian State University Code of Student Conduct and Academic Integrity.

Section I – Definitions

1.1 Election is any activity administered by the Student Government Association (SGA) of Appalachian State University that allows for undergraduate and/or graduate students to cast votes in an open process to popularly select an individual(s) to fill a specific position(s).

1.2 Candidate is any person seeking election to any position for which the SGA is conducting an election.

1.3 Campaign is any group organized for the purpose of promoting a candidate(s) in an election. Campaigns consist of candidates and campaign staff.

1.4 Campaign Staff is defined as any person, business or organization working on behalf of, or for the benefit of, a candidate(s) seeking to win an election.

1.5 Campaign Material is defined as any service, product, item, etc. which is intended to be used by a candidate(s) or their staff to promote their candidacy or otherwise win an election.

1.6 Budget is defined as the maximum amount a campaign may spend in pursuit of success in an election.

1.7 Expenditure is any cost incurred by a campaign related to campaigning or the elections process. Expenditures include, but are not limited to, direct purchases by the candidate and/or the campaign staff, and the market value of services or products received by the campaign without cost. Expenditures are deducted from a campaign's budget.

1.8 Market Value is the most competitive price of products, services, and other goods. Market Value serves as the minimum expenditure to be deducted from the available budget of a campaign for a given service, product or good.

1.9 Complaint is any written documentation submitted to the Elections Board in compliance with existing bylaws and procedures which accuses a candidate or campaign of violating Election Bylaws, Policies and Procedures, ASU policies, and/or other applicable policies.

1.10 Polling Place is any official location open to the general student body or a segment of the student body where students may vote either electronically or using a paper ballot.

1.11 Limited Campaigning is the process by which candidates seek input from students about the issues, concerns, ideas, etc. that affect students in their lives at Appalachian State University. This process is limited to seeking input and does not in any way extend into seeking support, endorsement, etc. for a particular declared or potential candidate(s) or their position(s). During this period, Candidates may not field questions or in any way express their own positions. The sole intent of Limited Campaigning is for candidates to seek input from any currently enrolled student at Appalachian State in order to contribute to their platform.

1.12 Regular Campaigning is the process undertaken to gain individual or group support for a candidate(s) seeking an elected position within the Student Government Association or Appalachian State University. During this pre-designated period of time, candidates and/or their staff may promote or otherwise garner votes for their ticket.

Section II – Presidential and Vice Presidential Requirements

2.1 Eligibility for the office of President is outlined in the Constitution of the ASU Student Government Association; Article IV, Section 2, Subsections A and B.

2.2 Eligibility for the office of Vice President is outlined in the Constitution of the ASU Student Government Association; Article V, Section 3, Subsections A and B.

Section III – Candidate Meetings

3.1 As prescribed by Section 2.5 of the Election Bylaws, the Director of Elections will conduct a “Policies and Procedures” meeting within three school days after the nominations are closed. Candidates, the Judicial Board Chair and all Elections Board members are required to attend this meeting, without exception. Judicial Board members are not allowed to be present at this meeting.

3.2 The “Policies and Procedures” meeting will include but is not limited to; an introduction of the candidates, the Elections Board Chair and Elections Board Members, and the Judicial Board Chair, a review of all relevant elections procedures, including but not limited to the Election Bylaws, the Election Policies and Procedures, and the SGA Constitution, an overview of the elections calendar, distribution of any necessary forms, and a question and answer session.

3.3 As prescribed in Section 8.19 of the Election Bylaws, candidates are required to attend all additional meetings which the Elections Board deems necessary. The Director of Elections must notify candidates of any mandatory meeting at least 24 hours in advance of the beginning of a meeting.

3.4 Candidates or staff unable to appear at a mandatory meeting, excepting the “Policies and Procedures” meeting, due to prior commitments may be granted an exception by submitting a request, written or electronic, to The Director of Elections. Exceptions will be granted at the discretion of the Director of Elections, except in this case of candidates or staff who have class at the scheduled time, in which case the Director of Elections must grant the exception upon reception of the request.

3.5 Candidates may request a meeting of the Board and of all candidates by contacting the Director of Elections. The Director of Elections will then determine if and when a meeting will occur.

Section IV – Policies and Procedures of the Elections Board

4.1 As prescribed in Section 1.1 of the Election Bylaws, the Elections Board is charged with the administration of the Presidential and Vice Presidential Election. The Election Board is responsible for providing leadership, oversight and supervision to candidates, campaign staff, voters, and any other interested parties to the Presidential and Vice Presidential Election.

4.2 The duties of the Elections Board include, but are not limited to:

4.3 Enforcement of the Elections Bylaws and any other applicable procedures; to include the investigation and review of any complaints against campaigns, candidates and/or campaign staff (per Section 3.4 of the bylaws);

4.4 Education of the candidates, their staff, and any other interested parties about the election process and the policies and procedures which govern it, and action as a resource to the candidates about any matters pertaining to the election.

4.5 Planning, coordination, and implementation of the election process; including but not limited to the marketing of the election to the student body, debates, and voting procedures.

4.6 Monitoring and supervising any campaign(s); including but not limited to approving and supervising all campaign materials, overseeing of campaign budgets and monitoring of campaign staff lists.

4.7 Maintenance of records relating to the elections process;

4.8 The Director of Elections may delegate the administration of marketing of the election and the coordination of voting procedures to the SGA Advisor with a majority vote of the Elections Board.

4.9 The Director of Elections and his/her members must complete their training and swear the oath of office before they can act in an official capacity.

4.10 The Elections Board must constantly honor the trust that has been placed in them. Members must commit time and work necessary to be successful. Members must adhere to the highest degree of fairness, impartiality, and objectivity.

4.11 Any duties explicitly mentioned in Section 3.1-3.11 of the Elections Bylaws

Section V – Policies and Procedures of the Elections Judicial Board

5.1 As prescribed in Section 1.1 of the Election Bylaws, the Elections Judicial Board is charged with the adjudication and resolution of questions related to alleged violations of elections policies, actions of individuals, interpretation of policies, and other related matters in accordance with these Bylaws.

5.2 Election policies under the purview of the Elections Judicial Board, and subject to interpretation and adjudication by such shall include, but are not be limited to; the Election Bylaws, the Election Policies and Procedures, the SGA Constitution, the Student Code of Conduct, and any other relevant codified University policies, as they pertain to the Presidential and Vice Presidential Election.

5.3 The procedures used by the Elections Judicial Board in conducting their hearings are detailed in their handbook, and may be made available upon written or electronic request to the Judicial Board Chair.

5.4 Candidates and their campaign staff are specifically prohibited from contacting members of the Elections Judicial Board. Candidates and their staff may contact the Judicial Board Chair only for the purposes of inquiring about the internal procedures of the Elections Judicial Board. Requests for interpretation of elections policies must be directed to the Director of Elections for referral to the Elections Judicial Board.

5.5 The Elections Judicial Board will keep records of all proceedings and provide the Director of the Center for Student Involvement and Leadership a recommendation regarding the findings of the Board and any proposed sanction(s).

5.6 The Judicial Board Chair and members must complete their training and swear the oath of office before they can act in an official capacity, interpret policies and procedures, and process complaints.

5.7 The Elections Judicial Board must constantly honor the trust that has been placed in them. Members must commit time and work necessary to be successful. Members must adhere to the highest degree of fairness, impartiality, and objectivity.

5.8 Any accusation of violation of the Election Bylaws and/or other relevant procedures must be submitted to the Elections Board in writing and electronically. The Elections Board will investigate the accusation and determine whether sufficient cause exists to refer the complaint to

the Elections Judicial Board. Members of the Elections Board may present or be called to present information to the Elections Judicial Board during any hearing.

5.9 The accused shall have the right to present information in their defense. The accused shall also retain the rights to remain silent without any inference of responsibility and/or guilt, to sufficient notice to prepare for a hearing, and shall have the right to appeal recommendations of the Judicial Board to the Director of the Center for Student Involvement and Leadership;

5.10 The individual or party submitting a written accusation of wrongdoing against a candidate(s) must be present at the Board meeting. Additionally, the Director of Elections must present the charges and evidence to the Elections Judicial Board at any hearing.

5.11 It is the responsibility of the Judicial Board to determine responsibility and/or guilt or a lack thereof based upon the threshold of preponderance of evidence, which is defined most simply as it is more likely than not that the accusations of wrongdoing are true and did occur. The Board does not operate on any other evidentiary standard. The burden of proof rests with the individual or ticket that files a written accusation of wrongdoing against an individual or ticket.

5.12 Recommendations to the Judicial Board will be sent to the Director of the Center for Student Involvement and Leadership for review and for a finalized decision. The Director shall respond within a 24 hour period of receiving the recommendation of the Board. Recommendations of the Board will become effective immediately upon their announcement and will remain in effect until such time as the Director renders a final decision;

5.13 Appeals of the recommendation(s) of the Board can be made at any time within twenty-four hours after the conclusion of the Judicial Board hearing. Appeals must be made in writing; and may be made for the following reason: excessive penalty and/or a significant violation of due process which precluded the accused from receiving a fair hearing;

Section VI – Voting Process

6.1 The elections for the President and Vice President of the Student Government Association are generally conducted using an electronic or web-based system designed and administered by the University. Students are able to vote from any computer with access to the AppalNet system used all students at the University. To be eligible to vote, a person must be an undergraduate student who has paid the applicable fees (student activity). This system requires a student to successfully log on to the system using their personal information and allows for only one vote to be made. Additional attempts after a student has successfully voted will be maintained on a log should any questions arise regarding a student's voting.

6.2 As prescribed in Section 11.5 of the Election Bylaws, at the conclusion of the election period, the Director of Elections will make public the election results and certify a winner as soon as the results have been verified.

6.3 If, for some reason, the electronic voting system is unavailable for use, the SGA Elections Board (in consultation with the advisor) may decide to use a paper ballot system. Should such a system be used, the following policies, in addition to those established in the Election Bylaws will be adhered to:

6.4 Polling places or districts will be developed for both on and off campus student voters, to be staffed by poll workers as prescribed in Section 14 of the Election Bylaws. Students will only be able to vote in these prescribed locations. At least two poll workers must be present while a poll is open.

6.5 The Elections Board will create a master voter list of undergraduate students. Students must be in the school database and have a University ID to be eligible to vote. After each student has been verified eligible and has voted, his or her name will be marked on the master list as having successfully voted.

6.6 All paper ballots must be numbered prior to use and initialed by the poll worker upon use. All completed ballots will be placed in a sealed voting box by the voter. All ballots, complete and incomplete, will be returned to the advisor of the SGA at the close of each poll day. Votes must be counted in accordance with the Election Bylaws.

6.7 Any policies not explicitly mentioned here but referred to in Section 14.2-14.11 of the Elections Bylaws

Section VII – Approval and Removal of Campaign Materials

7.1 As prescribed in Section 8.8 of the Election Bylaws, all campaign material(s) used by, or used in support of, a campaign must be approved by the Elections Board prior to their use.

7.2 Materials may be approved by the Board using various methods, including, but not limited to: numbering and/or initialing items, counting items and logging them by number and description, photographing an item, and or/requesting a copy of an item.

7.3 During limited campaigning, the Elections Board will process materials for approval as time allows. During the Regular Campaign period, the Elections Board will have 24 hours, upon being notified of the existence of new materials, to process materials for approval.

7.4 When submitting materials to the Elections Board for approval, campaigns must submit all relevant receipts indicated the amount paid for those materials. Materials submitted without receipt may be rejected by the Elections Board.

7.5 Materials used by a campaign or its supporters without prior approval or submission of the appropriate documentation will result in the removal of said items and the filing of a complaint with the Elections Board. Should a candidate become aware of materials distributed or placed in

support of their candidacy of which they had no prior knowledge, the candidate or their staff will immediately contact the Elections Board and remove said items.

7.6 Campaign materials improperly used may only be removed by the offending ticket, the Elections Board, or a University official acting in the execution of their duties. Each campaign is responsible for removing their own materials and should not remove any other campaign's materials even if they are deemed improper or unauthorized.

Section VIII – Elections Budgets and Market Value

8.1 In accordance with the Election Bylaws, the Elections Board is responsible for establishing a market price for campaign materials traditionally utilized in an election campaign. These market prices will be established by the Board and are based on competitive pricing, assuming the lowest prices available. These market prices will be made available to candidates at the “Policies and Procedures” meeting.

8.2 A campaign may submit a description of campaign materials and request that the Elections Board arrive at a market price for those materials before they are purchased. The Elections Board will have 24 hours to arrive at a market price for those materials.

8.3 Candidates may request an adjustment of the market price established by the Elections Board. Candidates must demonstrate that lower pricing is readily available for an adjustment to be made.

8.4 In accordance with the Election Bylaws and procedures, candidates are responsible for providing a listing of all expenditures, to be deducted from their budget. The total of these expenditures must fall within prescribed maximum amounts, per Section 9.1 of the Elections Bylaws.

8.5 In the case of materials provided to a campaign at no cost, the candidate may submit a price for the materials, to be reviewed by the Elections Board for approval or for modification. The Elections Board will adhere to market price in determining the amount deducted from a campaign's maximum budget for items provided at no cost, per Section 9.5 of the Elections Bylaws.

8.6 Candidates are responsible for providing all receipts and other documentation of expenditures related to their campaigns to the Elections Board. Failure to provide receipts for any expenditure will result in a complaint being filed with the Elections Board.

Section IX – Elections Debate

9.1 As prescribed in Section 2.7 of the Election Bylaws, the Director of Elections is responsible for sponsoring one debate during the first week of the Presidential and Vice Presidential Regular Campaign period. While the Board may choose to consider other debates, candidates are

expected to participate in at least one debate. The Elections Board will establish guidelines and procedures for the debate.

9.2 All relevant information about the format of the debate will be provided to the candidates at the “Policies and Procedures” meeting.

9.3 The debate will include a Moderator that is selected by the Elections Board and a panel which is also selected by the Elections Board and approved by each candidate or ticket. The panel will be composed of at least four students representing the campus community, with a standing invitation for a staff member to participate being extended to The Appalachian and WASU.

9.4 The Elections Board shall develop an order of opening statements, question responses, and closing statements, and reasonable time limits for each of these, in consultation with the Moderator. These procedures must be provided to the candidates at least one full week before the debate. The Moderator and the Director of Elections shall be responsible for enforcing these procedures at the debate.

9.5 The format for the debate shall be as follows:

- a. Welcome and introduction by the Director of Elections;
- b. Announcement of the rules for debate by the Moderator;
- c. Opening statements by each ticket;
- d. Two rounds of questioning from the panel for each of the tickets;
- e. Questions from the audience if time permits;
- g. Closing remarks from each ticket;
- h. Conclusion from the Director of Elections;

9.6 The debate shall be made available for coverage by the media.

Section X – Reservations and Scheduling

10.1 The Director of Elections is responsible for scheduling rooms and facilities for the purposes of planning and implementing the election process. The Elections Board shall reserve a room for the mandatory meeting as outlined in the Election Bylaws and all subsequent meeting space necessary for the operations of the Elections Board.

10.2 The Judicial Board Chair shall schedule facilities during the election period for conducting hearings and meetings as necessary.

10.3 The Elections Board will be responsible for reserving contact tables and display cases to be made available to candidates during the Regular Campaigning period. Candidates are

specifically disallowed from reserving additional contact tables and display cases. Candidates may have a computer at their contact table, but those computers may not be used for voting.

10.4 The Board will determine which tickets will have what locations on which days through a random assignment process. The Director of Elections will provide assignments to the candidates at least one full week before the beginning of the Regular Campaign period.

10.5 The Elections Board will determine if it will coordinate or regulate the painting of the tunnels by tickets and under what criteria they will do so.

10.6 Candidates will be responsible for reserving their own meeting space for their campaign.

Section XI – Role and Responsibility of Campaign Staff

11.1 For the purposes of the SGA sponsored elections, candidates are required to submit the names and contact information for any person who may be assisting with the campaign effort of an individual or ticket seeking office.

11.2 Campaign staff must sign a statement that they will adhere to the Election Bylaws, Policies and Procedures, and all other relevant policies, before they may begin to act in support of the campaign. This statement must be co-signed by both one of the candidates and an assigned Elections Board member. These members, up to six per ticket not including the candidates, are required to attend any mandatory meetings prescribed in the Elections Bylaws.

11.3 Individuals who act in support of a candidate(s) may be considered part of their campaign staff, if it is determined by the Elections Judicial Board that the candidate(s) would reasonably have been aware of their efforts in support of their campaign. Candidates are responsible for assimilating individuals who act in support of their campaign into their registered campaign staff.

11.4 Staff members are expected to adhere to all Election Bylaws and applicable procedures as well as any University, federal, state, and community laws and policies. It is the responsibility of those working in support of a campaign to familiarize themselves with these. Candidates will be held responsible for the actions of their staff or other supporters who act on behalf of, or in support of, a campaign. It is recognized that not all individuals supporting a candidate do so with the knowledge or endorsement of that candidate, but the Elections and Judicial Board will determine whether it can be assumed that an individual or group was acting with knowledge that the candidate was running for office. It is ultimately the responsibility of the candidate/ticket for the actions of their staff.

Section XII – Amendment Procedures

12.1 The Presidential and Vice Presidential Elections Policies and Procedures may be amended by a simple majority vote of the Student Senate.

12.2 These Policies and Procedures are effective upon passage, and all previous Policies and Procedures are hereby declared null and void.

12.3 Any copy of these Policies and Procedures that do not list the most recent date of ratification listed below should be removed from the Student Government website and cataloged with the Secretary.

Amended:

(Amended by the ASU Student Senate, Spring 2014)