

# DEPAUL UNIVERSITY

STUDENT GOVERNMENT ASSOCIATION



## **Elections Operation Board Bylaws of DePaul's Student Government Association**

**Last Amended: 4/19/2012**

### **ARTICLE I: Objective**

The Elections Operations Board, herein referred to as EOB, shall oversee elections for the Student Government Association of DePaul University.

### **ARTICLE II: Membership**

#### *SECTION A: EOB Chair*

1. The Chair of the EOB shall be nominated by the SGA President and confirmed by a majority vote of the General Body.
2. The Chair must be a currently registered DePaul student and may not be seeking any position within SGA while serving as EOB Chair.
3. The EOB Chair should be appointed before the First General Body Meeting of the Fall Quarter.
4. The EOB Chair acts as the intermediary between the Candidate, SGA, and all SGA officials.

#### *SECTION B: EOB Membership*

1. Any DePaul student who is not running for any position within SGA is eligible to serve on EOB. The individuals must fill out an official EOB statement of neutrality before serving on EOB.
2. Members shall be appointed by the SGA President and confirmed by the General Body.
3. The EOB shall consist of no less than three members and no more than five members, excluding the chair, shall be on the EOB.

#### *SECTION C: Responsibility*

1. Members of the EOB shall follow the EOB Bylaws and shall be accountable to the SGA Advisor.
2. The EOB shall be responsible for regulating materials and enforcement of campaign procedures and rules.
  - a. EOB may refer issues concerning enforcement of campaign procedures and rules to the SGA Judicial Board. This procedure will take place as if it were a protest, per Article VII.
3. The EOB shall be responsible for publicizing the SGA elections.

#### *SECTION D: Membership Voting Rights*

1. Excluding the chair, all members of EOB shall have full voting rights on all EOB matters.
2. The EOB chair shall have a vote in the event of a tie.
3. Quorum shall be considered a majority of the voting members.

### **ARTICLE III: Election Timeline**

1. One spring and one fall election shall be held for all elected offices as per the Constitution, Article III, Section 2.
2. The SGA spring elections must be held no later than seven weeks after the first day of the Spring Quarter and fall elections must be held no later than four weeks after the first day of the Fall Quarter.
3. Election materials shall be made available no less than three weeks before the start of the election.
4. Elections shall be held for no less than two consecutive days in the Spring Quarter.
5. Elections shall be held for no less than two consecutive days in the Fall Quarter.

#### **ARTICLE IV: Qualifications for Election**

##### *SECTION A: Eligibility for Candidacy*

1. An eligible candidate is defined as any currently registered DePaul student with a minimum GPA of 2.5.
2. All candidates must be full time students except positions exempted from this requirement in the SGA Constitution.
3. All eligible candidates must be in compliance with the University Code of Student Conduct throughout the entire year.
4. To be considered eligible for President, a candidate must attend a one-on-one meeting with the current President of SGA and SGA Advisor before election packet materials are due. If major scheduling problems arise, it is the candidate's responsibility to contact the EOB Chair and inform them of the situation. EOB will assist in facilitating and scheduling this meeting, if need be. In the case the current President chooses to run for re-election, they would need to recuse themselves from the one-on-one meeting.
  - a. In order to be eligible for presidency, one must be a previous member of SGA.
5. All positions will be elected individually, with the exception of the President and Vice President, which must be run as a ticket.
6. All candidates running for college Senator Positions must be enrolled as a major in that college.
7. All candidates are eligible to run for only one office within SGA.

##### *SECTION B: Eligibility for Elections*

1. All members of the Senate and Executive Branch shall be elected, either by vote of the student body or, in the case of a vacancy, internal SGA elections.
2. Elections shall occur annually in Spring and Fall Quarters under the direction of the Election Operations Board.
3. All positions except Senator for First Year Students, Senator for the Theater School, and Senator for Transfer Students shall be open for election in the Spring Election.
4. Senator for First Year Students, Senator for the Theatre School, Senator for Transfer Students, and any other open positions shall be open for elections in Fall Quarter.
5. All enrolled students shall be eligible to vote in elections, in accordance with the Election Operations Board Bylaws.

##### *SECTION C: Write-in Candidates and Campaigns*

1. SGA election ballots shall include a "write-in candidate" option.
2. Write-in candidates must specify in their letter of intent how they wish their names to be recognized by the EOB.
3. All write-in candidates must submit a letter of intent to the EOB no later than 24 hours before the close of the election.
4. All coordinated write-in candidates and campaigns are subject to all EOB Bylaws, including but not limited to campaign spending and platforms. Failure to adhere to Bylaws may result in disqualification.
5. Write in candidates for President and Vice President must abide to Article IV, Section A: Eligibility.

6. Write-in candidates for President and Vice President must run as a ticket and submit a joint letter of intent to the EOB.
7. All write-in candidates must be approved by a majority of the EOB to qualify.
8. The EOB will use good judgment and discretion when counting votes for Write-in candidates, counting not only those using the precise and exact spelling of the candidate's name but also taking into account typos and understandable misspelling, in order to ensure the intent of the voter is carried through.

#### SECTION D: *Eligibility for Referenda*

1. Referenda shall only be considered during Spring Elections.
2. Referenda may be placed on the ballot in two ways:
  - a. With the submission of a signed petition of 1,000 or more DePaul University Students verified by the Election Operations Board (EOB); or
  - b. Any voting member of the SGA General Body sponsoring referenda which receives two-thirds approval of the SGA General Body.
3. Referenda language and signed petitions must be submitted to the Elections Operation Board (EOB) no less than thirty (30) days prior to Spring Elections.
4. Referenda language must be approved by the Elections Operation Board (EOB).
5. Polls shall be open for a minimum of 48 hours.
6. All enrolled students of DePaul shall be eligible to vote.
7. An affirmative majority (50% + 1 vote) of those voting on referenda is required for passage of all referenda
8. The SGA General Body may not adopt any resolutions contrary to approved referenda within the academic year following passage of said referenda.
9. Referenda may not seek to make appropriations, remove SGA members, or make amendments to the SGA Constitution or the constitutions of other student organizations.
10. Results shall be ratified as prescribed in the Elections Operations Board (EOB) Bylaws.

#### SECTION E: *Recognized Candidates and Campaigns*

1. All eligible candidates and campaigns, with the exception of write-in candidates, must submit to EOB:
  - a. A platform outlining their goals and objectives pertaining to their desired position.
  - b. A brief biography that includes involvement both in and outside of the university.
  - c. The required petition for their position as per Article V, Section D.
2. The President and Vice President ticket must submit a joint platform, joint biographies, and a single petition with the required number of signatures as per Article V, Section D.
3. All recognized candidates and campaigns are subject to the EOB Bylaws. Failure to adhere to Bylaws may result in disqualification.
4. All candidates are required to submit petitions along with their respective applications to the EOB. A valid student signature shall be defined as a signature of a current student in the DePaul community that is written by the student him or herself. A valid student DePaul ID number must be submitted with the signature in order to validate the signature. A printed name is defined as a legible printing of the name of the current student in the DePaul community that is written by the student him or herself.
5. Candidates for the positions of President and Vice President shall jointly gather 250 student signatures, and candidates for remaining elected positions shall gather 100 student signatures.
6. All petitions on signatures must be approved by the EOB in order for the candidate's name to appear on the SGA ballot.

### **ARTICLE V: Campaigning**

#### SECTION A: *Definition*

Campaigning shall be defined as any operation conducted of a candidate or issue to bring about election towards an office within SGA.

#### SECTION B: *Tangible Campaigning Materials Guidelines*

1. Campaign materials shall be defined as any tangible items used to bring about an election toward a position or issue within SGA.
2. All campaign materials shall be displayed or distributed in accordance with the EOB Bylaws and the University Posting Policy.
3. No campaign materials may be slanderous or libelous against another candidate, issue, SGA, or the DePaul community.
  - a. Slander is defined by the EOB as any oral misrepresentation of information regarding another candidate or issue that would damage a campaign for election and overall reputation.
  - b. Libel is defined by the EOB as any written statement that is untrue that would damage a campaign for election and overall reputation.
4. A copy of all campaign materials must be submitted to and maintained by the EOB in a folder that will be available to DePaul students at the Office of Student Involvement.
5. No campaigning is permitted in any SGA offices or at any SGA functions. No use of SGA resources, including but not limited to the telephone, copy card, promotional wall space, and computers are allowed.
6. If an organization promotes or sponsors a candidate or issue, the candidate or issue may use the organization's promotional wall space.
7. Activities defined as campaigning shall have no set start or end date or time.

#### SECTION C: *Electronic Campaigning Material Guidelines*

1. An electronic campaigning material shall be defined as any hosted web page that primarily exists to bring about an election towards a position within SGA.
  - a. This definition also includes pages, groups, blogs, notes, or events on social networking sites that primarily exist to bring about an election for a candidate or issue.
2. All electronic campaign materials shall be displayed or distributed in accordance with the EOB Bylaws.
3. No electronic campaign materials may be slanderous or libelous against another candidate, issue, SGA, or the DePaul community.
  - a. Slander is defined by the EOB as any oral misrepresentation of information regarding another candidate or issue that would damage a campaign for election and overall reputation.
  - b. Libel is defined by the EOB as any written statement that is untrue that would damage a campaign for election and overall reputation.
4. A hard-copy of each page must be submitted to and maintained by the EOB in a folder that will be available to DePaul students at the Office of Student Involvement. In addition, a hyperlink of each webpage should be submitted to the EOB.

#### SECTION E: *Spending Limits*

1. Spending on campaign materials is limited to a total of \$1,000.00. No more than \$400.00 of the \$1,000.00 may be personally financed. A ticket of candidates for President and Vice President shall also be limited to a spending total of \$1,000.00, no more than \$400.00 of which can be personally financed.
2. All receipts for campaign materials shall be retained by the candidate or referenda petitioner(s) for a period of one month after the elections. If any discrepancies between the receipts and the realistic value of campaign materials occur, the EOB shall then determine the value of the materials in question according to fair market value.
3. If campaign materials support the candidacy of more than one person or issue, then the cost of those materials will be equally divided amongst the candidates.
4. Free materials in the Office of Student Involvement shall not count towards the total cost of materials for the candidate or issue.
5. The Office of Student Involvement materials that incur a fee will count towards the total cost of materials for the candidates.
6. Endorsements

No organization may endorse without the consent of the endorsee or an automatic withdrawal of the endorsement may be required.

SECTION F: *Candidate and Referenda Petitioner Responsibility.*

1. Candidates and referenda petitioners are responsible for all actions, both personal and those done on their behalf with their consent, during the campaign and the election processes.
2. It is the responsibility of candidates and referenda petitioners to inform campaign workers and candidate representatives of appropriate and inappropriate behavior, as defined in the EOB Bylaws.
3. Failure to adhere to EOB Bylaws may result in disqualification.

SECTION G: *Voting Procedures*

1. Elections will be held online via the Internet. It is the responsibility of the EOB to establish voting operations.
2. No campaigning shall be allowed in computer labs.
3. No campaigning or campaign materials will be allowed within the marked boundaries of the EOB-established polling stations. Boundaries for each of the various polling stations shall be posted during elections week.
4. A polling station shall be defined as any impermanent station where members of the general DePaul community are offered to immediately vote.
  - a. All polling stations must be run and operated by the EOB.
  - b. No candidate may operate a polling station on DePaul's campus.
  - c. No candidate may approach general members of the DePaul community and offer them a portable electronic device to immediately vote.
5. Any candidate or referenda petitioner in violation of the voting procedures may result in disqualification by the EOB.

SECTION H: *Candidate Participation*

1. All candidates are recommended to attend an information session.
2. All candidates are encouraged to attend all scheduled debates at the Loop and Lincoln Park campuses.

**ARTICLE VI: Voting Results**

SECTION A: *Retrieving Results*

1. The vote totals must be retrieved no later than 24 hours after the close of the election, except in cases of problems with technology.
2. The vote totals shall be retrieved in a method determined by the EOB.
3. Petitioners or write-in candidates receiving the most votes for an office shall be determined the winner.
4. Candidates and the general public have the right to be present at the time of vote retrieval, providing they remain silent and non-disruptive. Therefore, they must be notified of the exact time and location of the vote retrieval within 24 hours of the retrieval. Any disruptive observer must leave if instructed to do so by the EOB Chair.
5. The EOB Chair must communicate the exact date, time, and location of the vote retrieval to all eligible candidates and referenda petitioners at least two hours before it occurs.
6. If elected, all candidates must provide a formal, written letter of acceptance.

SECTION B: *Result Announcements*

1. No member of EOB, candidate or referenda petitioner(s) may announce the winning totals until the EOB Chair announces the final totals to the SGA Advisor, the SGA President, ~~and~~ participating candidates or referenda petitioner(s)
2. The EOB Chair must not announce the results to the public until at least three hours after the results have been given to the SGA Advisor, the SGA President, and participating candidates or referenda petitioner(s).

3. The EOB Chair must send written notification of election results to participating candidates and referenda petitioner(s). Additionally, the EOB Chair must post all election results for candidates and referenda issues in a public space in both the Loop and Lincoln Park campuses.

#### SECTION C: *Ratification of Results*

1. Election results shall be reported to the General Body at the General Body Meeting immediately following the election. The General Body must approve the result of the elections by a 2/3 vote at which point the results shall become binding and official.
2. In the event of protest, all election results excluding the protested positions and protested referenda results shall be announced. Upon the resolution of the protest, the remaining results shall be announced and ratified.

### **ARTICLE VII: Election Protests and Appeals**

#### SECTION A: *Types of Protests*

1. Protests against a candidate or referenda must itemize specific EOB Bylaws that have been violated by a candidate or representatives of a candidate or referenda petitioner acting on his or her behalf or of an issue.
2. Protests against members of EOB must specify the procedure(s) that have been improperly executed and the end effect.
3. Protests shall be handled by the SGA Judicial Board Chair.

#### SECTION B: *Protest Timelines*

1. All protests must be written and signed by the protestor and sent to the Judicial Board Chair no later than 48 hours after the close of the election.

#### SECTION C: *Appeals Procedure*

1. The Judicial Board Chair shall convene the SGA Judicial Board, as outlined in the Judicial Board Bylaws.
2. The trial shall follow the same hearing, trial, and appeals procedure of an SGA Censure or Impeachment trial, with the exception of constituent appeal.
3. For the purpose of trial, the protesting candidate shall be considered the defendant and the EOB chair considered the prosecutor.

### **ARTICLE VIII: Enforcement of Penalties**

#### SECTION A: *Penalties*

1. The first violation of the EOB Bylaws by the candidate or referenda petitioner or directly on behalf of the candidate or referenda issue will result in a written warning by the EOB Chair unless the violation is one of slander or libel against another candidate in which time a vote will be taken without a warning where the candidate can be disqualified by a 2/3 vote of the EOB.
2. If there is a second violation by the candidate or referenda petitioner, directly on behalf of the candidate, or by the referenda petitioner, the EOB will disqualify that candidate or referenda petitioner by a 2/3 vote of the EOB.

#### SECTION B: *Enforcement*

1. It shall be the duty of the EOB to enforce penalties.

#### SECTION C: *Violation*

1. Violators of the EOB Bylaws may be subject to action by the Dean of Students where appropriate.
2. An action of slander is a violation of the EOB Bylaws and of University Policy,
3. Any action by a candidate referenda petitioner, organization, or individual that violates university policy constitutes an obligation of the EOB to report the conduct to the University Judicial Board.

#### ARTICLE IX: Contingencies

Any situation or circumstance not covered by the above Bylaws will be recognized by the EOB for consideration and shall be researched and addressed properly. If the matter is not urgent and time permits, the EOB Chair shall take all revisions, additions, and deletions of these bylaws to the SGA General Body for consideration and approval. All changes made after election packets have been distributed must be communicated to all eligible candidates or referenda petitioners by phone, email, or in person within 24 hours.