

**Penn State Berks Campus
Student Government
Association Election Code**

Adopted: Draft

Ex officio member:
Joseph Webb, Advisor

Preamble

The purpose of the Student Government Association Election Codes is to provide the Student Government Association of the Pennsylvania State University Berks Campus with the utmost reliability and security in the election process for all elected positions including President, Vice President, Financial Manager and University Faculty Senate Representative. These election codes shall be the primary rules and regulations in the absence of or unspecified manner in the SGA Constitution.

ARTICLE I: Constitutional Requirements of Office

Section A: Eligibility of the President and Vice President

1. Shall be a full-time student and have completed two full semesters of instruction at the Penn State Berks Campus.
2. Candidates must have a cumulative GPA of at least 2.50.
3. Candidates must be in good standing with University and cannot be on warning status or academic probation.

Section B: Eligibility of the Financial Manager and the University Faculty Senate Representative

1. Shall be a full-time student and have completed one full semester of instruction at the Penn State Berks Campus.
2. Candidates must have a cumulative GPA of at least 2.50.
3. Candidates must be in good standing with University and cannot be on warning status or academic probation.

ARTICLE II: Election Timeline

Section A: Timeline for Elections

1. Individuals seeking Office may announce their candidacy as early as the third (3rd) week of the spring semester.
2. Elections Packets shall be turned into (1) SGA advisor in the Admissions Office or (2) Campus Life staff by the Wednesday of the 5th week of the spring semester.
3. Once nominating petitions are certified by the Chair of the Election Committee candidates may begin campaigning.
 - a. Campaigning shall begin at the certification of nominating petitions and continue until the end of the election process and announcement of new officers/ positions for the next academic year.
4. The Financial Manager and University Faculty Senate Representative debates shall be held on the (6th) week of the spring semester during the SGA meeting.

5. The President and Vice Presidential debates shall be held on the (7th) week of the spring semester, at either the SGA meeting or as an event hosted on campus.
6. Election Day(s) shall begin the eighth (8th) week of the semester at 8:00 am on Monday and continue uninterrupted through 10:00 pm on Wednesday.
7. The Elections Committee shall meet with the SGA Advisor on the Thursday immediately following the conclusion of the voting to discuss and disclose the results of the election.
8. All results of the election shall be released at the latest 5:00 pm on Thursday immediately following the meeting of the Elections Committee to the SGA General Business members and the campus.
9. Results of the election will be ceremonially announced at the next meeting of the SGA General Assembly.
10. Only candidates with credibility may contest the election results, having one week beginning on the Thursday of the eighth (8th) week of the semester and extending to the Thursday of the ninth (9th) week the semester at 11.59 pm to have the election contestation, be resolved.
 - a. A candidate with credibility is defined as an individual who has successfully completed a petition for candidacy and is in acceptable standing with the elections committee.
11. Under the extraordinary circumstances the Elections Committee may extend the elections timetable. (Ex: campus closures for weather)

ARTICLE III: Preliminary Requirements of Office

Section A: Announcement of Candidacy

1. Individuals may announce their candidacy for office as early as the third (3rd) week of the spring semester.
 - a. Individuals must announce their candidacy through verbal means during an SGA Assembly meeting.
 - b. President and Vice Presidential Candidates shall run on one ticket, which shall consist of two individuals.
 - c. Candidates for Financial Manager shall run on one ticket, consisting of one individual.
 - d. Candidates for University Faculty Senate Representative shall run on one ticket, consisting of one individual
2. Once a candidate has announced his/her intention to run for an elected position he/she may begin petitioning for that office.

Section B: Petitions

1. Petitions shall be completed by all tickets seeking an elected office.
 - a. Presidential, Vice Presidential, and Financial Manager positions shall be initiated by nominations in the form of a petition requiring the signatures of 300 eligible voters.
 - b. University Faculty Senate Representative position shall be initiated by

- nominations in the form of a petition requiring the signatures of 100 eligible voters.
2. Petitions signed under one office cannot be carried over to another office.
 - a. For example, a petition completed for the office of President of SGA cannot be counted towards signatures/petition for the office of Financial Manager.
 - b. There must be a second petition issued and filled out completely in order to be placed on the ballot for a different office as previously specified on the original petition.
 - c. A candidate may only be placed on the ballot for one elected office.
 3. Once a candidate has obtained the required signatures, they must turn in the completed petitions as well as the following documents:
 - a. Photocopy of Penn State ID Card
 - b. GPA consent form
 3. Once petitions are turned into both (1) the SGA Advisor in the admissions office and (2) Campus Life staff, the petition shall be approved and candidate(s) shall immediately be placed on the ballot.
 - a. The SGA Advisor shall review each candidate for the GPA requirement once the petition is submitted and approved by the Elections Committee.
 - b. Once the SGA advisor and the elections committee have approved a petition, the candidates may begin campaigning for office as outlined in Article IV: Campaigning.

Section B: Election Day Procedures

1. Election Day(s) shall begin the eighth (8th) week of the Spring Semester at 8:00am and continue uninterrupted through 10:00pm on the Wednesday of the eighth (8th) week.
2. Effective 8:00am on Monday of the eighth (8th) week directly through Wednesday at 10:00pm no candidate(s) be permitted to campaign on the same floor as the polling station, on the Perkins lobby staircase leading up to the polling station, and within 50 feet of the back door to Perkins Student Center on the second floor.
 - a. A polling station shall be set up in the lobby of Tully's catty-corner to the Lion's Den.
 - b. There shall be no campaign literature, signs, flyers, handouts, information candidate(s) etc... inside a radius of (10) feet from the polling station.
 - c. Candidates may not utilize the windows in Tully's for campaigning materials during the entire elections timeline.
3. Candidate(s) may be permitted to campaign throughout the entire Week of elections until the closing of polls.

ARTICLE IV: Campaigning

Section A: General Campaigning Guidelines

1. The Chair of the Elections Committee must approve all materials before their use in campaigning.
2. All appropriate campaigning materials are listed in subsections below.

3. If a candidate is using yard signs, flyer/handouts, or TV advertisements, they must be approved by campus life staff before being used in the campaign.
4. Any and all materials used in the campaign may not contain libel or falsified information
 - a. This clarification and overall decision on what is appropriate lies with the Chair of the Elections Committee.
5. Candidates may not defame other candidates with slanderous comments
 - a. This clarification and overall decision on what is appropriate lies with the Chair of the Elections Committee.
6. If the Chair of the Elections Committee denies the use of any campaign materials the candidates may appeal to the Elections Committee.
7. All appeals must be decided within (2) days of denial by the Chair of the Elections Committee.
 - a. The Elections Committee may overturn the Chair with a simple majority Vote.
 - b. If the Elections Committee has not met or voted on the denied campaign material in (2) days the campaign material under question shall pass due to being tabled for (2) days.

Section B: Yard signs

1. Yard Signs may be placed:
 - a. At any location on campus that is not in direct violation of these elections codes or maintenance installations.
 - b. At any of the following buildings or anywhere in between as long as it does not violate Article IV, Section B, (1) (a):
 1. Franco Building
 2. Lueressen Building
 3. Perkins Student Center
 4. Beaver Community Center
 5. Gaige Building
 6. Thun Library
 7. Hintz Bookstore
 8. Residence Halls
 9. Main entrance to Penn State Berks Campus
 10. Primary or Secondary Commuter Parking Lots
2. All campaigns may use up to (20) yard signs as approved by the Chair of the Elections Committee and Campus Life Staff member.
3. Yard signs must be properly disposed within (5) days of completion of the elections. To enforce this procedure the following policy will apply.
 - a. A fee of fifty dollars will be deducted from the 300 dollar reimbursement fund noted in Article V, Section B, (1) if Signs are Still in place five days after the election.

Section B: Flyers/Handouts

1. All flyers and handouts must be have a seal/stamp of Campus Life approval visible.
2. These flyers and handouts may contain information that is pro-candidate and con-candidate, but must remain in appropriate language and decorum at all times pursuant to the office sought.

Section C: Canvas

- 1 All pictures, text, video, podcasts etc... must abide by Penn State University Rules and Codes pursuant to Canvas policies as university policies.

Section D: Social Media/Websites

1. No one but the candidates themselves may be present as members of a social media group/page until the Chair of the Elections Committee has approved the content.

Section E: Word of Mouth Campaigning

1. There will be absolutely no slander, libel or defamation of any candidate(s) character.

Section F: Campus TV Monitors

1. Candidates may design, construct and use campaign ads in the form of PowerPoint slides.
2. Completed slides must be sent to campus life in order for them to appear on the campus TV monitors

Section J: Stickers, Apparel, Food, etc.

1. All candidate(s) may use stickers, apparel, key chains, food, etc. in their campaigning. For use of food, all candidates must follow established food services policies for food on campus.

Section L: Assistance from Administrator and Staff

1. All Campus Life/Student Affairs staff will be required to remain un-bias through the election. Help from staff is not to be given unless all candidates are receiving that same amount of help/assistance.
2. The Elections Committee will determine as to whether or not there has been unfair favorability by any staff member to any candidates and, with conjunction and communication with the Director of Student Affairs, will determine an appropriate course of action.

ARTICLE V: Campaign Funding

Section A: Fundraising

1. All candidates may seek to fundraise money, through all legal means as established by the U.S. Federal Elections Commission and any other applicable Penn State or SGA policies.
2. All tickets must complete a Disclosure of Funds Report which is provided by the Chair of the Elections Committee.
 - a. A Disclosure of Funds Report requires all tickets to list all income, expenditures, overheads, and revenue for their campaign.
3. All Campaigns may not exceed \$1,000 in fundraising for an elected office.

Section B: Reimbursement

1. All Campaigns who are on the ballot may be reimbursed for costs of the campaign up to \$300 of un-fundraised monies (from special SGA fund).
2. In order to receive this reimbursement of funds the ticket(s) must submit a Disclosure of Funds Report to the Chair of the Elections Committee, and apply for reimbursement within two weeks of close of elections.

ARTICLE VI: Write-ins

Section A: Definition

1. A write-in vote will be considered a vote for a Berks Campus student that is not on the ballot as a ticket.
2. The write-in vote is provide students the opportunity to express their opinions through voting.
2. A write-in vote must be cast without the knowledge of the student being voted for.
3. Any person that solicits write-in votes through any means shall not be considered legitimate and those votes will not be tallied.

Section B: Voting

1. Only write-in votes for full time degree-seeking Berks Campus students that meet the requirements for the office will be considered.

ARTICLE VII: Voting

Section A: Ballots

1. Candidate's names on the ballot shall be listed in random order. Once an eligible student has been placed on a ballot his/her name may not be removed from the ballot. If a candidate disqualifies as a candidate his/her name shall appear on the ballot as "disqualified" and students are unable to vote for them.

2. After the listing of declared candidates, there shall be a means to cast a write in vote for each office.
3. Write-in votes shall be aggregated based on reasonable assurance of voter intent.
 - a. A write-in vote shall only count once per ballot for each office, regardless of the number of times that name is written in on a single ballot.
4. If the voter fails to vote for enough candidates to fill all available seats for a specific Office, then the votes cast shall be counted, but the votes not cast shall be forfeited.
5. Voters may cast as many votes for candidates as there are positions to be filled.
6. Voters shall not be able to cast more than one ballot. Voters found to have cast more than one ballot shall have none of their ballots counted.
7. The University Faculty Senate Representative position cannot be uncontested; i.e. two candidates must run against each other in order for the election to be valid.
8. Candidates shall be elected by a plurality vote of the student body attending Penn State Berks

ARTICLE VIII: Debates

Section A: Debating Procedures for All Candidates

1. All debates shall be held on the specified time as listed above in Article II.
2. All candidates involved in debates shall:
 - a. Refrain from slandering, or falsifying information regarding his/her opponent(s).
 - b. Be allowed to state pro and con arguments for his/her own campaign as well their opponent(s) campaign.
 - c. Follow all rules set forth by the Election Code, and Elections Committee who are directly involved with debating procedures.
 - d. Be allowed to address their opponent in open debate, while maintaining an appropriate decorum.

ARTICLE IX: Penalties for Violations

Section A: Election Code Violations

1. The Elections Committee may dock votes from a candidate for each violation of the Elections Code.
 - a. Each violation of Election Code procedures will result in a docking of votes for the Candidate(s) who violated the code.
 - b. Each violation of the Elections Code may result in docking of (3-7) votes pertaining to the severity of the infraction.
 - i. The Elections Committee, as a whole, will be the decider in the number of votes docked per ticket.
 - ii. The Chair of the Elections Committee through the advice of the Elections Committee will issue the docking of votes.
 - iii. The Elections Committee may overturn the Chair with a 3% vote of the Elections Committee.

2. In the event or circumstance that such an egregious act is committed by a candidate for election, the elections committee has the right to suspend the election and review the case. Upon completion of investigation information may be disclosed at the next scheduled SGA meeting for a vote to be taken to decide the direction of the election and any action that may need to be taken.

ARTICLE X: Contestation

Section A: Election Contestation

1. Only Credible Candidate(s) may contest the results of an election.
2. Candidates may only contest the results of an election if the following step is met:
 - a. The Chair of the Elections Committee or a simple majority of the Elections Committee deem that one or more candidate(s) ticket(s) violated the Elections Codes.
 - b. Election Committee oversees contestation process and determines outcome.

ARTICLE XI: Equal Effect on all Candidates

Section A: Circumstances affecting all candidates

1. In the event that an unpredictable occurrence takes place that equally affects all candidates and their campaigns, no additional time will be added to the elections timetable.
 - a. Example: During voting week, if the online voting system is to go down, no additional time will be added to the elections timetable because all candidates will have been equally affected.

ARTICLE XII: Updates and Revisions to the Election Codes

Section A: Updates and Revisions

1. The Elections Committee may update or revise the Election Codes at any time during the election.
2. All candidates who are running for office must be notified within (6) hours of revisions or updates.

ARTICLE XIII: Unprecedented Occurrences

Section A: Unprecedented Occurrences within the Election

1. If any unprecedented occurrence happens within the elections which does not a clear courses of action within these election codes or in the Constitution of the SGA, the elections committee will meet with SGA advisor and discuss a solution

Article XIV: The Elections Committee

Section A: Committee Structure

1. The Elections Committee shall consist of (2) voting members of the Senate in good standing with the SGA and (2) staff members of the SGA.
2. The members of the committee must be approved by the Senate.
3. The Elections Committee Chair shall be the chairperson of the committee who reports on the actions and decisions of the committee.
4. The Chief of Staff of the SGA shall be the acting Elections Committee Chair. In the event that the Chief of Staff is running in the election, the Senate shall elect another SGA staff member who is not running to chair the committee.

Section B: Committee Tasks

1. The Elections committee shall approve or deny campaign materials based on the guidelines listed in Article IV.
2. The Elections Committee shall certify that all signatures on the candidate's petitions are valid, are not duplicated, and are the correct number.
3. Decide if a candidate has violated the elections code and apply the appropriate penalty as described in Article IX.
4. Schedule debates as outlined in Article II.
5. Run the polling station during the election.
6. Handle reimbursement requests in a timely fashion as outlined in Article V
7. Additional tasks as delegated by the Senate, including promotion of the campaign.

Section C: Expected Confidential Compliance to the Committee

1. All members of the Elections Committee are expected to keep any information discussed in meetings confidential. If this policy is broken the following action(s) may be taken:
 - a. Members may be ejected from the committee upon a majority vote from the committee.

Section D: Bias Protection

1. All members of the Elections Committee are expected to keep their personal views of the elections to themselves. Any member expressing views of the election inside or outside of the committee will be in violation of this policy and the following action(s) may be taken:
 - a. Members may be ejected from the committee upon a majority vote from the committee.

Section E: Committee Authority

1. The Chair of the Elections Committee and the Elections Committee members have authority over the election.
2. If any candidates feel as though they are being treated unfairly, they may appeal their case to the general assembly for a final ruling.

Revisions 2018