

Virginia Tech Student Government Association Judicial Branch
2009-2010 Elections Bylaws

Section I. General Guidelines

- A. These Elections Bylaws are created, maintained, and enforced by the Judicial as described in the Student Government Association (SGA) Constitution and the Bylaws of the Student Government Association
- B. Individuals working with the consent of a candidate or ticket 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, hereby deemed affiliates of the candidate or ticket.
- C. The Chief Justice of the Judicial Branch holds that 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 them for judicial actions to the University Office of Student Conduct.
- E. In the temporary absence of the Chief Justice, an Associate Justice from the initial judicial panel will take his or her place.
 - i. In the event a vote is required, a unanimous vote of the four justices on the initial judicial 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 prescribed in the Constitution.
- F. Any information released to the public regarding SGA Elections must be approved by the Chief Justice of the Judicial Branch.
- G. There shall be no less than one or more than two clerks of court as described in the Constitution.
 - i. The duties of the Clerk of Court are those defined 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 candidates qualifications and compliance with the election bylaws.
 - a. The Judicial Branch may reject the write in candidate by a four fifths (4/5) vote of the entire branch
 - b. The candidate may appeal to the Legislative Branch where the decision of the Judicial 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 Secretary or Treasurer, 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 a petition signed by two hundred (200) currently enrolled undergraduate students of any college.
 - iii. The candidate must have completed at least three full semesters at Virginia Tech.
 - iv. The candidate must be in good academic and disciplinary standing with the University.
 - v. 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 candidates qualifications and compliance with the election bylaws.
 - a. The Judicial Branch may reject the write in candidate by a four fifths (4/5) vote of the entire branch
 - b. The candidate may appeal to the Legislative Branch where the decision of the Judicial may be overturned by a four fifths (4/5) vote of the present members of each house.
- C. 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 so long as they are an undergraduate student with a minimum QCA of 2.0/4.00.
- D. Perspective 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 Judicial Branch. A 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 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 three 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 list of requirements of the campaign plan
- 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 Judicial Branch 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 may 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 rules 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. 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 twenty-four (24) 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 twenty-four (24) 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 Residence Director of the particular building they wish to campaign in; a copy of the written

approval must be provided with the campaign plan with subsequent conformation by the Judicial Branch before campaign material may be displayed or will be subject to infractions.

- iii. Candidates may enter a dormitory 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 dorms by 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.

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 that require the approval of the SGA Judicial Branch, 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 event 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 though 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 be taken down before the start 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. 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. Each ticket of 3 people will be held strictly to a budget of \$500
 - v. Each ticket of 4 people will be held strictly to a budget of \$600
 - vi. 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.
 - vii. All previously owned or used campaign material will be charged 1/3 of the market price. Those using used materials will be responsible for obtaining the market price from a retailer.
 - viii. Any contacted labor, whether affiliates of the ticket or not, shall be factored into the budget valued at no less than minimum wage.
 - ix. 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 Policy.

- B. Infraction level (major or minor) will be determined by the hearing committee after a candidate or ticket is found guilty of an infraction.
 - i. A major infraction is an infraction that either blatantly violates the Elections Rules OR is thought to have major affect on voting.
 - ii. A minor infraction is an infraction that is thought to have a minor affect 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. 1point
 - a. \$25 fine
 - b. 5% of campaign materials must be removed
 - b. 2point
 - a. \$50 fine
 - b. 10% of campaign material must be removed
 - c. 3point
 - 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. 4point
 - 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 unless there are extenuating circumstances deemed valid by the Judicial Board.
- E. Infractions that occur during the election 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. 2 points
 - a. A deduction of 5% of a candidate or ticket's votes
 - b. \$50 fine
 - b. 4 points
 - a. A deduction of 10% of a candidate or ticket's votes
 - b. \$100 fine
- F. Fines must be paid by SGA Inauguration to the Campus Programs Account Manager.
 - i. If fines are not paid by SGA Inauguration winning candidates will not be sworn in to office until all fines are paid.
 - ii. If fines are not paid by SGA Inauguration, 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 winner of the four 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 by the Judicial Branch.
- D. An email will be sent by the Chief Justice to the entire undergraduate student body regarding the election 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 a ticket or an individual not affiliated with a ticket.

Section X. 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

College	Undergraduate Enrollment Spring 2010	Senators
Agriculture and Life Sciences	2145	3
Architecture and Urban Studies	1498	2
Business	4038	5
Engineering	5957	8
Liberal Arts & Human Sciences	3787	5
Natural Resources	498	2
Science	3631	4
University Studies	1958	3
Total	23512	32

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.
- D. The table below illustrates letters B and C.

Section XI. Debate

- A. There will be one debate before the election held before Elections as specified on the General Election Timeline.
- B. The debate will be open to presidential, 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 XII. Election Results

- A. Election Results will be released to the General Student Body within seventy-two (72) hours of close of the voting subject to change in the event a claim is filed with the clerk of court.
- B. Candidates must accept their position with in 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. Inauguration of Executive officers will be held within two (2) weeks of the Elections as specified by the General Election Timeline pending extenuating circumstances.