



**Ball State University  
Student Government Association  
Elections Code**

**Adopted by the Student Government  
Association on  
Friday, November 11<sup>th</sup>, 2016**

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### Preamble

In order to ensure that all Student Government Association Elections are impartial, fair, and consistent; help promote the understanding and recognition of the responsibilities of students to the university and the community; provide a forum for the expressions of the student body; and promote the purpose and responsibilities of the Student Government Association, we, the members of the Student Government Association, do hereby establish this Elections Code.

### **Chapter 1 – Elections Board**

#### **Section 1. Establishment of the Elections Board**

- A. **Authority** - Full authority in all Student Government Association elections shall be vested in the Student Government Association Elections Board, hereafter referred to in this document as the Board. The Board shall abide by this Elections Code.
- B. **Membership Qualifications** – To serve on the Board, a student shall meet the following qualifications:
  - 1. Shall be enrolled as a full-time Ball State University student, in good academic and disciplinary standing with the institution.
  - 2. Shall not be a candidate for student office within ninety (90) days prior to the election.
  - 3. Shall not campaign for or aide any candidate for office.
- C. **Duties and Responsibilities** – The duties and responsibilities of the Board shall be as followed:
  - 1. Conduct all elections for offices required by the Student Government Association’s Constitution.
  - 2. Serve as the Credentials Board during the elections period.
  - 3. Make available documents, forms, and petitions for candidates seeking office.
  - 4. Enforce all rules and procedures relevant to elections.
  - 5. Uphold the Student Government Association’s Constitution and Bylaws.
  - 6. Determine sanctions for violations of the Elections Code.
  - 7. Ensure compliance with University Policy and the Student Code of Conduct.
  - 8. Conduct hearings for violations and refer violators to the Student Judicial Court.
  - 9. Submit a report to the Student Senate at the conclusion of all elections.
  - 10. Coordinate, conduct, and publicize debates.
  - 11. Dissolve itself within one (1) week after a winner has been officially declared.
  - 12. Perform duties and responsibilities necessary and proper under the governing documents to ensure free and fair elections.

#### **Section 2. Election Board Officers**

- A. The Board shall be comprised of the 7 following officers:
  - 1. **Commissioner**
    - i. Shall be appointed by the President and approved by a two-thirds vote of the Student Senate.
    - ii. Shall be appointed by the second meeting of the Student Senate in the fall semester.
    - iii. Shall appoint the Board with two-thirds approval of the Student Senate.
    - iv. Shall oversee, conduct, coordinate, and be held accountable for all operations of the Board.
    - v. Shall serve as chair of the Board.
    - vi. Shall serve as the liaison between the Board and Student Senate, Executive Board, Student Judicial Court, the university, and news media.
    - vii. Shall ensure that quorum is met at each Board meeting.
  - 2. **Secretary**
    - i. Shall record the minutes of Board meetings.

- ii. Shall act as the Chair at Board meetings in the absence of the Commissioner.
  - iii. Shall submit any and all materials related to the conduct and coordination of the elections to the Secretary and Archivist of the Student Government Association.
3. **Sheriff**
- i. Shall be responsible for monitoring campaigns and enforcing the regulations set forth in this Elections Code.
  - ii. Shall be responsible for assessing fines.
  - iii. Shall work with the Student Government Association's Advisor to assess fines.
4. **Treasurer**
- i. Shall be responsible for monitoring financial statements of candidates.
  - ii. Shall be responsible for notifying candidates of fines and collection of all fines.
  - iii. Shall be responsible for collecting and distributing bond payments or the remainders thereof.
5. **Debate Coordinator**
- i. Shall be responsible for planning and running three (3) debates during the campaign period:
    - a. Presidential and Vice Presidential Debate
    - b. All Slate Debate
    - c. Presidential Town Hall Debate
  - ii. Shall be responsible for selecting and reserving locations for each debate.
  - iii. Shall be responsible for appointing an outside moderator, with the Commissioner's approval.
6. **Press Secretary**
- i. Shall be responsible for contacting all University media outlets concerning any action of the Board and Student Judicial Court. Including (but not limited to) The Ball State Daily News, WCRD Radio Station, and NewsLink Indiana.
7. **Voting Member**
- i. Shall have voting rights on the Board.

## **Chapter 2 – Dates and Times of Elections**

### **Section 1. Fall Elections**

- A. The fall election shall include the following races:
  - 1. Two (2) Graduate Seats
  - 2. Four (4) Freshmen Seats
- B. If needed, the fall nomination convention shall be held on or before the fourth Tuesday of the fall semester.
- C. If needed, the fall election shall be held on the fifth Tuesday of the fall semester.
- D. Fall election terms shall be from the September election until the close of the spring semester.
- E. If these seats are not filled during the fall election they will be moved into the At-Large caucus for the remainder of the academic year.

### **Section 2. Spring Elections**

- A. The spring election shall include the following races:
  - 1. One (1) Executive Slate
  - 2. Seven (7) At-Large Seats
  - 3. Ten (10) Off-Campus Seats
  - 4. Ten (10) Collegiate Seats (One (1) Seat for the following colleges)
    - i. College of Applied Sciences and Technology
    - ii. College of Architecture and Planning
    - iii. College of Communication, Information, and Media

- iv. College of Fine Arts
  - v. College of Health
  - vi. College of Sciences and Humanities
  - vii. Miller College of Business
  - viii. Teachers College
  - ix. Honors College
  - x. University College
5. Five (5) University Senate Seats
- B. All applications are due to the Office of Student Life, Student Center Room 133, by the fifth Friday of the spring semester at 4:00 p.m.
  - C. The spring nomination convention shall be held on or before the sixth Tuesday of the spring semester.
  - D. Elections shall commence on the eighth Monday of the spring semester and conclude on the eighth Tuesday of the spring semester.
  - E. Voting shall open at 8:00 a.m. (eastern standard time) on the first day of elections and close at 5:00 p.m. on the last day of the elections.
  - F. Spring inaugurations shall be held two weeks before the week of final examinations during the spring semester.
  - G. Spring election terms shall be from spring inauguration of officers to the spring inauguration of succeeding officers.

**Section 3. On-Campus and Organizational Elections**

- A. Elections for On-Campus and Organizational seats shall take place in accordance with the regulations of the individual residence hall districts or the respective organization.

**Section 4. Runoff Elections**

- A. In the event that an election has a tied vote or no slate receives a majority vote, a runoff election shall be in order to obtain a majority vote.
- B. The top slates receiving the most votes will proceed to a runoff election if a majority vote is not met.
- C. If the Board determines that a fall runoff election is necessary, then it shall be held on the sixth Tuesday of the fall semester.
- D. If the Board determines that a spring runoff election is necessary, then it shall be held on the third Monday and Tuesday after Spring Break.
- E. In case of a tie in a runoff election, the winner(s) shall be determined by a majority vote of the Student Senate by way of secret ballot.

**Chapter 3 – Eligibility Requirements**

**Section 1. Enrollment**

- A. In order to be eligible for candidacy for any office, the student must be currently enrolled full-time at Ball State University and must be in academic or disciplinary standing with the university.

**Section 2. Executive Slate**

- A. Each slate must contain four (4) students who each have completed three (3) semesters of classes on Ball State University's campus, excluding summer sessions, transfer, and online students, with at least a 2.8 cumulative grade point average, and have a full-time status at the time of nomination.
  - 1. No more than 1 student shall be slated for the following executive positions:
    - i. President
    - ii. Vice President

- iii. Secretary
- iv. Treasurer

**Section 3. Senators**

- A. Candidates for a seat in the Student Senate shall be members of their respective constituencies, ~~and~~ have at least a 2.5 cumulative grade point average, have a full-time status at the time of nomination, and be in good academic and disciplinary standing with the University.

**Chapter 4 – Nomination Procedure**

**Section 1. Petitions and Forms**

- A. The elections packet shall be available on the second Monday of both the fall and spring semesters.
- B. The election packet shall remain available until the posting of the official ballot.
- C. The election packet should contain, but is not limited to:
  - 1. The Nomination Form
  - 2. The Candidate Information Letter
  - 3. An election calendar
  - 4. All pre-election Board rulings including campaign expenditure limits and code violation fines
  - 5. A copy of the Elections Code
  - 6. An appropriate Bond Payment Form
  - 7. The necessary number of stamped, dated Nomination Petitions
  - 8. The appropriate Candidate Campaign Form
  - 9. The Campaign Information Form
  - 10. The Candidate Checklist and Receipt
  - 11. Withdrawal Forms
  - 12. Place Vacancy Forms
  - 13. Final Ballot Forms
- D. The election packet shall contain no other documents except as directed by a two-thirds vote of Student Senate.

**Section 2. Nomination Convention**

- A. Only nominations accompanied by all the forms from the Board will be accepted at this convention.
- B. Students submitting a packet unable to attend this convention must send a proxy.
- C. Any student verbally nominated and approved by an eligible voter shall be a nominee.
- D. Nominees shall be candidates after fulfilling the following requirements:
  - 1. Filing all forms designated by the Board, including a petition for candidacy containing at least the number of signatures, email addresses and phone numbers required for the office nominated as indicated below:
    - i. Executive Slate – 400
    - ii. Off-Campus, At-Large, Collegiate Candidates – 50
    - iii. Student Representatives to University Senate – will not be required to obtain student signatures.
    - iv. Councils and Committees – will not be required to obtain student signatures.
  - 2. The Board may verify the required signatures and eligibility of any candidate or slate. The Board shall give 24 hours to any executive slate or senator who does not meet the signature requirement after nomination convention to complete the signature requirement.
- E. The Board and campaign managers shall make public the names of all candidates within 24 hours of the Nomination Convention.

- F. All candidates, campaign managers, and staff are held responsible for their words and actions as they apply to this Elections Code, the Student Government Association Constitution, and the Student Government Association Bylaws.
- G. If, at the Nomination Convention, a slate's forms are denied, the Elections Board will keep the denied forms until the slate withdraws from the election or new forms are completed and submitted.

**Section 3. Late Nominations.** In the event that a slate wishes to run after nomination convention, late nominations may take place.

- A. Late nominees must file all forms no later than 5:00 p.m. on the day preceding the posting of the official ballot.
- B. Late nominees cannot campaign until after their nomination packet has been received and approved by the Elections Board, and no more than 10 days before the election.
- C. In the event that there are more seats available in a given race than the number of candidates, with the exception of slates, the application process through Credentials Board will begin, following the conclusion of Elections.

### **Chapter 5 – Manner of Elections**

**Section 1.** If the number of eligible candidates is equal to or less than the available number of seats in any election, that particular election may be canceled resulting in the candidate(s)' appointment with the approval of Student Senate by acclamation.

**Section 2. Voting.** All voting, in both fall and spring elections, shall be web-based voting and/or by electronic device(s); provided and administered by the Office of Student Life as it sees fit.

**Section 3. Withdrawal.** Candidates may withdraw their candidacy from an election by filing a form, approved by the Board, with the Chair no later than 5:00 p.m. on the day before the posting of the official ballot. Any vacancy in a slate may be replaced no later than 5:00 p.m. on the day before the posting of the official ballot by filing a form, approved by the board and the Chair.

**Section 4. Ballot Position.**

- A. Names shall appear on the ballot in the order determined by the Board through a random drawing to be held no less than seven (7) days prior to the election.
- B. Names of candidates shall appear on the ballot as approved by the candidate on a form approved by the Board.
- C. All candidates' names shall be posted, in a final ballot form, seven (7) days prior to the first day of elections.
  - 1. The ballot shall be posted for a period of 48 hours in the Student Government Association office for the candidates' approval.
  - 2. After this 48-hour period, there will be no alterations to the ballot.
- D. All executive slates appearing on the ballot shall include the name of the slate running and each individual slate member next to their desired position. The displayed slate name shall be indicated to the Board at the nomination convention on an approved form.
- E. The slate must have their name approved by the Board prior to or directly after the nomination convention. The slate name can be approved immediately after the elections material becomes available.
  - 1. The ballot shall be posted for a period of 48 hours in the Student Government Association office for the candidates' approval.
  - 2. Slate names shall be considered inappropriate if they contain sexual content, racial or gender discriminate material, swear words, overtly suggestive statements, violates Ball State

University's trademark, or other content not limited to the above that injures the perceived image and integrity of the Student Government Association.

- F. If two slates wish to use the same slate name, the first group to present their proposed name to the Elections Board shall be considered to have rights to the name if approved.

**Section 5. Voter Eligibility.**

- A. Each student may cast only one (1) vote in each Student Government Association election.  
 B. A student must have a valid Ball State University user name and password.

**Section 6. Special Accommodations.** Mobility and visually disabled students shall have the right to allow a fellow student or faculty member to assist in completing a ballot.

**Section 7. Tallying Votes.** The votes shall be collected from Institutional Effectiveness, accessed by the Student Government Association Advisor. Only members of the Board and the Advisor to the Student Government Association may be present upon the certification of the votes.

**Section 8. Declaration of Winners.**

- A. Executive Slate
1. The winner shall be the slate receiving a majority of votes cast. If no slate receives a majority vote, the election shall follow the guidelines of a runoff election established in this Elections Code.
  2. The winner shall be notified by phone after the close of voting on the final day of the elections.
  3. If a tie occurs between slates, preventing a majority, the election shall proceed to a run-off election, in accordance with the procedures established by this Elections Code.
    - i. Open campaigning will be allowed from the time the run-off election is announced.
    - ii. All campaign rules apply for this period of extended campaigning and the run-off election.
    - iii. Slates will be allowed to spend an additional 25% of their original campaign maximum during runoff campaigning so that the whole slate's expenses does not exceed 125% of the original maximum.
- B. Other Offices
1. Candidates for other offices receiving a majority shall be declared the winners.
  2. Individuals will abide by the same rules as slates for run-off elections, including being allowed to spend an additional 25% of their original campaign maximum during the extra week of campaigning so that the whole of the candidate's expenses does not exceed 25% of the original maximum.

**Section 9.** Announcements of winners shall be made publicly known within 24 hours of the completion of the second day of voting.

**Section 10.** Slates must announce Campaign Manager, Treasurer and all campaign volunteers at Nomination Convention.

- A. If slates retain any additional campaign volunteers after Nomination Convention they must notify the Elections Board within 24 hours. The Elections Board will notify any other slates.

## Chapter 6 – Campaign Regulations

**Section 1.** Each candidate/slate shall be responsible for adherence to this Election Code, the Student Government Association Constitution, Student Government Association Bylaws, Student Code of Conduct, and all university policies. Any candidate/slate may appoint a treasurer to be the contact person for the Board on all financial matters and/or a campaign manager to be the contact person in all other matters.



**Section 2. Fundraising and Campaigning.** All fund-raising and campaigning activities shall be conducted in strict accord with this Elections Code, university policy, and local, state and federal laws.

- A. All fund-raising expenditures (e.g. entertainment, food, etc.) are campaign expenditures, as governed by Chapter 6, Section 3 of this Elections Code.
- B. The Board's Commissioner and Treasurer shall be notified within 24 hours after the completion of any fund-raising events.
- C. Campaigning shall include all public displays, ~~or~~ statements, presentation of campaign materials, of intent to run for an office of the Student Government Association, except for conversations among potential executive slate members, candidates, campaign staff, and forms filed with the Board.
- D. Candidates may begin campaigning upon the close of the Nomination Convention and shall end upon the conclusion of the election.
- E. Campaign material present during the Nomination Convention is prohibited. Campaign material is defined as any type of promotional material that contains an executive slate's logo, name, and/or candidates' names.
- F. Candidates must cease and remove all campaign material from the University Computing Services 24 hours before the election.

**Section 3. Campaign Finance.**

- A. All final limitations shall be set by the Board in accordance to the limits in this section and announced by the Board in the Candidate Information Letter.
  - 1. Campaign expenditures for University Senate, and Student Senate shall not exceed \$250.00.
  - 2. Campaign expenditures will not exceed \$2,000 for an executive slate's campaign.
- B. The expenditure limit represents the value of campaigning goods or services, not actual dollars spent by the candidates. At no time will volunteer campaign workers be computed as part of the expenditure limit. If appropriate documentation i.e. receipts cannot be presented, the Board will assess a value for campaign goods and services based on current, reasonable comparisons.
- C. Each candidate shall maintain financial records for all money and donations received and paid out for campaigning, which shall be updated and available to the Board within 24 hours of being requested by the Board. In the event of a contested election, these records must be completed and submitted to the Board before the beginning of the voting period.

**Section 4. Advertising and Publicity.** Campaigning and publicity shall be conducted in accordance with the following:

- A. Candidates, campaign managers, and staff are prohibited from presenting electronic devices to any Ball State University student in an effort to solicit a vote.
- B. Campus Buildings:
  - 1. Posters no larger than 14" x 22" will be allowed in classrooms and hallways only on available bulletin boards. If the available bulletin board requires permission from the department chair, written permission must be submitted to the Board.
  - 2. Posters and signs of any type will not be posted in Emens Auditorium, Pruis Hall, Dining Facilities, or the Administration Building.
- C. Campus Grounds Publicity:
  - 1. Posters, banners or other signage are not allowed on trees, the exterior of campus buildings, sidewalks, pathways, utility poles, parking meters, street signs or posts.
  - 2. Written permission by the university must be given to the Board prior to the use of university banner space by candidates.
- D. Residence Halls:
  - 1. Publicity and campaigning on surfaces, other than personal residence hall room doors, must be approved through Housing and Residence Life.

2. Campaigning will not be permitted in residence halls with personal computers during election days.
- E. Campaigning shall not obstruct the normal functions of the university.
- F. All signs and posters must be taken down within seven (7) days following the election.
- G. Candidates must follow the Computer Users Policy located in the Student Code of Conduct.
- H. Reservations of space and orders of literature before the Nomination Convention shall be allowed.

**Section 5. Interpretations.** Any slate or candidate shall approach the Board for an interpretation of the Elections Code. Upon giving a response, the Board shall notify any and all other slates and candidates of the questions asked and the interpretation given within 24 hours.

**Section 6. Organization Neutrality.** No materials, resources, or property of the student government association shall be used for the support of any slate or candidate. The Election Board, itself may be permitted to utilize such resources for the promotion of the election to educate the student body and encourage voter turnout.

## Chapter 7 – General Procedures

**Section 1. Violations.** The Sheriff, based upon a preponderance of the approval of the Board shall impose penalty(s) upon any candidate/slate found in violation of the Elections Code.

- A. A violation is any action from a candidate, slate, or slate volunteer that does not adhere to the Election Code, the Student Government Association Constitution, Student Government Association Bylaws, Student Code of Conduct, and all university policies.
- B. Any Ball State faculty, staff, or student may file a violation to the Sheriff.
- C. Determination of a violation and penalty will be made by a 2/3-majority vote of the Board.
- D. The Sheriff, based upon the decision of the Board, shall impose appropriate penalty(s), at the end of the election period, upon any candidate/slate found in violation of the Elections Code, with the approval of the Commissioner.
- E. The maximum fine imposed on any candidate shall be 20% of the expenditure limit.
- F. If total penalties should exceed 20% of the expenditure limit, the candidate or executive slate shall automatically be disqualified.
- G. Candidates may appeal any penalty imposed by the Board to the Judicial Court.
- H. Funds accumulated from fines: All monies accumulated by the Board as a result of fines and campaign violations shall be deposited into an appropriate area as determined by the Student Government Association Treasurer with the approval of the Student Senate Finance Committee.
- I. The campaign manager or treasurer from a candidate's team shall be contacted before and after all meetings dealing with a violation against their slate.
- J. Any individual presenting a violation to the Board must present in-person said violation and the individual or slate being accused shall present themselves or a proxy before the Board. (
- K. The campaign manager shall be contacted regarding the Board's decision in regards to the violation against their slate or candidates.
- L. Once the Board has decided that a violation has occurred the Board shall first notify the respective campaign manager, then notify the public via the Press Secretary of the Elections Board within 24 hours.
- M. Violations can be filed up to 48 hours after the election results have been certified.

**Section 2. Appeals.** Any slate or candidate may appeal to the Student Judicial Court any decision of the Board.

- A. A Notice of Appeal must be filed within three days after a decision of the Board is made.
  1. Notice of Appeal must be a formal email sent from the respected slate's campaign manager to the Commissioner of the Board and the Secretary of Justice.
- D. The decision of the Student Judicial Court regarding the appeal is final and cannot be appealed further.

- E. If the Student Judicial Court finds the decision of the Board to be inappropriate, then the Board will correct its original decision to make it appropriate.
- F. All decisions of Student Judicial Court must be made to the public via the Press Secretary of the Elections Board within 24 hours of the decision.

**Section 3. Standard Time.** All times stated in this Elections Code refer to the Eastern Time Zone in accordance with Day Light Savings.

**Section 4. Disclaimer Clause.** In case any part of the Student Government Association Elections Code is found in violation of, or contradictory to any of the following, only that portion in violation or contradiction shall be declared null and void:

- A. The Student Government Association Constitution.
- B. The Student Government Association Bylaws.
- C. Ball State University Regulations.
- D. Federal, state, or local laws.

### **Chapter 8 – Ratification and Amendments**

**Section 1. Amending.** Amendments to the Student Government Association Elections Code shall be made in the following manner:

- A. The proposed amendment is immediately sent to the Rules and Constitution Committee.
- B. The proposed amendment shall be presented in writing to be read and distributed to the members of the Student Senate.
- C. A two-thirds (2/3) vote of the Student Senate is required to pass the proposed amendment.
- D. The passed amendment is subject to approval or veto by the President of the Student Government Association.

**Section 2. Ratification.** The Elections Code shall become effective upon three-fourths affirmative vote of the Student Senate. By approving this Election Code Student Senate hereby nullifies all previous Elections Codes.