



The Student Senate

Texas A&M University

S.B. 66-10

The Student Senate
66th Session
Texas A&M University

Introduced By: Allison Krenzien, Election Commissioner

Sponsored By: Rules and Regulations Chair Fernando J. Sosa, Liberal Arts

Action Taken PASSED

Certified By: [Signature] '12 1/23/14

Christopher W. Russo
Speaker of the Senate

Duly Approved: [Signature] '14 1

Reid Joseph
Student Body President

The Election Regulations 2013 Update Act *Special Designation: Act of the Senate*

"An act updating the Election Regulations in advance of the Spring 2012-2013 student body elections."

Whereas(1): Each year the Election Commission presents recommended updates to the election regulations contained in the Student Government Association Code; and,

Therefore

Let it be

Enacted (1): That Chapter 601 of the Student Government Association Code Shall be Amended as follows:

ARTICLE I. LEGISLATIVE INTENT AND PURPOSE

section I.

The Senate intends this Act to put in place fair and ethical regulations for Student Body Elections in accordance with the Aggie Honor Code.

section II.

The purpose of this Act shall be to codify regulations for the

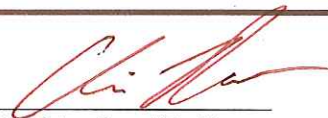


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efficient, ethical, and fair conducting of Student Body Elections by the Election Commissioner of the Student Government Association.

ARTICLE II. DEFINITIONS

section III.

Unless otherwise provided for in the context of this Act, the following words shall be ascribed the following meanings:

- (a) "Election Commissioner" shall be defined as the individual appointed by the Student Body President and confirmed by the Student Senate for the purposes of overseeing the Election Commission of the Student Government Association and conducting Student Body Elections, or the Student Body President should the Election Commissioner not be confirmed, be incapacitated, or not be appointed.
- (b) "Texas A&M University" shall be defined as the following academic colleges within Texas A&M University – College Station: the College of Agriculture & Life Sciences, the College of Architecture, Mays Business School, the College of Education & Human Development, the Dwight Look College of Engineering, the College of Geosciences, the College of Liberal Arts, the College of Science, The Bush School of Government and Public Service, and the College of Veterinary Medicine & Biomedical Sciences.

ARTICLE III. ELECTION COMMISSION

section I. Candidates for any election shall be responsible for these regulations provided herein. Ignorance of these regulations shall not be an acceptable defense in response to any offense in any election, either by the candidates themselves or by individuals campaigning on behalf of a candidate.

section II. These regulations are subject to interpretation only by the Election Commissioner and are subject to review only by the Student Government Judicial Court. No other member of the Student Government Association or the Election Commission is authorized to interpret the Election Regulations.

ARTICLE II. JURISDICTION

section I. Organizational Eligibility




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(a) Any recognized student organization wishing to have any or all of its elections conducted by the Election Commission must obtain majority approval of the Student Senate no later than five (5) class days before the first day of filing for that election unless the Election Commission conducted elections for that organization in the prior calendar year.

(b) All organizations having elections conducted by the Election Commission must provide reasonable financial and/or other support for the elections as deemed necessary by the Election Commissioner.

(c) All organizations having elections conducted by the Election Commission must file a current copy of their constitution and by-laws with the Department of Student Activities no later than fifteen (15) calendar days prior to the first day of filing, if not presently filed. The constitution and by-laws on file with the Department of Student Activities at that time shall be considered the official copy for election purposes. Changes made to organizational constitutions and by-laws after this time shall not be applied to the current election but will apply to subsequent elections. The Election Commission shall not be responsible for the enforcement of the governing documents of organizations that fall outside the jurisdiction of the Student Government Association. In the event of any conflict between these regulations and the governing documents of an organization outside of SGA, these regulations shall take precedence.

(d) All organizations having elections conducted by the Election Commission must abide by the Election Regulations.

(e) Any organization wishing to withdraw its elections from the jurisdiction of the Election Commission must submit a written request to the Election Commission stating its intent no later than fifteen (15) calendar days prior to the first day of filing. Requests to withdraw need not be approved by the Student Senate.

(f) Any organization failing to comply with these requirements shall not have their election conducted by the Election Commission.

section II. Referenda

(a) Entities, including commissions, organizations, and branches, that are a part of the Texas A&M University Student Government Association or are employees of Texas A&M University or the Texas A&M System may not involve themselves in Student




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Government Referenda. "Involvement" includes but is not limited to campaigning, endorsement, education, activism, monetary spending and internet use in support or against the referendum question. Individuals acting on their own merit or name recognition would never be subject to this restriction; however, they should not associate themselves with SGA entities or the University in any way while undertaking these activities. The chairmen of these entities and their superiors will be held responsible for violations of this rule. If an SGA entity does become actively involved in an SGA referendum, this

involvement shall be considered grounds for a challenge to the results of the referendum in Judicial Court.

(b) Once the content of a referendum has been approved by the Student Senate, it shall be sent to the Student Life Studies Office to confirm unbiased and impartial wording. This wording shall be the official wording of the referendum and is not subject to change once approved.

ARTICLE III. MEMBERS OF THE COMMISSION

section I. The Election Commission is responsible for holding elections for Student Body Referenda, Student Government positions, and other organizations requesting the supervision of the Election Commission with the majority approval of the Student Senate.

section II. No member of the Election Commission or any election official shall file in any election or campaign for any candidate during any such election that he or she helps conduct.

section III. The Election Commission shall have the authority to monitor campaign areas to enforce the Election Regulations.

section IV. The Election Commission shall consist of general members and officers selected by the Election Commissioner

(a) Election Commissioner

(1) The Election Commissioner shall be appointed by the Student Body President of Student Government with the approval of two-thirds (2/3) of the Student Senate. The Election Commissioner is charged with the following duties:




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To enforce these regulations and render punishment up to disqualification for any violation.

To select an Election Commission composed of all members deemed necessary for efficient administration and operation of all elections.

To supervise and coordinate all activities of the Election Commission and election officials.

To call and chair meetings of the Election Commission.

To conduct a Mandatory Candidate meeting prior to any election for the purpose of explaining the Election Regulations and answering any questions prior to the campaigning of candidates.

To oversee registration of any campaign material to be distributed by the candidates prior to its distribution.

To ensure that at each polling place there shall be at all times during any election at least one appointed Election Commission Officer or Election Official.

To inspect and/or audit the expenditures of any candidate.

To effectively advertise and communicate the election process to the Student Body, both for candidate registration and the general election.

To direct a candidate to take specific action.

To delegate and grant rights to Commission members to act temporarily on behalf of the Commissioner, and rescinded those powers in a definite time period.

To assess appropriate penalties for campaign infraction in violation of the Election Regulations based on the Tiered Violation System.

To assess the fair market value for all campaign materials.

To maintain these Election Regulations and amend them as necessary, effective only with the majority approval of the Student Senate.

(2) Election Commission Officers

The Election Commissioner shall appoint officers of the commission as appropriate. The Election Commissioner may delegate duties to the officers for the duration of their term.

(3) Election Officials

An election official shall be present at each polling place throughout the official election time as defined by these regulations. The election official shall be defined as any person on the Election Commission or appointed by the Election Commissioner; however, no election




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official shall be a candidate for office or have campaigned for any candidate running for office in the election that he or she helps conduct.

The election official(s) shall be students appointed by the Election Commissioner to enforce these regulations and the Student Government Constitution. The election official shall be responsible for operating the polling place. The Election Commissioner is empowered to close a polling place for a defined period of time with the notification of the Student Government Advisor.

ARTICLE IV. FILING

section I. Candidate Eligibility

(a) General Qualifications for Office

(1) All candidates must meet the qualifications for their respective offices as set forth in the Texas A&M University Student Rules and their respective organization's governing documents.

(2) Undergraduate Students may be classified as freshmen, sophomores, juniors, or seniors according to the starting date of their undergraduate studies or, if the candidate requests, according to the number of course hours they have completed if that places them ahead of their class year.

(3) Graduate Students are considered to be in their own classification.

(4) They Students may also be classified based on the dates of their entrance into the Corps of Cadets.

section II. Filing Process

(a) Commission Mandates

(1) The Election Commission shall make available to each candidate:

The Election Regulations

Dates, times, and locations for Mandatory Candidate Meetings ~~that will be available online at election.tamu.edu~~

Finance forms

Expense Report




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Fair Market Value Database Assessment Form

Null Expenditure Statement

Endorsement forms

Co-candidacy forms

Candidates who register materials containing the names of more than one candidate must submit a Declaration of Co-Candidacy upon registration of the material.

This form shall include the names of all candidates with multiple names on registered materials, contact information for all candidates, and the registered materials that will fall under Co-Candidacy regulations.

Upon submission of this form, candidates shall be bound by the actions of the other candidates with regard to co-candidacy registered materials, and any fines, rulings, or directives relating to these materials shall apply to all co-candidates.

Candidates filing for co-candidacy must submit separate expense reports or null expenditure statements.

Declaration of Candidacy form

Any other information deemed necessary by the Election Commissioner.

(b) Candidate Mandates

(1) By filing, the candidate agrees to abide by these Election Regulations.

(2) All candidates for positions elected under the supervision of the Election Commission shall file their intention to run for office with the Election Commission. Filing shall be done online through the Marketplace system at election.tamu.edu by each candidate, or in person at the discretion of the Election Commissioner, and in accordance with the guidelines set forth within these regulations.

Requests to file in person must be sent via email to the Election Commissioner no later than 11:59 p.m. on the second day of filing for all races.

Such requests will be approved or denied and arrangements shall be communicated to the candidate within one (1) calendar day of the request.

(3) A candidate must submit the following at the time of filing:




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A Declaration of Candidacy form containing at least the candidate's current address, phone number, email address, and the candidate's name as it shall appear on the ballot.

A signed grade release statement enabling the Department of Student Activities to check academic, classification, and conduct qualifications of candidates.

The appropriate filing fee for the position they are seeking

Candidates in major races shall be assessed a \$20 filing fee.

All other candidates shall be assessed a \$10 filing fee.

Any other reasonable information required by the Election Commissioner.

(4) Students may not file for candidacy for more than one office in the same organization or association.

(5) Candidates shall not change the caucus for which they have filed after the filing deadline.

(6) Any candidate who files for election and fails to comply with all filing requirements shall not be qualified for election to any office.

(7) Any Student Senator removed from office because of excessive absences shall not be allowed to file for any Student Government office for the session of the Student Senate in which he or she was removed, or for the session following that session.

section III. General Filing Information

(a) For the spring general elections, filing for office shall begin on the Monday of the week that is two weeks before the week of general campaigning and voting, and shall conclude the Friday of that week.

(b) For the fall general elections, filing for office shall begin no later than five (5) class days prior to the first day of the established campaign period and shall last up to five (5) class days.

(c) The Speaker Pro Tempore of the Student Senate must, in accordance with the Student Senate By-Laws, inform the Election Commissioner of all Student Senate caucuses that have at least one (1) vacancy no later than 11:59 p.m. on the day before the first day

of filing for fall elections. The Election Commission shall only hold elections in these caucuses during the fall, and shall not add any after the period for filing has begun.




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(d) Online filing for Elections shall occur between 10:00 a.m. on the first day of filing and 3:00 p.m. on the final day of filing.

(e) By two (2) class days following the close of filing, the Student Government Advisor shall provide the Election Commission with certification of each candidate's academic eligibility and good standing with the university.

section IV. Write-In Candidates

(a) If elected, write-in candidates shall be accepted provided they meet the requirements for the office to which they have been elected. Upon election, write-in candidates must be certified as eligible by the Student Government Advisor and submit the following within forty-eight (48) hours:

- (1) A Declaration of Candidacy Form
- (2) The same finance report as is submitted by candidates on the ballot
- (3) The filing fee for the position to which they were elected
- (4) If a write-in candidate fails to submit these forms and fees or exceeds the campaign expenditure limit for the position in which they are elected, then they shall be disqualified.
- (5) Fines payable to the SGA endowment shall be enforced in the same manner as those assessed against balloted candidates.

(b) Write-in candidates may file a Voluntary Compliance notice with the Election Commission. This notice shall bind write-in candidates to these regulations and subject the candidate to disciplinary action in accordance with said regulations. This notice shall also allow such a write-in candidate to participate in forums, debates, candidate guides, or other events or activities deemed appropriate by the Commissioner. Write-in candidates shall not be able to participate in such activities without such a notice. The required content of the notice shall be determined by the Commissioner, and once submitted may not be rescinded. A write-in candidate shall never be placed on an official ballot by means of this notice.

section V. Positions



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Speaker of the Senate

(a) Major and Minor Races

(1) "Major Races" shall be defined as races in which every student may vote, regardless of class, residency, college, or any other demographic information. These include:
Student Body President
Yell Leader

(2) A Minor Race is any race not classified as a Major Race.

(b) Student Government Association

(1) Student Body President

At the time of filing the candidates for Student Body President must have a minimum overall G.P.R. of 2.0 and post at least a 2.0 for the preceding semester.

The Student Body President shall have been registered at and in good standing with Texas A&M University for at least three (3) consecutive fall/spring semesters preceding his/her election to office.

(2) Senate

(i) A candidate for a Senate seat must be a member of that constituency during the upcoming academic year. If a candidate is not in the caucus for which he/she seeks office, but does anticipate entering that caucus, he/she may run for that position. However, he/she must show proof to the Election Commission at the time of filing that he/she intends in good faith to have membership in the constituency in which they intend to serve during the semester of their potential service. If a senator changes academic colleges or living qualifications, he/she must resign their position.

a. "Proof" shall be defined as any statement by the student signed under penalty of the Aggie Honor Code and automatic disqualification from the election.


b. Students who have applied for graduation at the end of the semester in which the election is taking place but intend to continue on to graduate school at Texas A&M must sign a statement saying that they



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have not been rejected by A&M, nor have they accepted any offers at any other schools or any job offers that would prevent them from serving in their position in the following semester.

Students of freshman classification not on scholastic probation are eligible to run during the fall freshman elections. They must post a minimum G.P.R. of 2.0 at the end of the semester in which they are elected or they may face removal from office.

Newly elected Senators must have a minimum overall G.P.R. of 2.0, or a 3.0 if a Graduate Student, at the time of filing, and post at least a 2.0, or a 3.0 for Graduate Students, for the preceding regular semester or the two preceding summer sessions and during the term of office or he/she shall be automatically removed from office.

(3) Yell Leader

Candidates for Junior and Senior Yell Leader must be rising Juniors and Seniors, respectively, by hours or by enrollment date as stated in General Qualifications for Office found in the Yell Leader Governing Documents.

(4) Class Councils

See Class Council Governing Documents for eligibility information

(5) Residence Hall Association

See RHA Governing Documents for eligibility information

(c) Mandatory Candidates Meeting

(1) For spring elections, the mandatory candidates meeting shall be held the Sunday of the week before the week of general campaigning and voting. For fall elections, the mandatory candidates meeting shall be held no more than one (1) week following the close of filing.

(2) At the mandatory candidate meeting, the Election Commissioner shall explain the Election Regulations, answer any questions, and announce any notable interpretations of the Election Regulations.

(3) The Election Commissioner shall announce the days and times that finance reports and receipts are due, and the location(s) at which they must be deposited.

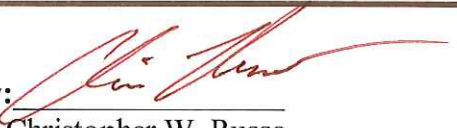
(4) Any candidate who is unable to attend the



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Mandatory Candidate meeting must contact the Election Commission in writing at least twenty four (24) hours prior to the meeting to report a University excused reason for his/her absence as well as name an agent to attend the meeting in the candidate's place. The agent must show written verification from the candidate, identifying the person as an agent.

(5) To be excused from attending the Mandatory Candidate Meeting, a candidate must submit a university excused absence that would have also prevented them from appointing an agent to attend the meeting in their absence to the Election Commissioner within twenty four (24) hours of the meeting. All candidates failing to do this shall be disqualified.

(6) All candidates are responsible for all information covered at the Mandatory Candidate Meeting without exception.

ARTICLE V. CAMPAIGNING

section I. Process and Timeline

(a) Dates

(1) A candidate may not campaign until the time and date specified by the Election Commission and these regulations.

(2) The dates for spring 2014 student body elections will be as follows:

2/2-21: Endorsement Period

2/3-7: Filing online (in-person by appointment only)

2/9: Mandatory Candidates' Meeting

2/10-14: Pre-Campaign Period

2/17-19: General Campaigning

2/20-21: Modified Campaigning/Voting

2/21: Results Announced

(b) Pre-Election Period

(1) The pre-election period shall be defined as the period of time prior to filing as a candidate in the election process.

(2) A candidate may form a campaign staff



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during the pre-election period in order to research a platform and help the candidate prepare for the campaigning period. A candidate or a candidate's representative must ask people to join his/her campaign staff on an individual basis.

The candidate shall be held responsible for the actions taken by his/her supporter. Any violation of the regulations by a supporter of a candidate could result in a fine for the candidate.

(c) Endorsement Period

(1) The endorsement period shall be defined as the period of time before the pre-campaigning period during which candidates may seek endorsements ~~from university recognized student organizations.~~

(2) Endorsements ~~from recognized student organizations~~ may be solicited by candidates during an endorsement period that shall begin seven (7) days prior to the mandatory candidates meeting.

(3) Candidates may continue to seek endorsements until the end of the election.

(4) ~~Candidates must strictly adhere to all regulations regarding endorsements.~~

(5) Endorsement forms must be submitted to the Election Commission before publication by any entity at the discretion of the Election Commissioner.

(6) Any entity may endorse a candidate.

(d) Pre-Campaigning Period

(1) The pre-campaigning period shall be defined as the period of time after the filing period ends but before general campaigning begins, during which candidates and campaign staff ~~have the ability to~~ may begin speaking to any university-recognized student organization at locations on- or off-campus.

(2) The first day of spring pre-campaigning shall begin immediately after the Mandatory Candidates' Meeting and shall end at 11:59:59 PM on the Friday before the week of general campaigning and voting.


(3) Speaking engagements shall be at the discretion of the organization being addressed.



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(4) Distribution of any flyers, passing out campaign materials, and holding campaign signs during this period is strictly prohibited.

Candidates and campaign staff shall be allowed to wear any article of clothing that supports their candidate during the pre-campaigning period, as long as these materials are not distributed.

- (5) Candidates shall be allowed to speak to local or campus media outlets for quote or press concerning their candidacy during the pre-campaign period. Candidates are not permitted to submit or have published material that is written by the candidate or staff members for the purposes of campaigning. These prohibited publications include, but are not limited to, "Mail Calls" and opinion or editorial articles that are intended for publication. Candidates may only be included in articles or stories written by employees or freelance writers of a local or campus media outlet. Candidates appearing in local or campus media outlets for reasons not related to campaigning or their candidacy are exempt from this rule.

(e) General Campaigning

- (1) General campaigning shall be defined as the period of time after the pre-campaign period and before voting during which candidates may actively campaign (in addition to all activities permitted during the pre-election, endorsement and pre-campaigning periods) while following all campaign rules listed in these Election Regulations.
- (2) The first day of spring general campaigning shall begin at 12:00 a.m. on Monday of the third full week of February and shall end at 11:59:59 p.m. on the Wednesday of the same week.
- (3) The dates of fall general campaigning shall be set by the Election Commissioner who is in office that fall but may not begin prior to the conclusion of the Mandatory Candidates Meeting and shall end by 11:59:59 pm on the night before the first day of voting.

(f) Modified Campaigning


- (1) Modified Campaigning is shall be defined as and limited to holding signs and wearing campaign shirts. All campaign-specific signs must "promote the vote."



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- (2) "Promote the vote" shall be defined as explicitly stating the dates of voting or "vote today" on all signs used during Modified Campaigning days.
- (3) Modified Campaigning may only take place at the H₂O Fountain, Fish Pond, Harrington Plaza, and The Zone at Kyle Field.
- (4) Modified Campaigning shall take place from 8:00 AM to 5:00 PM on the first day of voting and from 8:00 AM to 12:00 PM on the second day of voting.
- (5) Materials used to make campaign signs and shirts for modified campaigning must be included in the expense report that is to be submitted on the first day of voting by 5 PM. No expenses shall be made on voting days.
- (6) Candidates may not speak to organizations during this time.

section II. Commission-Sponsored Campaigning

(a) Debates

(1) The Commissioner may set up to four (4) dates and times for candidates to participate in forums, debates or other public demonstrations or congregations. Registered candidates and write-in candidates that have submitted a Voluntary Compliance Notice [see H,D,2] are eligible to participate.

(2) During such forums or debates, with the exception of the Town Hall Debate [see III, A, iii, 3], all general campaign practices in or around the area where these are taking place shall be prohibited. This includes holding signs or banners, wearing t-shirts, distributing materials, etc. The Election Commissioner shall notify candidates the starting and ending point of the time frames when the use of campaign materials will be prohibited. During those times, verbal campaigning may be prohibited. Failure to adhere to this rule may result in sanctions and is a Tier 1 violation.

(b) Town Hall

(1) At the discretion of the Election Commissioner, there may be an outdoor student driven debate. This debate shall take place at a central, high traffic campus area on a regular school day during the general campaign period. The



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format for this debate shall follow basic Town Hall format and these parameters shall be communicated to the candidates and to the student body beforehand. In such debate, campaigning is allowed, as long as such campaigning does not impede on the debate. Sanctions for such an impediment are at the discretion of the Election Commissioner.

(c) Candidates Guide

(1) A Commission-compiled candidate's guide may be posted online and/or sent to The Battalion for publication no sooner than one (1) week after the conclusion of the Mandatory Candidates Meeting, and may contain nothing more than a biography or resume, short platform synopsis and photograph.

section III. Materials

(a) Campaign materials are defined as anything distributed or displayed for the purpose of soliciting votes for a candidate.

(b) Recognized student organization communication shall not be considered campaign materials as long as it is not distributed outside the organization. Types of such communication include standard practice memoranda, agendas, or other communication tools that would be part of the practice of the organization in the absence of elections. The Election Commissioner shall decide what constitutes such organizational communication under this rule.

(c) All campaign materials must be registered with the Election Commissioner prior to distribution, display, or expensing. Failure to register materials may result in a violation.

(d) Flyers

(1) The term "flyer" is defined as a single piece of paper with a surface area no larger than 93.5 square inches (equal to that of an 8 1/2 inch by 11 inch piece of paper).

(2) Flyers may be distributed with a maximum of one flyer per bulletin board for each candidate.

(3) The term "bulletin boards" shall be defined as the corkboard and the surrounding frame.

(4) Candidates may need to obtain approval from a departmental office or building manager or proctor before




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posting flyers on bulletin boards in university buildings, including residence halls. It is the responsibility of the candidate to obtain any needed approval before posting flyers on campus bulletin boards. Bulletin boards reserved for departmental or organizational announcements or designated for official use only shall not be used for campaigning.

- (e) No candidate may distribute any food or beverage; this includes the distribution of candy.
- (f) In residence halls and Corps dormitories, campaign materials may be placed in accordance with that specific hall's rules and regulations according to the Department of Residence Life or Corps Dorm Policies set by Corps Staff. Campaigning activity regarding ballot proposals or referendums inside residence halls is subject to similar approval and regulations, while the two may not necessarily be congruent.
- (g) No materials may be placed in mailboxes except through the U.S. Postal Service.
- (h) The Election Commission has the power to remove or order the removal of any materials that are in violation of the Election Regulations.
- (i) A voter may bring to the polling place any flyer relating to a campaign in order to assist them while voting. However, those materials cannot in any way be distributed, made visible, or shared with anyone else.
- (j) Each candidate shall be responsible for the removal and disposal of all displayed campaign materials within seventy-two (72) hours of the announcement of primary election results. ~~Those candidates who proceed to the run-off election are responsible for the removal and disposal of all displayed campaign materials within seventy-two (72) hours of the announcement of run-off election results.~~

ARTICLE VI. RESTRICTIONS

section I. Rulings of the Election Commission


- (a) Candidates must adhere immediately to all rulings and directives issued by the Election Commissioner. Failure to do so shall place the candidate subject to disciplinary action by the Election Commission.



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- (b) Anyone may help advertise the time, manner and place of elections.
- (c) Anyone wishing to contact the Election Commissioner in regards to any election related violation must do so through the violation report that can be found at *election.tamu.edu*.

section II. Campaigning


- (a) The Election Commissioner is the judge of what constitutes campaigning.
- (b) No candidate or his/her supporters may remove, deface, destroy, or obscure any campaign material of any candidate.
- (c) Off-campus campaigning shall be prohibited. No campaign materials shall be distributed, posted, or held off campus.
- (d) Any candidate or member of the candidate's staff who violates departmental or university regulations, or Texas A&M University Student Rules, in an action related to campaigning shall be subject to disciplinary action by the Election Commission.
- (e) Before a candidate embarks on an activity not expressly mentioned in these regulations, he/she must obtain approval from the Election Commissioner prior to the start of that activity. The candidate is restricted from proceeding with the activity until such time as approval has been obtained. The Election Commissioner shall have a maximum time of two (2) class days to rule on the activity in question and notify the candidate of the ruling.
- (f) Candidates may only actively campaign in areas designated and named for that campaign period. The Election Commission must secure proper concessions permits through the University for specific locations whereby candidates may distribute materials, and those locations must be set by the Commission no later than one (1) week subsequent the conclusion of the Mandatory Candidates Meeting. Other forms of campaigning—specifically those that do not involve distribution of materials or would not normally fall under the purview of concessions regulations—may occur anywhere on campus if that location or activity is not in conflict with any other regulation or restriction.
- (g) Areas inside the Memorial Student Center, Rudder Complex, classrooms, the Rec Center including Time Out Deli, and the John J. Koldus Building are off limits to campaigning during the campaigning period, except when a group or organization allows candidates to speak at their meetings. In these cases, the candidate may



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only campaign in the immediate room in which the meeting is being held. The only exception to this rule is that articles of clothing may be worn any time anywhere during the campaign period.

(h) No demonstrations, gatherings, or other form of campaigning, which interfere with the natural flow of either pedestrian or vehicular traffic, shall be permitted. Riding in the bed of a truck, pulling trailers, or offering rides in order to solicit votes or promote a candidate are not to be permitted.

(i) Dining hall public address systems may not be used for campaigning purposes. While campaigning in dining facilities, candidates must adhere to standards of conduct established by Dining Services. Campaigning within dining facilities may be further restricted by the appropriate facility director.

(j) Door-to-door campaigning hours and rules shall be established by the Residence Hall Association and Corps Staff. No one may campaign door-to-door on campus at any other time. This restriction shall not affect campaigning at organizational meetings or campaigning outside the residence halls and Corps dormitories.

(k) Candidates are not permitted to display campaign slogans or other campaign related messages by marking them on university sidewalks or buildings in chalk.

(l) Only signs flyer-size or smaller may be posted or otherwise left unattended on campus. Residents of campus housing may affix materials inside their respective dorm room, but materials may not be affixed facing out of windows or on the hallway or balcony side of doors.

(m) Only four (4) people working for one candidate or any mutually supportive group of candidates may campaign in one place at a time. This does not include the candidate or group of candidates themselves.

(n) Live animals, including Reveille, may not be used for campaigning and cannot be present at campaigning locations. Exceptions shall be granted for service animals.

section III. Endorsements


A candidate may obtain the endorsement from an ~~organization~~ entity during an endorsement period seven (7) days prior to the start of the pre-campaign period. The



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candidate may approach only the organization's entity's governing body during this time to obtain appropriate paperwork from said organization entity. The candidate may not appear before the organization's entity general assembly before the speaking period begins. Signatures of two members of the organization's entity's governing body must be on the

- (a) endorsement form to verify the organization's entity's endorsement and to serve as proof that the proper steps were taken to endorse a candidate in accordance with that organization's entity's bylaws or standard operating procedures.
- (b) Organizations that contain at least one (1) member of the Election Commission in their governing body shall be forbidden to endorse a candidate. Any candidate endorsed by an organization found to meet this criterion shall be fined a violation as determined by the Election Commissioner. If a member of the Election Commission is a general member of an organization that wishes to endorse a candidate, any vote to confirm the endorsement must take place when the Election Commission member is not present.
- (c) No candidate may accept from any recognized student organization its assistance to obtain any university resource to which that candidate would not have access as an individual student. No candidate may accept from any recognized student organization financial contributions of any type.
- (d) No individual student acting on their own behalf shall ever be subject to organizational endorsement regulations.
- (e) The Election Commission shall not be responsible for making any candidate endorsements known public.
- (f) Endorsement forms shall be accepted at a location subject to the discretion of the Election Commissioner.

section IV. Electronic Campaigning

(a) The Election Commission shall not regulate any activity that takes place over the Internet or other electronic media, such as telephone lines or electronic mail. The following exceptions apply to this rule:


- (1) Any internet activity in which money changes hands, including, but not limited to, advertisement,



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hosting, or the purchase of products (physical or electronic) must be documented and expensed in accordance with the financial rules in these Regulations.

(2) All electronic mail relating to a campaign that is sent to more than five (5) people at once must include the following disclaimer:

“Please reply to sender if you do not wish to receive further email from this candidate. If you still receive email please contact the Election Commission at [insert Election Commissioner’s email address].”

The candidate or the candidate’s staff may not send electronic mail to any recipient who elects not to receive further campaign correspondence.

(3) Evidence found on the internet of physical campaign violations shall be accepted by the Election Commission.

ARTICLE VII.

VIOLATIONS

section I.

Compliance

(a) Failure to comply with the aforementioned and subsequent regulations may result in a violation as determined by the Election Commission.

section II. Reporting

(a) A student who wishes to report an alleged violation of the Election Regulations may do so by filing a written account or online report of the alleged violation with the Election Commission within seventy-two (72) hours of the alleged violation. The violation report can be found at election.tamu.edu.

section III. Tiered Violations


(a) Violations of these Regulations shall be divided into two tiers according to severity, intent and impact on the campaigning process. These tiers should act as a guideline for candidates and the Commissioner, and decisions of the Commissioner may bridge these tiers if found



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necessary. The amount a certain tier suggests for a violation is only a guideline, and final sanction amounts and degrees are at the discretion of the Commissioner. The tiers shall be as follows:

- (1) Tier 1
- (i) Major offenses. Major violations include, but are not limited to: offenses against local, state or federal law to any degree; sabotage of opposing campaigns; voting fraud, falsified documents (including finance reports); withheld finance reports and ethics/Honor Code violations.
- (2) Tier 2
- (i) Minor offenses. Minor violations include, but are not limited to: pre-campaigning, finance violations, and offenses not included within the major violations criteria as determined by the Election Commission and these regulations.

section IV. Fines

Major violations shall be assessed by the entire Election Commission. Meetings shall be called at the discretion of the Election Commissioner to address potential major violations. During these meetings, the Election Commissioner shall direct the Election Commission to discuss the

(a) violations at hand, take into account all evidence presented, and vote on one of two reasonable actions:

- (1) A maximum fine of 15% of the candidate's allotted budget.
- (2) Disqualification.

(b) Decisions must be the result of a majority of the Election Commission members present. The Election Commissioner shall be a non-voting member unless he/she is required to achieve a majority. The Election Commissioner shall notify the candidate of the decision through the "Major Violation Report" within seventy-two (72) hours of the Election Commission meeting.

(c) Minor violations shall be assessed within twenty-four (24) hours of the report by the Election Commission.


- (1) Candidates filing under a Major Race shall



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be subject to a base \$20 fine. Each subsequent related offense shall result in an additional fine, with a \$5 increase to the amount of the last fine.

(2) Candidates filing under a Minor Race shall be subject to a base \$5 fine. Each subsequent related offense shall result in an additional fine, with a \$2 increase to the amount of the last fine.

(d) One-half (1/2) of all fines shall be deducted from the budget allotment for each respective candidate.

(1) Additionally, the remaining one-half (1/2) of all fines shall be paid by the respective candidate to the Election Commission. This payment shall also be deducted from the budget allotment for each respective candidate.

All such payments must be made within ten (10) days after the final day of voting.

Should a candidate fail to pay his or her fines, the candidate may not be appointed, selected, or elected to any office in the Student Government Association until such time as his or her fines are paid in full.

Any elected candidate who fails to pay his or her fines within ten (10) days after the final day of voting shall be disqualified from taking office.

The Election Commission shall collect all fines in its Student Organization Financing Center account.

All fines collected by the Election Commission shall be transferred between ten (10) and thirty (30) days after the final day of voting to the Student Government Association Endowment Account by payment from the Election Commission.

ARTICLE VIII. FINANCE

section I. General Expenditures

(a) Each candidate for any office shall be required to keep accurate, up-to-date records of all campaign receipts and expenditures.


(1) The term "expenditure" is defined as the fair market value or actual cost, depending on the appropriate circumstance, of all campaign materials used or obtained by any candidate in his/her campaign and any fines incurred by the



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candidate. Actual cost is defined as the cost as enumerated on an official sales receipt including the cost of tax at 8.25%. Fair market value is defined as the cost available locally to any given student within the Bryan/College Station area. Possible prices available over the internet to a student within Bryan/College Station are not considerable when determining fair market value. Tax shall not be included in the fair market values ~~assigned~~-assessed by the Election Commission, but it must be applied at a rate of 8.25% on the finance report.

(2) Items purchased over the internet which do not have fair market equivalents in the Bryan/College Station area must be expensed at cost, including any taxes paid.

(3) The term "campaign materials" shall be defined as any items, services or materials used or intended to be used in the course of campaigning or preparing for a campaign.

(4) Shipping and handling costs need not be expensed for any item.

(b) Candidates must follow a system of Fair Market Value when determining the expensed cost of materials:

(1) Campaign materials purchased in Bryan/College Station must be expensed at actual cost ~~under most circumstances.~~

(2) Campaign materials purchased outside Bryan/College Station ~~exceeding fair market value~~ listed costs are also expensed at actual cost. ~~Materials purchased outside Bryan/College Station not exceeding fair market value listed costs are to be expensed at fair market value.~~ Any purchases made over the internet from companies not based in Bryan/College Station are considered outside purchases and should be treated as ~~such with regard to the application of fair market values. if they were~~ purchased outside Bryan/College Station.

(3) ~~When a candidate is capable of obtaining campaign materials within Bryan/College Station at a cost other than what is available~~


(4) ~~to any given student within the Bryan/College Station area (the fair market value), candidates must expense the materials at fair market value. This rule does not take~~



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~~supply of a good into consideration.~~

(5) All donated materials are to be expensed at fair market value, regardless of quality.

(c) ~~The Election Commissioner shall submit a list of Fair Market Values for generic and commonly used campaign items at the Mandatory Candidates' Meeting. A member of the Election Commission may only revise the items on this sheet if the price on the Fair Market value sheet is different than actual estimated aggregate market prices. If updated, the Commissioner shall provide proper and timely notice to candidates and ensure grandfathering policies for candidates that made purchases under pre-revised costs are initiated. These Fair Market Values may be found online at election.tamu.edu.~~

(d) ~~It is the responsibility of the candidate to obtain from the Election Commission a~~ assess a fair market value for any campaign materials not appearing on the list provided at the mandatory candidate meeting. This shall be done by filling out the Fair Market Value Assessment Form provided by the Election Commissioner. Fair Market Values must be assessed using at least three (3) vendors and may use up to five (5). This form shall serve as the receipt for donated items.

(e) Candidates must list the entire cost of each individual expense that results in campaign material that in any way suggests support for their candidacy.

(f) There shall be no prorating of costs to account for unused campaign items which were purchased.

(g) Budgets from two or more candidates may not be combined in any way. Any campaign material bearing the name of more than one candidate must be expensed in full at actual cost or fair market value, depending on the appropriate circumstance, by each candidate named. Receipts for such expenditures must be submitted by each candidate separately. For final expense reports, candidates may not submit photocopied receipts without the prior consent of the Election Commissioner.

(h) Candidates running in more than one race in any one election cycle shall be identified as two separate candidates.


(i) No candidate shall be held responsible for any expense of an unused campaign item purchased before the mandatory candidates meeting.



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section II. Budgets

(a) Any candidate who exceeds his or her allotted budget shall be disqualified.

(b) Each candidate for the office of Student Body President may expend a maximum of ~~\$1800.00~~ \$2000.00.

(c) Each candidate for the office of Senator may expend a maximum of ~~\$150.00~~ \$200.00.

(1) Each senate candidate filing for co-candidacy shall have his budget increased by \$50 per additional candidate.

EX: ([original budget] + (\$50*[number of additional candidates])).
A majority of the amount expended by each candidate who has filed for co-candidacy must be expended for the purposes of group-campaigning.

(d) Each candidate for the positions of Yell Leader may expend a maximum of \$1800.00

(e) Each candidate for the office of RHA President may expend a maximum of \$300.00.

(f) Each candidate for the office of RHA Executive Vice President may expend a maximum of \$250.00.

(g) Each candidate for the office of Class President may expend a maximum of \$400.00.

(h) Each candidate for any other office may expend a maximum of \$150.00.

section III. Campaign Reporting

(a) All candidates must submit a finance report and all receipts from campaigning on the first day of voting by 5:00 PM ~~for both general elections and, when applicable, run-off elections.~~ Candidates failing to comply shall be disqualified the first day of voting at 5:00 PM.

(b) The Election Commission shall notify the candidates forty-eight (48) hours prior to the expense report deadline.


(c) All candidates shall submit the finance report provided online regardless of whether or not campaign spending has occurred. If no campaign spending has occurred, the candidate may submit a Null Expenditure Statement to that effect.



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(1) If a candidate spends no money on his or her campaign, a sworn statement to that effect, made available by the Election Commission, shall be accepted as an official expense report. This documentation must be submitted in the same manner as traditional expense reports.

section IV. Auditing

(a) The Commission shall audit all expense reports to determine compliance with necessary and applicable regulations. The materials registration database shall be the basis for comparison between items used in campaigning and items expensed or budgeted.

(b) Items that have been used in campaigning in any way, or have been purchased with the intent to use in any way, shall be considered necessary for expensing and such items shall be included in audit procedures.

(c) Items to be expensed shall include, but not be limited to, items that fit both of the following criteria:

(1) The item would not be purchased but for the candidate's running for election.

(2) The item cannot be accessed for free by the regular student.

(d) Transparency

(1) The Election Commission shall make all candidates' expense reports publically available at election.tamu.edu within twenty-four (24) hours after the general election results announcement, and within twelve (12) hours after the run-off election results announcement.

(2) Inaccuracies or omissions suspected in campaign budgets may be reported to the Election Commission in the same way that violations are reported. The complainant must include material or photographic clear and convincing evidence of the error in order for it to be considered by the Election Commission. All such complaints about a posted budget must be made within twenty-four (24) hours of the time that budget is made available online.


ARTICLE IX. VOTING



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section I. General

- (a) Elections shall be conducted online using a secure and private method. Ballots shall be organized and marked in a manner designated by the Election Commission. Students may vote only once and only with their own NetID and password. Duplicate ballots and those not complying with these requirements shall be voided.

(b)

Students voting fraudulently may be subject to sanctions by the Election Commission, and the University, and state or federal law.

(c) The Election Commission shall make every attempt to conduct voting in a way free from coercion or pressure. Those obstructing the free and fair nature of the voting process, by which voters may cast a ballot by free choice, are in violation of these regulations and the Aggie Honor Code and they shall be reported to the Aggie Honor System Office for possible reprimand.

section II. Voter Qualifications

(a) A voter must be an enrolled student at Texas A&M University.

(b) A voter must have a valid Texas A&M University ID number for the current year.

section III. Ballots

(a) The Election Commission shall post the sample ballot for the purpose of correcting errors on or before the Friday following the mandatory candidates meeting by 9:00 AM. If a candidate does not appeal any error on the sample ballot by 5:00 PM that day, he/she loses his/her right to appeal on this issue.

(b) The sample ballot shall not be used for any voting. It shall only be used for a candidate to verify that their name and caucus has been properly recorded for the election process, and for other administrative purposes as needed by the Election Commission.

(c) Candidates who are disqualified at least seven (7) days prior to the start of voting may appeal that disqualification to the Judicial Court immediately. The Election Commission shall remove all such disqualified candidates who fail to do so from the final sample ballot. Candidates who are disqualified after that time shall not be removed from



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the ballot under any circumstances, and the disqualification shall not be publicized by the Election Commission until the announcement of unofficial results after voting has taken place. The Election Commission may privately notify any candidate of the grounds of his or her disqualification immediately after that decision is reached by the Election Commission.

(1) Candidates may withdraw from the election at any time in writing via email to the Election Commissioner; if that withdrawal occurs late enough in the election process that the candidate's name cannot be removed from the ballot, that candidate's name shall be replaced by "withdrawn" on all ballots. Withdrawal from the election may not be rescinded by a candidate once submitted. No names will be removed from the ballot by the Election Commission at any time. Candidates who withdrew will be marked as "withdrawn" in the final results and will be eliminated following the conclusion of voting.

(d) The Election Commission shall post the final sample ballot for any election at least four (4) class days prior to the election and shall also submit a copy of the final sample ballot to The Battalion at that time.

(e) No phrases or slogans may be attached to a candidate's name on the ballot. The name that will appear on the ballot must be the name for which the candidate is normally known. in a professional or academic setting.

(f) An employee of the Division of Student Affairs shall maintain the online ballot.

section IV. Election Dates

(a) General Elections

(1) Voting days of the spring general elections shall begin on ~~the Thursday before the first full week of March~~ at 9:00 AM and end on ~~the following~~ Friday at 5:00 PM 3:00 PM.

(2) The dates of the fall general elections shall be set by the outgoing Election Commissioner who is in office during that fall.

(3) All election dates shall be announced via campus-wide email at least one (1) week before the start of filing,



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and again on the day that filing is opened.

(b) Changes

(1) The Election Commissioner has the authority to change the dates of an election if unforeseen circumstances arise that would warrant such a change with notification of the Student Government Advisor and all candidates.

(c) Instant Runoff Voting

(1) Instant Runoff Voting is a method of voting in which voters rank candidates from most-preferred to least-preferred in the general election. Losing candidates are eliminated one by one in rounds, and ballots cast for them are reassigned to their voters' next choice, until the final number of winners is reached.

(2) Definitions: the following definitions shall be ascribed to these terms in this sub-section:

Ballot: A ranking of any or all candidates cast by a voter in one race. During any given round, each ballot shall be counted as a vote for the candidate or candidates ~~who is~~ ranked highest on that ballot, who is neither disqualified nor eliminated.

Round: Any count of ballots cast.

Elimination: Occurs when a candidate is most-preferred by the fewest voters in a round. This is not the same as disqualification, but prevents a candidate from being counted in future rounds in that race.

Exhausted Ballot: A ballot in which all candidates ranked are either disqualified or previously eliminated. Exhausted ballots shall not be counted in any given round. This will not occur on any voter's ballot if that voter assigns a ranking to all candidates in a race.

(3) Procedure- Single-Seat Races

At the point of voting, all voters shall be presented with a list of candidates running for each race, as well as spaces for the allowed number of write-ins (equal to the number of winners for that race). Voters shall be allowed to rank those candidates and write-ins from one (1) for most-preferred to the number of candidates on the ballot plus the number of write-ins for least preferred.


Example: in a race in which eight candidates are running for two seats, the



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number of write-ins allowed would be two and the rankings would go from one (most preferred) to ten (least preferred), for the eight candidates on the ballot plus the two write-ins.

Before rounds begin, all disqualified candidates shall be eliminated and all candidates, including write-in candidates, who receive less than one percent (1%) of the total number of ballots cast in a race shall be eliminated.

In the first round, all candidates shall be ordered by the number of ballots that are counted as votes for them (they are ranked most preferred after removing eliminated candidates). The candidate who receives the fewest votes is eliminated. Exhausted ballots shall not be counted.

If necessary, a second round shall take place by the same procedure. Additional round shall be counted by this same process until the number of candidates who have not been eliminated or disqualified is equal to the number of winners. Those candidate(s) shall be declared the winner(s) of that race.

If two or more candidates in a round are exactly tied for last place, they shall all be eliminated unless that would result in the number of candidates falling below the number of winners. In that instance, the remaining candidates shall be declared as the winners, and the outgoing session of the Student Senate shall resolve the tie by a majority vote at its next

regularly scheduled general meeting in accordance with its rules for officer elections.

(4) Procedure- Multi-Seat Races

The procedures for multi-seat races shall be the same as for single-seat races except:

While ranking shall proceed numerically, with no duplications, votes for as many candidates as there are winners shall be weighted equally.

1. Example: For Senior Yell Leader (three [3] seats available), the candidates receiving ranks one (1), two (2), and three (3) shall be weighted equally.


After a candidate (ranked in the equally-weighted positions) has been eliminated, that candidate's vote shall be redistributed to the candidate on a ballot with the next-highest ranking.



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Rounds shall proceed in this way until winners equal to the number of seats available for a particular race reach a majority.

(d) Locations

(1) The official polling place for elections shall be online at vote.tamu.edu for the fall and spring general and run-off elections.

(2) Physical polling locations may be added at the discretion of the Election Commissioner. These locations shall ~~may~~ remain open for a maximum of two (2) class days for an election. The physical polling places shall be declared open no later than 9:00 a.m. and closed at the discretion of the Election Commission no earlier than 5:00 p.m. 3:00 PM on each election day, ~~general and run-off~~. ~~The online ballot shall remain available according to [VI,C,i,8].~~ The Election Official's watch shall be the official timepiece for opening and closing of each polling place.

(e) Results

(1) Results of all elections must be certified by the Chief Justice of the Judicial Court. This certification must occur within twenty-four (24) hours of the time after which either no appeals to the election results may be filed or all outstanding appeals for any given race to the Judicial Court have been dealt with, whichever comes later. This certification shall signify that no further challenges to the results of an election may be filed. The Chief Justice may certify all races at once or any combination of races at his or her discretion, so long as all certifications are completed according to the above timeline.

(2) The Election Commission shall announce uncertified results of all elections no earlier than 7:00 pm on the last day of voting, and the results shall be posted immediately thereafter. Results are not official until certified by the Chief Justice of the Judicial Court. Results shall also be submitted to The Battalion for publication.

Votes Required to Win

The winners in elections other than Student Senate elections are determined by the instant runoff process above.

In the Student Senate elections, the winners shall be decided by a plurality




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vote. If there is a tie for the last remaining seat in a Senate constituency, the seat shall be decided by a coin flip under the supervision of the Election Commissioner and the SGA Advisor.

(f) Judicial Court Appeal

(1) A candidate may contest an election no sooner than after the announcement of unofficial results, and later than forty-eight (48) hours after the unofficial results are posted by filing an appeal with the Judicial Court stating the basis on which the election is contested.

In any appeal concerning election fines, disqualifications, or the improper application of these Regulations, the defendant shall be the Election Commissioner. In any appeal challenging the constitutionality of any of these Regulations, the defendant shall be the Student Senate. In any appeal that would change the outcome of a race, the defendant shall be the winning candidate in that race who would lose his or her status as the winner if the appeal were decided in favor of the plaintiff. The plaintiff may be required to name any or all of these parties as defendants under this rule depending on the circumstances of the appeal.

(g) Administrative Error

(1) If prior to Judicial Court certification, it is discovered that the winning candidate was not qualified because of an error in the certification provided by the Student Government Advisor, the Student Body President shall declare the post vacant.