



The Student Government Association (SGA) Election Rules and Regulations

Amended: 12/08/2021

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These Election Rules will expire at the conclusion of the 2023 University of Maryland, College Park Student Government Association Elections.

ARTICLE I – ELECTED OFFICES

Section 1 – Executive

1. Executive positions are as follows:
 - a. Student Body President
 - b. Executive Vice President
 - c. Vice President of Financial Affairs
2. All undergraduate full time and part time students at the University of Maryland, College Park are eligible to vote for candidates for each of the Executive positions.

Section 2 – Legislative

Subsection A – Academic Representatives

1. Academic districts in the Legislature and their corresponding allotted representation (in parentheses) are defined as follows:
 - a. A. James Clark School of Engineering (3)
 - b. College of Agriculture and Natural Resources (1)

- c. College of Arts and Humanities (2)
 - d. College of Behavioral and Social Sciences (3)
 - e. College of Computer, Mathematical, and Natural Sciences (4)
 - f. College of Education (1)
 - g. College of Information Studies (1)
 - h. Philip Merrill College of Journalism (1)
 - i. Robert H. Smith School of Business (2)
 - j. School of Architecture, Planning, & Preservation (1)
 - k. School of Public Health (2)
 - l. School of Public Policy (1)
 - m. Undergraduate Studies (2)
2. All candidates running as an Academic Representative must intend to remain enrolled in that college for the remainder of the next academic year.
 3. All undergraduate students are eligible to vote for the Academic candidate(s) for the district that includes their major.

Subsection B – Residential Representatives

1. The Residential districts in the Legislature and their corresponding allotted representation (in parentheses) are defined as follows:
 - a. Cambridge Community (1)
 - b. Courtyards Community (1)
 - c. Denton Community (2)
 - d. Ellicott Community (1)
 - e. Heritage Community (1)
 - f. Greek Residential Community (1)
 - g. Leonardtown Community (1)
 - h. North Hill Community (1)
 - i. Off-Campus – Neighboring (3)
 - j. Off-Campus – Outlying (5)
 - k. South Campus Commons Community (2)
 - l. South Hill Community (1)
2. All candidates running for Residential Representative must intend to reside in that residential district for the duration of the following academic year. If asked, they would be expected to provide proof of residency to the election commission in the form of a signed lease or housing agreement.
3. All undergraduate students are eligible to vote for the residential candidate(s) for the community where they currently reside.

ARTICLE II – CANDIDATE AND TICKET REQUIREMENTS

Section 1 – Candidate Eligibility

Subsection A – Individual Requirements

1. Each candidate for an elected office in SGA must:
 - a. Be an undergraduate student in good financial, judicial, and academic standing at the University of Maryland, College Park.
 - b. Intend to be enrolled for both the upcoming fall and spring academic semesters.
2. All potential candidates for Academic Representative positions must have declared a major within the college they seek to represent or intend to declare a major in the college they intend to represent in the subsequent academic year prior to the deadline established in Art. II §1(C1) for candidate registration in order to be eligible to run for that position.

3. All potential candidates for Residential Representative positions who sign a lease or housing agreement by the date specified by the Department of Resident Life for declaration of room assignments must notify the Elections Commission by the Candidacy Deadline and provide documentation of their lease in order to be eligible to run for that position.

Subsection B – Incumbency Requirement

1. An incumbent is defined as any elected or appointed member of SGA who served at least one entire semester during the year of the election.
 - a. If an incumbent is running for a different position than the one they currently hold, they are not exempt from the requirements defined below.
2. Incumbents, as defined above, who have continuously served in an elected and appointed position for at least one semester must meet the following benchmarks and/or requirements outlined in the bylaws, within reason and in accordance with University standards, in order to run for any elected position in the next election cycle:
 - a. Attend eighty percent of legislative meetings except otherwise stated in bylaws.
 - b. Assessment of the progress reports by the Accountability and Ethics committee.
 - c. Attend eighty percent of primary and secondary committee meetings.
 - d. Legislative members must have met the bill requirement or have worked on a long-term project.
3. Members who are appointed during the Spring Legislative Session will not be reviewed.
4. The Elections Commission will review the above eligibility requirements with the assistance of the Executive Vice President and the Chief of Staff four weeks before the start of campaigning and notify any representatives deemed ineligible. If the Executive Vice President and the Chief of Staff are a candidate in the election they must replace themselves with a non-contesting or affiliating deputy.
 - a. Representatives can appeal the ineligibility decision to the Governance Board within a week of a decision granted.
5. Excused absences are not counted in meeting attendance.

Subsection B – Participation Requirements

1. No candidate may run for more than one office in SGA.
2. All candidates are required to:
 - a. Consent to verification by the Elections Commission and SGA Advisor that they meet all requirements stipulated by these rules.
 - b. Acknowledge that they:
 - i. Understand the formal commitment they are making to SGA.
 - ii. Understand and agree to abide by the Election Rules and Election Calendar.
 - iii. Understand and agree to abide by the SGA governing documents.
 - c. Attend all applicable mandatory meetings as laid out in Art. II §3.
3. Each candidate must be certified as eligible by the Elections Commission in order to participate in the election.

Subsection C – Registration Requirements

1. All candidates must register for the election through an application with the Elections Commission by a date specified by the Elections Calendar, following this procedure:
 - a. The Elections Commission will distribute applications at Mandatory Information Sessions and make them available online and in the SGA office in the Stamp Student Union.
 - b. Applications must be submitted online or to the SGA office.

- c. A completed application shall include the candidate's:
 - i. Name
 - ii. Contact Information (Email and phone number)
 - iii. Local and permanent addresses
 - iv. Major(s)
 - v. University Identification Number (UID)
 - vi. Position sought
 - vii. Ticket affiliation (if applicable)
 - viii. Intended date of graduation
 - ix. Certification of conformity to Art. II §1(B2) of the Election Rules
- d. Upon submission, candidates shall receive a receipt for their application by a member of the Elections Commission.
- e. If a paper application is received in the SGA office, an Elections Commissioner must receive it and verify that the handwriting is legible.

Subsection D – Eligible Candidates

1. The Elections Commission shall:
 - a. Post a list of all eligible candidates to the SGA website by a date specified by the Elections Calendar.
 - b. Inform all ineligible candidates of their status and the reason(s) they were deemed ineligible.
 - c. Have the authority to create any relevant platforms to distribute all information concerning information sessions, candidate eligibility, election and voting information, and all other information pertaining to the election.
2. Candidates declared ineligible by the Elections Commission shall have an opportunity to perform the following actions by a date specified by the Elections Calendar:
 - a. Rectify or otherwise solve any problem found during the verification process.
 - b. Present a written appeal with relevant documentation to the Elections Commission.
3. The Elections Commission shall be required to review and issue formal decisions on all written appeals, and must do so in a timely manner.
4. Previously ineligible candidates can only be made eligible through certification by the Elections Commission or through successful appeal to the Governance Board.

Section 2 – Ticket Eligibility

Subsection A – Defining Tickets

1. A ticket is defined as a group of undergraduate students containing at least one eligible candidate that exhibits the following properties:
 - a. The group displays common stylization or branding.
 - b. The group's intent is to promote the election of its own members.
 - c. The group's existence is based on the SGA election cycle.
2. Tickets are the only election-based group dynamic authorized by these rules.
3. There is no cap on the number of ticket members.
4. Ticket Affiliates are defined as those who are actively involved in ticket formation and functioning.:
 - a. Ticket formation and functioning can be defined as:

Significantly contributing to the identity of the ticket through the ticket's stylization and branding, platform and policy ideas, and campaigning strategy or plan.
 - b. If a student group endorses a ticket, only the president must be registered as a

- ticket affiliate.
- c. A ticket affiliate is not:
 - i. Someone who passively campaigns for a ticket, such as sharing a post on social media.
 - ii. A candidate on a ticket.
 - iii. A student group endorsement.
- 5. Endorsement would lead to members of the student group being able to campaign for the endorsed ticket.
- 6. Tickets, while recognized formally by the Elections Commission, are not considered student groups.

Subsection B – Ticket Formation

1. Executive Candidates wishing to form a ticket must register the ticket through application to the Elections Commission by a date specified by the Elections Calendar, following this procedure:
 - a. The Elections Commission shall make applications available at the Mandatory Information Session, online, and in the SGA office in the Student Involvement Suite of the Stamp Student Union. The online information session shall not be completed by prospective candidates until after the final in-person information session.
 - b. Applications must be submitted by email to the Elections Commission.
 - c. A completed ticket application shall do the following:
 - i. Establish the ticket name.
 - ii. Name and provide contact information for the Ticket Chair.
 - iii. List the names of all candidates on the ticket.
 - d. Upon submission, the submitter of the ticket application shall receive a receipt for their application by a member of the Elections Commission.
2. Candidates must abide by the following regulations relating to tickets:
 - a. Candidates intending to exhibit any property of a ticket in Art. II §2(A1) must register as a ticket, and may not purport to be a ticket unless registered as such.
 - b. Resources shall not be shared between multiple tickets or between tickets and individual candidates.
3. Tickets shall have the right to appeal a denial of their ticket name, so long as the appeal is submitted to the Elections Commission.

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Subsection C – Ticket Membership

1. The following rules govern the addition of candidates to a ticket, removal from a ticket, or change in position within a ticket:
 - a. A candidate will only be placed on a ticket if they have filed a candidate application indicating the ticket, and their name is included on that ticket's application.
 - b. The Ticket Chair will be able to add, change, or remove candidates and candidate information on the ticket by submitting a request to the Elections Commission by a date specified by the Elections Calendar.
 - c. The Elections Commission will remove a candidate from a ticket upon that candidate's request by a date specified by the Elections Calendar.
 - d. The Elections Commission will remove a candidate from the ballot upon that candidate's request by a date specified by the Elections Calendar.
 - e. The Elections Commission shall notify a candidate of a change in ticket status

within 24 hours of approval of a request for addition or removal from a ticket.

Subsection D – Ticket Chair

1. Each ticket must designate a Ticket Chair whom the Elections Commission shall contact with news affecting the ticket, specifically: date changes, sanctions or fines, decisions of eligibility, and other pertinent information.
2. The Ticket Chair is:
 - a. Required to be an undergraduate student enrolled in classes at the University of Maryland, College Park during the spring semester.
 - b. Not required to be a candidate for an SGA office.
3. Duties of the Ticket Chair include:
 - a. Serving as the point of contact between the Elections Commission and the ticket.
 - b. Overseeing campaign finance for the ticket and submitting finance reports.
 - c. Organizing the ticket membership and submitting the ticket application and updated candidate rosters..
 - d. Ensuring ticket members are aware of their candidacy requirements.
4. The Ticket Chair may be changed or removed from the ticket upon request by the Ticket Chair, or petition of two-thirds of the candidate ticket members to the Elections Commission.

Section 3 – Mandatory Meetings

Subsection A – Candidate Information Sessions

1. All candidates are required to attend a Candidate Information Session.
 - a. Candidates may choose to attend the in-person session or an equivalent online training which the elections board will provide as an alternative option.
2. At least five (5) Candidate Information Sessions shall be held on dates determined by the Elections Commission.
3. Each Candidate Information Session shall include:
 - a. General SGA information
 - b. Specific Executive/Legislative duties and responsibilities
 - c. A review of SGA Accountability and Ethics standards
4. All individuals attending Candidate Information Sessions shall include their names on a sign-in sheet provided by the Elections Commission.

Subsection B – Campaign Finance Meetings

1. All Ticket Chairs and independent candidates must meet with the Elections Commission at an individually scheduled time, prior to the deadline of the preliminary financial report in Art. VII §2(A3a).
2. The Elections Commission shall review all pertinent campaign finance rules, forms, and procedures through meeting individually with Ticket Chairs and independent candidates.

Subsection C – Legislative Meeting Requirement

1. All candidates are required to attend one of the following SGA legislative meetings in its entirety on the dates outlined in the Elections Calendar.
2. The Elections Commission shall publicly advertise the time and location of each legislative meeting when the agenda for that meeting is released.

Subsection D – Contingencies

1. If a candidate cannot attend a mandatory meeting, and missing that meeting will result in the ineligibility of their candidacy, they must provide written notice through email to the

Elections Commission.

- a. Written notices should:
 - i. Always be submitted at least 24 hours prior to the meeting unless there are extenuating circumstances.
 - ii. Explain the candidate's circumstances, as well as any issues of the timeliness of the submission of the notice itself.
 - b. The Elections Commission may, at their reasonable discretion, grant an excused absence and require the individual to attend a make-up meeting.
 - i. In the event that the Election Commission does not grant an excused absence, the potential candidate or ticket chair may appeal the decision to the Governance Board.
2. Undergraduate students studying abroad during the SGA Election will be exempt from any mandatory meetings.
 - a. Potential candidates must notify the Elections Commission through email of their interest in participating in the election.
 - b. The Head Commissioner of the Elections Commission shall make a reasonable effort to inform all candidates studying abroad of the information conveyed during mandatory meetings.
 3. The Elections Commission, if confronted with unforeseen and unavoidable circumstances, may change the times and dates or number of mandatory meetings.

ARTICLE III – ELECTION PROCEDURES

Section 1 – General Election Information

Subsection A – Election Calendar

1. The SGA Election events will be held on the dates outlined in the Elections Calendar.
2. The Elections Calendar shall be created by the Parliamentarian at least two weeks before the final General Body Meeting of the Fall semester.
 - i. In creating and approving the calendar, religious and cultural holidays, academic breaks in the semester, final exams and reading day, and any other extenuating circumstances of that academic year should be considered.
3. After the Elections Calendar is created with Executive Board consultation, it will be brought to the Legislature for a vote at the final General Body Meeting of the Fall semester, needing $\frac{2}{3}$ in favor to be approved.

Subsection B – Voting Methods

1. Undergraduate students can use any device with internet access to vote online at sgavoting.umd.edu or QR codes linking to sgavoting.umd.edu or using shortened links.
2. Electronic voting is the only approved method of voting for the SGA election.
 - i. At the discretion of the Elections Commission, if a student is unable to vote electronically, they may be permitted to vote using a paper ballot or with the assistance of an Elections Commission designee. .
 - ii. Alternative voting methods must be requested from the Elections Commission, by a date set by the Elections Commission...

Section 2 – SGA Election Promotion

Subsection A – Advertisement

1. On a date specified on the Elections Calendar that is at least 15 days before the start of campaigning, the Elections Commission shall publicize and advertise:
 - a. The Candidate Information Sessions in order to reach as many potential candidates as possible.
 - b. The election and Executive debate in order to reach as many voters as possible.
 - c. Any changes to the dates, times, or locations of the mandatory meetings, Executive debate, announcement of winners, and swearing in ceremony, or to the election itself.
2. The Elections Commission shall ensure the publicly posted Election Rules, Election Calendar, and Election Rules of Practice, are always up to date, and shall apprise relevant stakeholders of any updates.
3. The Student Body President shall work with the University of Maryland Vice President of Student Affairs to send out an email to all students to remind them to vote during the election period.

Subsection B – SGA Sponsored Executive Candidate Debate

1. SGA shall sponsor at least one debate between all Executive candidates wishing to participate, on a date specified by the Elections Calendar.
2. In the case of a sole candidate contesting an executive role, a town hall format must be set up by the Elections Commission.
 - a. The time and date of the Executive debate shall be publicly advertised by SGA and the Elections Commission.
3. More than one debate may be held if indicated in the Elections Calendar.

Section 3 – Election Ballot

Subsection A – Appearance

1. The Elections Commission may set a reasonable deadline for submission of the candidate statement and may reject any statement if the statement slanders or harasses any person, or uses obscene language, as determined by a majority vote of the Elections Commission.
2. For each position, the name of each candidate shall appear on the ballot in alphabetical order based on last name.
3. The ballot shall show the ticket affiliation of each candidate alongside their name.
4. The ballot shall show all of the candidates for the offices that the voter is eligible to elect.
5. Each candidate may have a 100 word statement displayed below their name.

Subsection B – Ballot Review

1. The Elections Commission will provide an opportunity for Ticket Chairs and independent candidates to review the accuracy of the election ballot.
2. The Elections Commission must test the voting system for any issues prior to the start of voting.

Section 4 – Computer Voting Procedures

1. A valid University of Maryland, College Park Student ID or Directory ID number is required to vote.

2. The computer program shall allow a student to vote only once, and it is a violation of the University of Maryland Code of Student Conduct to vote more than once.
3. The computer program shall determine the residency and official college affiliation(s) of the student.
 - a. Based on the voter classification established in the SGA Bylaws and this document, the program shall identify the legislative representatives the student is permitted to elect.
 - b. It is the responsibility of every student to provide their most updated information to the Office of the Registrar.
 - c. Reports of glitches or other system issues should be reported immediately to the Elections Commission.
4. Students shall vote by clicking in the boxes corresponding to the name(s) of the appropriate candidate(s).
5. The computer program used to conduct the election shall tally the votes, signal double voting, and provide a printout of the election results.
6. The computer program shall permit students to vote at any time in the day during the voting period.

Section 5 – Election Outcomes

Subsection A – Determining Winners

1. The winners of the elections for all positions shall be those candidates who receive the most votes.
2. For districts where more than one candidate may be elected, the winners are those candidates who receive the most votes and their immediate runner-ups, ordered by vote total, that satisfy the district representation requirements.
3. A runoff election will occur for any position where the number of individuals receiving the most votes exceeds the allotted number of available seats.

Subsection B – Results Verification

1. The SGA Advisor, the Elections Head Commissioner, the current SGA President, the Speaker of the Legislature, and one Governance Board Member shall verify election results.
2. If any of the individuals responsible for election results verification are participating in the election, the Elections Commission Chair shall appoint a comparable replacement, subject to confirmation by the Legislature.
3. If the votes cast in an SGA election are less than 1/10 of the current undergraduate student population, then additional days must be added to the voting period until the standard is met.

Subsection C – Post-Election

1. The Elections Commission shall announce the election results publicly within 24 hours of confirming the results.
2. All newly elected Representatives are required to attend a Swearing-In Ceremony at a time and location to be decided and announced by the Elections Commission.
3. Should any candidate or ticket fail to submit its final financial report, or submit its final financial report so late as to obtain a fine that puts the campaign over the spending cap, that candidate or ticket's candidates shall be removed from their elected offices.

ARTICLE IV – ELECTION AUTHORITY

Section 1 – Compliance

1. All candidates and ticket members affiliated with a campaign but not meeting the requirements of a ticket must comply with University policies, as well as state, federal, and municipal laws.
 - a. In the event that UMD policies, state laws, or federal laws are ambiguous in their application to a candidate or election issue, the Elections Commission or SGA Advisor shall resolve the ambiguity.
2. All candidates, ticket members, and SGA members must abide by all relevant provisions in the SGA governing documents.

Section 2 – Jurisdiction

1. Once a candidate or ticket registers with the Elections Commission, that individual or ticket membership explicitly agree to abide by the Election Rules and recognize that the Elections Commission has the authority to enforce the Election Rules.
2. Pursuant to Art. II §2(B3) and Art. II §2(C3), the Elections Commission has authority to regulate campaigns as a result of the actions of unofficial collaborators or outside actors.

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- a. Any individual acting as an agent of a candidate or ticket shall be construed as campaigning for that individual or ticket, at the discretion of the Elections Commission, and any punishment for a violation of the Rules shall be applied to the appropriate campaign.

ARTICLE V – LIMITATIONS ON CAMPAIGN ACTS

Section 1 – Rule Clarification

1. If candidates are unsure of the legitimacy of certain actions, they can contact the Elections Commission for clarification or to report a potential violation.
2. Any time the Elections Commission clarifies a rule, it must notify all tickets, independent candidates, and the SGA Governance Board of the clarification, as well as other appropriate members of SGA.
 - a. Candidates and tickets can appeal rule clarifications to the Governance Board.
 - b. During an elections cycle (ticket formation to election day), the Elections Commission is subject to precedence from the current elections cycle. The Elections Commission must adequately document all decisions and submit them to the Elections Commission advisor.

Section 2 – Campaign Regulations

Subsection A – Campaigning

1. Campaigning shall be defined as any actions taken by candidates, ticket members, or ticket affiliates to attempt to influence the outcome of the SGA election in favor of a certain candidate or ticket, including but not necessarily limited to: encouraging or discouraging students to vote in a prescribed way, providing background information in the context of supporting an election outcome, and discussing ideological viewpoints regarding the election. Actions which a reasonable person would believe are intended to impact the election may be considered campaigning by the Elections Commission under this clause.

2. Campaigning may not occur in any way, shape, or form prior to the official start of campaigning as stipulated by the Elections Commission.
 - a. Illegal campaigning prior to the official start of the campaign does not include ordering campaign materials, reserving domain and social media names, or meeting with members of the ticket.
3. Endorsing shall be defined as actions taken by individuals who are not candidates which publicly support a ticket or candidate(s) without going so far as to organize for the campaign in question.
4. The initial act of privately asking an individual to create a ticket or join as a candidate shall not constitute campaigning.
5. Candidates and tickets are permitted to spend campaign funds to purchase campaign materials prior to the start of official campaigning, so long as the materials are not distributed or used for campaigning prior to the official start of campaigning as stipulated by the Elections Commission.
6. University-affiliated organizations or departments shall not campaign for or endorse candidates or tickets.
7. In pertaining to both the campaigning and endorsement of an SGA election ticket, all events and actions held and performed by candidates, their tickets members and affiliates, and undergraduate students at large, shall be undertaken in good faith.
 - a. In the event that a campaign or its ticket have not been campaigning in good faith, harassing or smearing other campaigns/candidates, or otherwise hurting the legitimacy or sanctity of an SGA election, a ticket and its constituent members can and shall be punished fairly and consistently for violations thereof at the discretion of and suggestion to the Elections Commission.

Subsection B – Advertising and Promotion

1. All promotional materials must contain the words “SGA Elections,” or “Student Government Association Elections,” and the election dates, including all official ticket and candidate social media posts.
 - a. If dates change for SGA elections, campaigns shall not be penalized for using prior printed materials.
2. In accordance with Dining Services’ policy, campaign materials may not be posted in the Dining Halls or the dining area in Hillel.
3. Campaign materials to be posted in the Residence Halls must be approved through written consent by the Department of Resident Life.
4. Posting materials or advertisements off-campus is prohibited, except in private businesses/residences with the explicit written consent of the owner.
5. Advertising is permissible in the University Courtyards complex as long as it follows the rules and regulations established by the management of University Courtyards.
6. No campaign material may be posted in, attached to, or distributed in the Student Involvement Suite.

Subsection C – On-Person Materials

1. On-person materials shall be defined as materials worn on, displayed by, or attached to your person.
2. On-person materials are permitted in the dining halls and residence halls, but campaigning in other forms is not permitted.
3. On-person materials are not permitted in:
 - a. The SGA office or Student Involvement Suite.
 - b. The Stamp Student Union during election dates unless worn by the candidates

during the specified executive debate or town hall

Subsection D – Guidelines

1. A violation of any of these guidelines constitutes a violation of the Election Rules:
 - a. University Guidelines on chalking, found at <https://president.umd.edu/chalking-guidelines> .
 - b. University Guidelines on demonstrations and flyering or leafleting, found at http://thestamp.umd.edu/event_guest_services/policies#demonstrationsleafleting Guidelines for advertising in the Event Management Handbook, found at http://thestamp.umd.edu/event_guest_services/policies under "Advertising."

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2. The Election Rules of Practice for the SGA Election shall serve as basic operating procedures for the Elections Commission to carry out its functions and election monitoring authority.

Subsection E – Prohibitions

1. The following acts in relation to campaigning or campaign planning are prohibited at all times:
 - a. Bribery
 - b. Distributing beverages, alcoholic and non-alcoholic, or food to any individuals while campaigning.
 - c. Providing or purchasing alcohol for the purpose of campaigning
 - d. Defacing or removing University or personal property, though personal property may display campaign material with the owner's permission
 - e. Defacing or removing the campaign materials of other candidates or tickets.
 - f. Campaigning or electioneering in the Student Involvement Suite or at SGA-sponsored events.
 - i. Events solely funded through the Student Activity Fee allocations processes (Primary Allocations Process, Emergency Funding/Grouphelp) are not considered SGA-sponsored events
2. No electronic device owned by or under the effective control of any candidate or ticket member may be used to cast any ballot, except by that same member.
3. No materials or resources owned by SGA may be used as, or employed in the production of, campaign material for any candidate or ticket.
4. SGA election campaigns or campaign activities may not be referenced within the confines of the SGA office or at SGA-sponsored events.

ARTICLE VI – RULES VIOLATIONS

Section 1 – Discretion and Responsibilities

Subsection A – Authority

1. Perpetrating any activity that violates the Election Rules is prohibited, and can result in a fine or sanction at the discretion of the Elections Commission
2. Perpetrating any activity, campaign related or otherwise, that violates the governing documents of SGA is prohibited.
 - a. Should a participant in the election cycle, SGA member or otherwise, have a claim

raised that they violated the SGA governing documents, the Elections Commission shall consult the SGA Governance Board, and the Board will advise the Elections Commission whether that violation would result in a sanction and what that sanction could be.

- i. If there is a conflict of interest within the Governance Board, such as a current member running in the Election, that member must recuse themselves from that case.

3. Anyone may bring a potential violation to the Elections Commission, including Elections Commission members and non-students.
4. While anyone may bring a potential violation to the Elections Commission, violations against any students or non-students regarding the election may be dismissed only if it is proven that they reasonably have or had no knowledge of the SGA Election Rules.
5. A candidate who is knowingly the recipient of any votes cast improperly under Art. 4 §3 is liable for action up to and including dismissal as a candidate, at the discretion of the Elections Commission.
6. The Elections Commission has the responsibility and reserves the right to dismiss any individual or group violator from the election due to the number or severity of their violations.

Subsection B – Rights and Responsibilities

1. The Elections Commission is responsible for:
 - a. Monitoring the election for potential violations.
 - b. Responding to all inquiries and violation claims in a timely manner.
 - b. Enforcing corresponding fines and punishments for violations.
 - c. Reminding ticket chairs of responsibilities and deadlines.
 - d. Ensuring a working voting platform and providing alternative voting methods for any students who need them.
 - d. Notifying the accused and the accuser of any action taken on a claim.
 - e. Maintaining confidentiality during deliberations and notification of parties, in the event that the Elections Commission determines a claim does not meet the criteria for a fine or sanction.
 - f. Ensuring appeals and claims do not become moot and that recourse exists for every successful appeal, even if it means altering the Rules or the Calendar.
2. Individuals and tickets maintain the following rights:
 - a. To due process, to the extent that the Elections Commission shall review claims, hear appeals, and notify relevant parties of any resolution in a reasonable timeframe.
 - b. To confidentiality, to the extent that the Elections Commission shall ensure a campaign is not adversely affected by an unresolved or insufficiently supported claim.
 - c. To appeal any decision of the Elections Commission to the Governance Board.

Section 2 – Fines

1. A point system is used to determine the severity of violations where if a ticket or an independent candidate accrues 100 points they are disqualified from the election.
2. The Elections Commission has discretion of assigning the points based on the individual violation based on the outline below.
3. All decisions made by the Commission can be appealed to the Governance Board within 24 hours of the violation notice.

- a. An individual violation may be appealed but the summation of points from multiple different violations that exceed the 100 point threshold is not appealable and results in an immediate disqualification.
4. All point violations will be accompanied by a percent budget cut to the remaining budget of the ticket or the individual by the end of the election cycle, equivalent to the exact point value of the violation. If the remaining budget is less than 250 dollars, then the awarded point violations will be doubled when applied to the ticket or individual via a telescoping series.
5. If a ticket commits the same violation after they were notified of the first point violation, they will be disqualified.
6. Violations of which the evidence is clear and convincing that are worth 100 points:
 - a. Bribery.
 - b. Distributing alcohol or food to any individuals while campaigning.
 - c. Providing or purchasing alcohol for the purpose of campaigning.
 - d. Defacing or removing University or personal property.
 - e. Defacing or removing the campaign materials of other candidates or tickets.
 - f. Exceeding the maximum fundraising and spending cap of \$500 with a \$50 per person cap for Tickets; whichever comes first.
 - g. Use of computers or phones owned by or under control of any candidate or ticket member to cast another individual's ballot.
 - h. Contributions from organizations including 501(c)(3) groups contributed any financial support for candidate or ticket election materials or candidate or ticket election funding.
 - i. Falsifying election finance reports with a clear intent of forgery.
7. Violations that are worth a minimum of 50 points but may be changed at the discretion of the Elections Commission:
 - a. Materials or resources owned by SGA used as, or employed in the production of, campaign material for a candidate or ticket.
 - i. At least 50 points per time.
 - b. SGA election campaigns or campaign activities within the confines of the Student Organization and Resource Center or at SGA-sponsored events.
 - i. At least 50 points per time.
 - c.d. Materials are distributed or used for campaigning prior to the official start of campaigning.
 - i. At least 50 points per day.
 - e. Donations are collected by an unidentified third party.
 - i. 50 points for each donation.
 - f. g. One may not use SGA-affiliated communications platforms to campaign.
 - i. 50 points
8. Violations that are worth a minimum of 25 points but may be increased and/or decreased at the discretion of the Elections Commission:
 - a. Campaigning prior to the official start of campaigning.
 - i. At least 25 points per day.
 - ii. Posting materials or advertisements off-campus without the explicit written consent of the owner.
 - iii. At least 25 points per time.
 - b. Campaigning in other forms (aside from on-person materials) in the Dining Halls, the dining area in Hillel, and non-common areas of Residence Halls.
 - i. 25 points per time.
 - c. Any one ticket or independent receiving more than in \$100 direct donations from any one unaffiliated individual.

- i. 25 points.
 - d. Any inconsistencies or omissions in a financial report without a clear intent of forgery constitute a violation of the Election Rules.
 - i. 25 points.
 - ii. 10 points per day until corrected.
 - ii. After the first violation, the ticket chair must discuss the financial report with the budget chair one day before the ticket's budget is due.
9. The violations below must be a minimum of 10 points or a similar sanction as determined by the elections commission that can be a campaign time penalty or reduction in spending cap:
- a. Promotional materials do not contain the words "SGA Elections" and the election dates.
 - b. Individuals not listed as a ticket affiliate actively seeking votes for a ticket.
 - c. Violation of the University Guidelines on Chalking.
 - d. Violation of the University Guidelines on Demonstrations and Leafleting.
 - e. Violation of the Stamp Advertisement Guidelines.
 - f. Failure to submit a proper preliminary financial report by the deadline set, up to 10 points per day late.
 - g. A candidate may not come to an SGA-sponsored event with a virtual background containing campaign images or symbols.
10. Unless otherwise stated, the above rules apply both to in-person and online campaigning.

ARTICLE VII – CAMPAIGN FINANCE RULES

Section 1 – Fundraising and Spending Cap

1. The maximum fundraising and spending cap is \$2000
2. Independent Candidates
 - a. If running as an independent, a candidate may fundraise and spend no more than \$850, with a \$350 individual candidate maximum and an external funding cap of \$500. Within the external funding cap, individual donors are not permitted to donate more than \$100.
3. Tickets
 - a. Tickets are able to pool and share the resources of their members.
 - b. A ticket may internally fundraise and spend no more than:
 - i. The summation of the independent caps for each candidate on the ticket, if the summation is less than the maximum cap.
 - ii. The maximum cap, if the summation of the independent caps for each candidate on the ticket is greater than the maximum.
 - c. A single non-candidate source may contribute to the ticket no more than \$35 per, with a collective total of \$500
 - d. A Legislative candidate may contribute no more than \$35 per, with a collective total of \$500
 - e. An Executive may contribute no more than \$350, with a collective total of \$1000
4. The presence or number of non-candidate ticket members do not impact the fundraising and spending cap of a ticket.
5. All campaign contributions received must be included in the financial report.
6. Direct donations for elections shall only come from candidates seeking an office or other individual donors. No organizations or 501(c)(3) groups shall contribute any financial

- support for candidate or ticket election materials or candidate or ticket election funding.
7. A candidate may totally fund their campaign, or the campaign of their ticket, within the current campaign budget rules as outlined by the SGA Election Rules.
 8. The maximum amount any one ticket or independent may receive in direct donations from any one unaffiliated individual is to be set at a \$100 per person cap with a collective total of \$500
 9. The elections board is required to release campaign finance reports submitted by candidates and tickets within a reasonable time after the submission deadline established by the election calendar.

Section 2 – Financial Reports

Subsection A – General Rules

1. Financial reports are required for all tickets and independent candidates.
2. All financial reports must include the name and contact information of the person who compiled the report, and the ticket name if submitted by a ticket.
3. All tickets and independent candidates must submit:
 - a. A preliminary financial report outlining fundraising and spending by a date specified by the Elections Calendar.
 - b. A final financial report outlining total fundraising and spending for the entirety of the campaign, including those items in the preliminary report, by a date specified in the Elections Calendar.
4. Proper documentation must accompany all financial reports, and is subject to review by the Elections Commission.
 - a. The Elections Commission may amend the value of all items on any financial report if the amount paid is not reasonably within fair market value.
 - i. Fair market value is defined as the price that a product would sell for on the open market. It is important to note that items on sale, purchased at an under-the-table discount, or received for free still have a fair market value of the product at its regular price.
 - ii. The Elections Commission, through the SGA Finance Committee guidelines, shall determine the fair market value of any item in question.
 - iii. The Elections Commission shall consider the adjusted total in any determination of Rules violations.
 - iv. Any candidate or ticket adversely affected by an adjustment may appeal.
 - b. The Elections Commission may request additional documentation if documentation is lacking or insufficient.
5. The Elections Commission shall be responsible for verifying the authenticity of all financial reports.
6. A member of the Committee on Financial Affairs who is not seeking election and is not affiliated with any individual candidate or ticket, shall participate in the review of all financial reports.

Subsection B – Items in a Report

1. All contributions to a campaign must be included on that campaign's financial reports, and each element listed must include the name and address of each contributor and the date they made that contribution.
 - a. For monetary contributions, the report must include the dollar amount of the contribution.
 - b. If multiple contributions are made over time by the same entity, each contribution

must be reported separately.

- c. For contributions of goods or services, the report must include a description of the contribution and a reasonable estimate of its fair market value.
 - i. Time expended campaigning by any individual candidate or non-candidate ticket member shall not be considered in the calculation of fundraising.
 - ii. The same procedures for documentation and the assessment of fair market value in Art. VI, §2(A4) apply.
2. All campaign expenditures by a campaign must be included on that campaign's financial reports, and each element listed must include the date of the expenditure, the purpose of the expenditure, the total expense, and to whom it was paid.
3. A preliminary financial report must include all campaign contributions and expenditures up to two days prior to the start of campaigning.
4. A final financial report must include all information contained in the preliminary report, as well as any additional contributions and expenditures since the preliminary report was prepared.

Subsection 3 – Transparency

1. The Elections Commission Chair must ensure that all financial reports are posted on the SGA website within 24 hours after the time of their submission.
 - a. The Elections Commission shall provide relevant information and documentation for any financial report upon request, within reason and in a manner that ensures confidential material is not compromised.
 - b. The Elections Commission shall update the online postings of the financial reports in the event that a report has been amended.
2. Any falsifications, omissions, or fabrications of items in a financial report constitute a violation of the Election Rules.
3. If a ticket or independent candidate fails to turn in a financial report on time, then the ticket or candidate may be fined or sanctioned at the discretion of the Elections Commission.