

Virginia Tech Student Government Association  
2012-2013 Elections Code

Section I. General Guidelines

- A. This Elections Code is created, maintained, and enforced by the Judicial Branch as described in the Constitution of the Student Government Association (SGA) and the Bylaws of the Student Government Association.
- B. Documented affiliates are also bound by these rules. Therefore, the candidate or ticket will be held accountable for the actions of those individuals working for the campaign.
  - i. A documented affiliate is defined as an individual working with the consent of the candidate or ticket and who is listed by the candidate or ticket when he or she submits the Candidate Packet.
- C. The Chief Justice of the Judicial Branch holds the sole authority to make emergency written decisions regarding the rules if he or she determines that such action is necessary.
- D. If a write-in candidate is found to be in violation of the rules in this document, university policy, local, state, or federal laws, the Judicial Branch reserves the right to issue infractions, disqualify him or her from the race, and refer him or her for judicial action to the university Office of Student Conduct.
- E. In the temporary absence of the Chief Justice, an Associate Justice from the ~~initial~~ Elections Committee Panel will take his or her place.
  - i. In the event a vote is required, a unanimous vote of the four justices on the Elections Committee Panel is required. If there is not a unanimous vote, the decision shall be postponed until the Chief Justice returns or the vacancy is deemed permanent and the office is filled by the Head Associate Justice as described in the Constitution.
- F. Any information released to the public regarding Elections must be approved by the Chief Justice of the Judicial Branch.
- G. There shall be no less than one and no more than two Clerks of Court as described in the Constitution.
  - i. The duties of the Clerk of Court are described in the Constitution, Bylaws and those deemed necessary by the Chief Justice.
  - ii. The Clerks of Court shall report directly to the Chief Justice.

Section II. Eligibility

- A. To be placed on the ballot for SGA President or Vice President, the candidate must have the following requirements:
  - i. The candidate must be a currently enrolled undergraduate student, with a minimum QCA of 2.5/4.0.

- ii. The candidate must have at least one (1) semester of experience holding an office in the SGA.
  - iii. The candidate must have a petition signed by two hundred (200) currently enrolled undergraduate students of any college.
  - iv. The candidate must have completed at least three (3) full semesters at Virginia Tech.
  - v. The candidate must be in good academic and disciplinary standing with the University.
  - vi. In the event that a write-in candidate receives a plurality of the votes needed to attain this office, the candidate must go before the Judicial Branch for the hearing to consider the candidate's compliance with the Elections Code.
    - a. If compliance is met, the qualifications will be waived as described in Article VI, Section III, Paragraph A, Subsection 1-C and Article VI, Section III, Paragraph A, Subsection 2-C of the Bylaws.
    - b. If compliance is not met, the Judicial Branch may reject the write in candidate by a four fifths (4/5) vote of the entire branch
    - c. The candidate may appeal to the Legislative Branch where the decision of the Judicial Branch may be overturned by a four fifths (4/5) vote of the present members of each house.
- B. To be placed on the ballot for SGA Senator, the candidate must have the following requirements:
- i. The candidate must be a currently enrolled undergraduate student, in good standing with a minimum 2.0/4.0 QCA.
  - ii. The candidate must have a petition signed by fifty (50) currently enrolled undergraduate students; a simple majority of signatures must be from his or her college.
  - iii. The candidate must be in good academic and disciplinary standing with the university.
  - iv. In the event that a write-in candidate for Senate receives a plurality of the vote needed to attain a Senate seat, they shall become a Senator regardless of petition or qualification requirements as described in Article VI, Section 1, Paragraph A, Subsection 1-C of the Bylaws.
- C. Prospective candidates may appeal the aforementioned requirements for each position.
- i. All appeals must be submitted in writing to the Clerk of Court of the Judicial Branch.
  - ii. A hearing will be scheduled with the Elections Committee Panel of the Judicial Branch. A three-fifths (3/5) vote is required to make an exception for the requirements

### Section III. Write-in Candidates

- A. There will be a write-in option for all positions and all write-in votes belonging to currently enrolled Virginia Tech undergraduate students will be counted.
- B. The candidate with the most votes, write-in or declared, will be deemed the winner of the election so long as said candidate has not violated the Election Rules.

#### Section IV. Candidate Information Packets

- A. Executive and Senate candidates will be issued a Candidate Information Packet by the Judicial Branch at the official candidate meeting according to the General Election Timeline. Executive candidate petitions will be due to the Chief Justice of the Judicial Branch in 321 Squires two (2) weeks after the candidate meeting as specified by the General Election Timeline. Senate candidate petitions will be due to the Chief Justice of the Judicial Branch in 321 Squires by 5:00 PM two (2) weeks from the official candidate meeting as specified by the General Election Timeline.
- B. The Candidate Information Packet will include:
  - i. A petition requesting signatures from the student body
    - a. The Executive Officer Petitions will ask those signing to provide their name, VT-PID, and signature; each candidate for an Executive Office must collect two hundred (200) signatures from currently enrolled undergraduates from any college.
    - b. The Senator Petition will ask those signing to provide their name, VT-PID, College, and signature; each candidate for Senate must collect fifty (50) signatures from currently enrolled undergraduate students; a simple majority of these must be from students from his or her college.
  - ii. A Candidate Contract.
  - iii. A Candidate Information Sheet.
  - iv. The General Election Timeline.
  - v. The Election Rules.
  - vi. A template to list all persons affiliated with the campaign.
  - vii. A template to obtain consent for campaigning from appropriate authorities.
  - viii. A list of requirements of the campaign plan.
  - ix. Any other documents as deemed necessary by the Judicial Branch.
- C. Candidates must turn in the petition with the required signatures and the candidate contract to be placed on the ballot. The Candidate Information Sheet is optional; answers to these questions will be displayed on the SGA website for students to access and gain more information about the candidates.

- D. When Executive Candidate Packets are submitted, the candidates must identify if they are running as an individual or as a ticket. Those running as a ticket must submit their petitions in chorus. There must be a minimum of two (2) people to a ticket and a maximum of four (4) people to a ticket. Once those running identify their preference, they will be held to that decision until the end of Elections.
- E. Candidates will be notified by e-mail when a petition is received and again when the petition is approved or denied.

#### Section V. Pre-campaigning Guidelines

- A. The Pre-campaigning Period begins when a candidate or ticket receives a petition and ends on the date specified by the General Election Timeline for the start of campaigning.
- B. Each candidate or ticket for Executive office must schedule a meeting with the Chief Justice and a designated Associate Justice prior to turning in the campaign plan.
- C. Each candidate must attest by signature that he or she has read, understands, and agrees to abide by the Elections Code set by the Judicial Branch. They must also submit their phone number, address, and e-mail address.
- D. Executive candidates must attend the mandatory information meeting, in addition to the individual meeting specified by the General Election Timeline in order to be placed on the ballot.
  - i. An exception to this rule will be given if there is a conflict previously expressed to and approved by the Chief Justice. In the event of a conflict, the candidate will need to meet with the Chief Justice of the Judicial Branch.
- E. No discussion of candidate platform is allowed during the pre-campaigning period.
  - i. Only qualification for position and reason for running may be explained if asked by students signing petition.

#### Section VI. Campaigning

- A. Campaigning Plan
  - i. All executive candidates and tickets must submit a comprehensive campaigning plan to the Judicial Branch before campaigning begins as specified in the General Election Timeline. The Judicial Branch will review each plan and provide written approval, if granted, at least forty-eight (48) hours before the beginning of campaigning as specified in the General Election Timeline.
  - ii. Senators who choose to campaign must submit a comprehensive campaigning plan to the Judicial Branch before campaigning begins as specified in the General Election Timeline. The Judicial Branch will review each plan and

provide approval, if granted, at least forty-eight (48) hours before the beginning of campaigning as specified in the General Election Timeline.

- iii. Campaigning plans must include samples of all advertising and campaign materials. A written summary explaining all aspects of the plan must also be submitted. Any changes or additions to campaign plans must be submitted for additional written approval to the Judicial Branch. Any materials used during campaigning that are not included in the campaigning plan will be subject to infractions.

#### B. Residence Hall Campaigning

- i. Any campaigning in residence halls must abide by all university policies regarding residence hall procedures.
- ii. Before candidates or tickets display any information regarding their campaign, they must receive approval from the Residential Learning Coordinator of the particular building they wish to campaign in; a copy of the written approval must be provided with the campaign plan with subsequent confirmation by the Judicial Branch before campaign material may be displayed or will be subject to infractions.
- iii. Candidates may enter a residence hall with an escort, who is a resident of the particular building and agrees to accompany the candidate at all times, and may only approach student if their door is open or they are in a public space.
- iv. Candidates may hand out approved campaign material, in accordance with the above policies, in residence halls but may not request that it be displayed by residents.
- v. All candidates and tickets will be held responsible for breaking university policy by the Chief Justice of the Judicial Branch and the university Office of Student Conduct.

#### C. General Campaigning

- i. Defacing university property in any medium is prohibited.
- ii. Campaigning in private places (i.e. local businesses), using trademarked logos or symbols, and individual or organizational endorsement is prohibited unless permission is granted by submitting a consent form signed by a person authorized to give such consent (i.e. owner of the business, trademark office official, or president of an organization).
  - a. Written consent by the business or organization is due with the campaign plan.
- iii. Any use of smear tactics by the candidate, ticket, or affiliated persons will be subject to infractions. A smear tactic is defined as a deliberate attempt by an individual or ticket to injure another individual or group's reputation.
- iv. No more than two (2) banners and/or two (2) a-frames may be displayed by any individual candidate or ticket at one time.
- v. No candidate or ticket for an SGA election may place a flyer or banner over that of another candidate or ticket. No candidate

may remove or tamper with a flyer or banner of another candidate or ticket.

- vi. No trademarked logo or symbol of Virginia Tech may be used during campaigning or on campaign materials.
  - vii. Materials that may be used requiring the approval of the Judicial Branch include but are not limited to: banners, table cards, a-frames, apparel and campus mailers. Any and all potential materials should be submitted with the candidate's Campaign Plan.
  - viii. The Student Government Association of Virginia Tech's website, listserv, logos, office space, the 3rd floor of Squires Student Center, Student Government Association sponsored events and all other materials are to remain non-partisan.
  - ix. All banner space, A-frame space, display cases, table cards, and public space requests must go through the Judicial Branch for approval before campaign material may be used in those locations.
    - a. Candidates may not create a new student organization or use an existing one to reserve additional space.
    - b. The Judicial Branch will distribute space in an unbiased manner to each candidate.
  - x. The Collegiate Times may be used for campaigning if, and only if, ad space is purchased.
    - a. This must be specified in the campaign plan prior to the beginning of the campaign.
    - b. Absolutely no ad space will be approved after the start of campaigning as specified by the General Election Timeline.
  - xi. All campaign material must contain the SGA Vote Logo.
  - xii. All campaign material must be taken down by the end of elections as specified by the General Election Timeline with the ONLY exception being candidate websites.
- D. Electronic Campaigning
- i. Email is an acceptable medium of campaigning. However, altering internet browser settings, chain letters, or spam mail on university property is prohibited.
  - ii. The use of student organizational listservs is allowed, however, permission must be granted by the administrator of the organization.
    - a. Permission must be documented using the consent form provided in the Candidate Information Packet.
    - b. All listservs that candidates or tickets use must be specified in the campaign plan and are subject to approval by the Judicial Branch.
  - iii. Campaigning on social networking sites, including but not limited to Facebook, Myspace, and Twitter is permissible as long as no violations of the website or its policies occur.

- a. All websites may not go live until the campaigning begins as specified by the General Election Timeline if they were previously approved by the Judicial Branch.

E. Finances

- i. Each candidate or ticket must submit a budget detailing every purchased, used, or donated campaign medium before the start of elections as specified by the General Election Timeline.
- ii. Each candidate will be held strictly to a budget of \$200.
- iii. Each ticket of 2 people will be held strictly to a budget of \$350.
- iv. Donated campaign material will be charged full market price regardless of situations or discounts and will be factored into the respective budget. Those using donated materials will be responsible for obtaining the market price of the materials they use from a retailer.
- v. All previously owned or used campaign material will be considered at a value of one-third (1/3) of the market price. Those using used materials will be responsible for obtaining the market price from a retailer.
- vi. Any contracted labor, whether affiliates of the ticket or not, shall be factored into the budget valued at no less than minimum wage.
- vii. Each candidate is responsible for keeping accurate records of expenses, and will turn all receipts in to the Judicial Branch prior to the start of Elections.

Section VII. Campaign Infractions

- A. A campaign infraction is defined as a candidate or ticket breaking any of the rules in this document or any documented university policies.
- B. Infraction level (major or minor) will be determined by the Elections Committee Panel after a candidate or ticket is found guilty of an infraction.
  - i. A major infraction is an infraction that either blatantly violates the Elections Code OR is thought to have major effect on voting.
  - ii. A minor infraction is an infraction that is thought to have a minor effect on voting.
- C. A candidate or ticket may be found guilty of:
  - i. Two (2) major infractions and still remain on the ballot. After being found guilty of a third (3) major or minor infraction the candidate or ticket will be removed from the ballot and will not be eligible for write-in vote. The Judicial Branch reserves the right to respond to the severity of the offense.
  - ii. Four (4) minor infractions and still remain on the ballot. After being found guilty of a fifth (5) major or minor infraction the candidate or ticket will be removed from the ballot and will not

be eligible for write-in vote. The Judicial Branch reserves the right to respond to the severity of the offense.

- iii. Two (2) minor infractions and one (1) major infraction and still remain on the ballot. After being found guilty of a fourth (4) major or minor infraction the candidate or ticket will be removed from the ballot and will not be eligible for write-in vote. The Judicial Branch reserves the right to respond to the severity of the offense.

- D. If an infraction occurs before Elections and the candidate or ticket is found guilty, they may be subject to the following:
  - i. Any combination of the below sanctions totaling a maximum of two (2) points if found guilty of a minor infraction
  - ii. Any combination of the below sanctions totaling a maximum of four (4) points if found guilty of a major infraction
  - iii. The possible sanctions and their corresponding point values are as follows:
    - a. One (1) point
      - a. \$25 fine
      - b. 5% of campaign materials must be removed
    - b. Two (2) points
      - a. \$50 fine
      - b. 10% of campaign material must be removed
    - c. Three (3) points
      - a. \$75 fine
      - b. The ticket/candidate must stop campaigning one day prior to the end date of the campaign period specified in the General Election Timeline
    - d. Four (4) points
      - a. \$100 fine
      - b. The ticket/candidate must give a public apology to the student body.
        - i. This must be given over a campus wide media source to be approved by the Judicial Branch within two days of the decision.
        - ii. The apology must take place within one week of the decision by the Judicial Branch unless there are extenuating circumstances deemed valid by the Judicial Branch.
- E. Infractions that occur during the Elections will be subject to the following penalties if the candidate or the ticket is found guilty:
  - i. Any combination of the below sanctions totaling a maximum of two (2) points if found guilty of a minor infraction
  - ii. Any combination of the below sanctions totaling a maximum of four (4) points if found guilty of a major infraction
  - iii. The possible sanctions and their corresponding point values are as follows:
    - a. Two (2) points



- a. A deduction of 5% of a candidate or ticket's votes
    - b. \$50 fine
  - b. Four (4) points
    - a. A deduction of 10% of a candidate or ticket's votes
    - b. \$100 fine
- F. Fines must be paid by the SGA Inauguration date to the Campus Programs Account Manager in the Department of Student Activities.
  - i. If fines are not paid by the SGA Inauguration date winning candidates will not be sworn in to office until all fines are paid.
  - ii. If fines are not paid by the SGA Inauguration date, losing candidates will be barred from participation in SGA until all fines are paid.
- G. The procedure for infractions is described in the Infractions Hearing Procedure.
- H. All infractions must be reported in writing by a non-affiliated student to the Clerks of Court in 321 Squires within twelve (12) hours of the close of polls as specified by the General Election Timeline.

### Section VIII. Voting

- A. The winners of the two Executive offices shall be candidates who receive a plurality of the votes for the offices.
- B. The winners of the Senate for each College will depend on the number of Senators that College is allotted. The Senators who get a plurality of the votes for the allotted spots for their College shall be declared the winners providing no other campaign violations or eligibility disqualifications are found.
- C. All voting will be done as determined in this Elections Code.
- D. An email will be sent by the Chief Justice to the entire undergraduate student body regarding the Elections and how to go about voting.

### Section IX. Ballots

- A. The ballots shall be split up by each Executive office and by the voter's school in the Senate section.
- B. A ticket that identifies their preference to be acknowledged as such will be listed as a ticket on the election ballot. There will be an option for the voter to select a ticket or any member from said-ticket or an individual not affiliated with a ticket.

### Section X. Polling System and Procedures

- A. The SGA will provide a voting system that will incorporate the following requirements:
  - i. No registered undergraduate student shall be denied the opportunity to vote in the Elections.

- ii. Each eligible voter shall have the following areas of voting eligibility: Executive Officers, Student Senators, and Constitutional Amendments.
  - iii. Polling shall occur on a secure Internet website which minimizes the possibility of fraud.
  - iv. At this website the voter shall be required to enter his or her valid PID and password. If the PID and password does not work an appeal must be made to the Clerks of Court before the close of Elections.
  - v. To better ensure the fairness of the Elections procedure, randomizing computer technology will be used to maximize the effectiveness of the electronic balloting system.
  - vi. Upon logging into the polling website, Voters will be presented with a customized ballot displaying only those candidates they are eligible to vote for.
  - vii. If a Voter should stop voting for any reason during their voting session, they shall be allowed to return at a later time and vote.
  - viii. If a Voter abandons their ballot prior to final submission, it shall be canceled following a timeout period. The voter shall have the opportunity to vote at a later time while the polls are still open.
  - ix. Voters will be warned before the timeout period has been reached.
  - x. A verification of final submission will be given to the Voter upon completion.
- B. The SGA will provide a voting system that will incorporate the following procedures:
- i. Voters shall be verified as current undergraduate students upon logging into the polling website.
  - ii. By logging in, Voters are stating that:
    - a. They are an eligible undergraduate student voter at Virginia Tech.
    - b. They have not yet voted in the Elections.
    - c. They have used their personal PID and password.
    - d. Voters are reminded that under University Policy, knowingly providing false information to a student organization is a violation of Section 17 of the Student Code of Conduct in the Hokie Handbook.
- C. Should a student discover an error in the custom ballot presented to them, he or she shall have the option to cast a challenged ballot.
- i. After a student submits a challenged ballot they have the right to appear before the Elections Committee Panel, make a written statement, and/or submit evidence supporting their qualifications to vote for the constituencies in which they voted.
  - ii. The student shall be presented with a form in which they can provide additional information to assist the Panel.

- iii. If a student chooses to file a written statement and/or present evidence, it shall be given to the Clerks of Court, or delivered to the SGA office, within 24 hours of the close of Elections.
- iv. All challenged ballots shall be individually reviewed by the Judicial Branch in accordance with standing Elections Code.

#### Section XI. Apportionment

- A. There shall be one Senator for at least every seven-hundred fifty (750) currently enrolled undergraduate students per College, with the total never falling below twenty-five (25) Senators.
- B. Each College will receive a number of Senators equal to its percentage of the currently enrolled undergraduate student population, with each College never receiving less than two (2) Senators total.
- C. The University Studies Program shall be treated as an Academic College for the purposes of representing students in the program.

#### Section XII. Debate

- A. There will be one debate held before the Elections as specified on the General Election Timeline.
- B. The debate will be open to presidential and vice-presidential candidates and any other candidate as desired by the Judicial Branch.
- C. The debate will be moderated by an impartial third party.

#### Section XIII. Election Results

- A. Election results will be released to the General Student Body as soon as the results can be verified, subject to change in the event a claim is filed with the Clerk of Court.
- B. Candidates must accept their position within forty-eight (48) hours of notification.
  - i. If the winning candidate does not accept their position in writing within this timeframe, the candidate with the subsequent plurality will be given the position.
- C. The SGA Inauguration will be held within one month of the Elections as specified by the General Election Timeline pending extenuating circumstances.
  - i. The SGA Inauguration will include the Executive officers and the Speakers of the Legislative Branch.