



## **2024 Student Election Code of the SVSU Student Association**

*Adopted February 26, 2024, and effective until the Winter 2025 General Election*

### **Section 1. Preface**

- 1.1 Under the express jurisdiction of Section 5.1.9 of the Student Association Bylaws, this document, the Student Election Code (herein referenced as the SEC), shall be effective upon passage on February 26, 2024, and effective until a new code is passed on or before the start of the voting period for the 2024 Winter General Election.
- 1.2 This code shall be amendable only by a duly passed act of legislation before the Association.
- 1.3 In thereof, this document shall govern all elections in which this document has effect, including, but not limited to, the 2024 Student Association General Election and the 2024 Student Association Fall Election.
- 1.4 Being approved, the SEC shall become a public document and access to it shall be granted to all candidates for elected office under the SEC.
- 1.5 Being approved as legislation before the 2023-2024 Student Association, this Bylaws-mandated document shall have the full-force and power of the Bylaws therein.
- 1.6 Pursuant to Section 5.1.9 of the Student Association Bylaws, the SEC shall include all provisions of this section of the Bylaws, and not conflict with any provision of the Student Association Charter.
- 1.7 Pursuant to Section 5.1.9 of the Student Association Bylaws, beginning with the 2024 SEC, the President of the Association, shall call an ad-hoc committee at least twenty-one days before any general election tasked with proposing amendments to the currently enacted SEC and/or submitting legislation to the House for the passage of the annual SEC.

### **Section 2. Eligibility to Run for Elected Office**

- 2.1 As expressed in Article III, Section 2 of the Student Association Charter and as clarified by Parliamentary Opinion 18-01 (In Re Representative A), eligibility to run for elected office shall be limited to those enrolled as students at Saginaw Valley State University during the entire term of their office

with a minimum of six credit hours per semester. Failure to remain enrolled, except during any spring or summer semester, shall result in automatic forfeiture of the office to which such person was elected.

2.2 As expressed in Article III, Section 2 of the Student Association Charter and as clarified by Parliamentary Opinion 18-01 (In Re Representative A), students wishing to run for elected office must have maintained a cumulative grade point average of 2.25 or higher as described in Parliamentary Opinion 18-01 as being either an institutional GPA of higher than 2.25 or a calculated cumulative GPA of higher than 2.25 from all previous collegiate enrollment completed in the current degree program. Incoming freshman or transfer students are exempt from this provision as long as they are in their first academic term at SVSU.

2.3 As expressed in Article III, Section 2 of the Student Association Charter, no candidate may be elected to the office of President more than twice.

### **Section 3. Eligibility to Vote**

3.1 As expressed in Article III, Section 1, Subsection B of the Student Association Charter, all students enrolled in a course or courses at Saginaw Valley State University on the date of an election shall be eligible to vote in such election.

### **Section 4. Role of the University Election Commission Subject to the SEC**

4.1 As expressed in Article III, Section 1, Subsection A of the Student Association Charter, elections of the Association shall be run by the University Election Commission. This Election Commission shall be responsible for enforcing university policy in regard to elections sponsored by the Association in conjunction with the documents which govern the Student Association. In so far as it does not conflict with expressed policy or administrative rules of the university, the Student Association reserves its right to govern over the Student Association and Student Association Election Procedure, as conferred in this SEC.

### **Section 5. Term of Office**

5.1 The Student Association, as expressed in Article III, Section 1, Subsection C of the Student Association Charter establishes the beginning and end of a term of office to be set at the closure of the final commencement exercises which follow the Winter Semester. Elections held prior to the start of office shall elect members to the Association-Elect, as identified in Article V, Section 3 of the Bylaws.

5.2 The 2023-2024 Student Association's term of office is designated as beginning on May 7, 2023 and ending on May 12, 2024.

5.3 The 2024-2025 Student Association's term of office is designated as beginning on May 13, 2024 and ending on May 10, 2025.

5.4 Should any situation occur by which a formal commencement ceremony is not physically held, the term of office shall begin and end on the date of the last scheduled commencement exercises as noted in the university's Academic Calendar, or on the day which the Faculty Contract deems final course grades due to the Registrar, whichever is later.

### **Section 6. Rights to Judicial Review**

6.1 As expressed in Article V of the Student Association Charter, and the Bylaws and policy legislated thereof, all review of any document of the Student Association or insofar pertaining to, in where jurisdiction is not subject to established law, university policy, or administrative rule thereof, shall follow the prevailing review structure as found in Article III and Article IV of the Student Association Bylaws.

6.2 The judicial review procedure of the Student Association may enforce a nullification of any process or procedure of the SEC or election process which conflicts with the Student Association Charter.

### **Section 7. Rights of Students to Propose Initiatives and Referendums**

7.1 As expressed in Article VI of the Student Association Charter, the students permitted to serve as electors according to the documents providing therein, shall be permitted to submit ballot questions to the student body provided that such action follow the procedures of the Charter.

7.2 Referendums, Initiatives, and Initiative Charter Amendments, pursuant to this section, being in requirement of election, shall be placed on the ballot alongside the requirements of said elections, or may be granted access to a special election with the concurrence of the House.

### **Section 8. Rights of the Association to Propose Charter Amendments and Ballot Questions**

8.1 As expressed in Article VII, Section 1 and 2 of the Student Association Charter, the House of Representatives may propose amendments to the Student Association Charter insofar as it follows the Charter designated procedure.

8.2 As expressed in Section 5.1.7 of the Student Association Bylaws, the House of Representatives may propose ballot questions for submission to the student body insofar as it follows the Bylaws designated procedure.

8.3 Questions laid before the student electorate pursuant to this section, being in requirement of election, shall be placed on the ballot alongside the requirements of said elections, or may be granted access to a special election with the concurrence of the House.

### **Section 9. Scheduling of Elections**

9.1 Pursuant to Section 5.1.1 of the Student Association Bylaws, the Student Association General Election shall be conducted during the winter semester no earlier than March 14, but no later than the end of the current Association's term of office. Therein, the General Election voting period shall begin no earlier than March 14, 2024 and begin no later than May 6, 2024.

9.2 Under the authority given to this document, the voting period for the 2024 General Election of the Student Association to create the Association-Elect for the 2024-2025 Student Association shall begin at 9:00 pm on Wednesday, March 20, 2024 and end at 9:00 pm on Wednesday, March 27, 2024.

9.3 Pursuant to Section 5.1.6 of the Student Association Bylaws, within the first three weeks of the Fall Semester, the Association shall hold the Fall Student Association Election (also called the "Fall Election") as called by the President of the Association to fill all vacancies currently held within the Association.

9.4 Under the authority given to this document, the President of the 2024-2025 Student Association shall schedule the Fall Election voting period to begin no earlier than August 26, 2024 and end no later than September 26, 2024. The President shall have the express authority to establish the dates of this election, per Section 5.1.6 of the Bylaws.

9.5 The Association, via the House of Representatives, may act to schedule a special election.

### **Section 10. Maximum Size and Allocation of the Association**

10.1 Pursuant to Section 5.1.8 of the Student Association Bylaws, the total amount of Representatives within the Association shall not exceed thirty (30).

10.2 Pursuant to Section 5.1.2(a) of the Student Association Bylaws, the Association shall at all times reserve one (1) representative seat to be filled by an international student.

### **Section 11. 2021 General Election Bylaws Mandated Provisions**

11.1 Pursuant to Section 5.1.2 of the Student Association Bylaws, the 2024 General Election shall elect one (1) President of the Student Association and twenty-four (24) representatives to the 2024-2025 Student Association.

11.2 Pursuant to Section 5.1.4 of the Student Association Bylaws, eligible students may run for the positions of President and Representative simultaneously.

11.3 Pursuant to Section 5.1.4 of the Student Association Bylaws if a student is elected both President and Representative, then the student shall concede all votes for Representative and the twenty-fifth (25th) candidate for Representative shall take office.

11.4 Pursuant to Section 5.1.4 of the Student Association Bylaws, if a tie occurs in the General Election, the association shall follow the Bylaws provisions therein:

- (a) For the twenty-fourth (24th) for Representative, the rest of the 23 newly elected Representatives shall cast the deciding (simple majority) vote in a secret ballot following a presentation by the candidates.
- (b) For the office of the President, the twenty-four (24) newly elected representatives shall cast the deciding (simple majority) vote in a secret ballot following a presentation by the candidates. In the event a simple majority vote cannot be reached (50-50 split), the Speaker of the Association that is currently in office shall cast the deciding vote. Should the Speaker currently in office be one of the candidates for President in the tie, the Parliamentarian that is currently in office shall cast the deciding vote. If both the Speaker and Parliamentarian are the candidates for President in the tie, it shall be at the discretion of the newly elected Association to decide upon a fair and just process to choose the next President.

## **Section 12. 2024 Fall Election Bylaws Mandated Provisions**

12.1 Pursuant to Section 5.1.6 of the Student Association Bylaws the 2024 Fall Election shall elect five (5) representatives which were not eligible to run in the General Election and an undetermined number of representatives to fill vacant seats remaining from the General Election or other reasons described in Section 5.1.6 of the Bylaws.

12.2 Should there be a tie in the Fall Election, the Association, under the supervision of the President, Speaker of the House, and Parliamentarian, shall use the process found in Section 5.1.4 of the Bylaws, adapted to correlate with the number of seats for election.

## **Section 13. Process for Votes and Tabulation**

13.1 The University Election Commission shall administer the electronic balloting and tabulation of results.

13.2 Should a candidate find a discrepancy with the tabulation of results; they shall be permitted the right to appeal for a formal review of the vote-count.

13.3 Should any election result for President be within one-half of one percentage point (0.5%) or any result for Representative be within one-quarter of one percentage point (0.25%), an automatic formal review of the vote-count shall be completed.

13.4 Should a formal review of a vote-count return a result which does not sustain the initial election result, or shows a substantial deviation from the initial count, the University Election Commission in conjunction with the judicial review process of the Student Association shall decide on and therein administer a hand recount of election results.

#### **Section 14. Certification and Announcement of Election Results**

14.1 Upon the tabulation of election results, the University Election Commission shall certify the results, noting any potential review of results that is necessary. If results require review, all undisputed results shall be certified. Disputed results shall be certified through the same process following review.

14.2 Upon certification of election results, the University Election Commission shall give the results to highest ranking official of the current Student Association (per succession or seniority) who is not running as a candidate in the current election.

Ranking: President, Speaker of the House, Parliamentarian, Ombudsman, Public Information Officer, Longest-serving member of Bylaws-level leadership, Longest-serving Representative.

14.3 The highest ranking official not running as a candidate shall certify the election on behalf of the Association and announce the results to all candidates.

14.4 Certified results shall be transmitted to the Board of Control conferring election of the President for the next term of office.

14.4 For the 2024 General Election, the results shall be announced at 1:00 pm on Thursday, March 28, 2024.

14.5 For the 2024 Fall Election, the results shall be announced as called by the President.

#### **Section 15. Application for Ballot Access**

15.1 Candidates for President shall be required to gather one-hundred (100) petition signatures on a nominating petition to be placed on the Ballot.

15.2 Nominating petitions shall be either in a paper or electronic format.

15.3 On-campus campaign date restrictions are exempted solely for the purpose of collecting signatures on nominating petitions.

15.4 For the General Election, the signing of nominating petitions shall not begin until March 11, 2024 at 8 a.m.

15.5 Maintaining the petition for signatures is up to the discretion of the University Election Commission and President of the Association.

### **Section 16. Withdrawal from the Ballot**

16.1 No candidate may withdraw their name from the electronic ballot within twenty-four (24) hours of the start of the voting period.

### **Section 17. Participation in Mandatory Candidate Events**

17.1 Candidates for President and Representative shall be required to attend the mandatory campaign meeting as scheduled by the University Election Commission. If a candidate is unable to attend, the Commission shall make accommodations which are fair and just to all candidates.

17.2 Candidates for President are required to participate in the Presidential Debate as scheduled by the University Election Commission on Wednesday, March 20, 2024. If there is only one candidate for the office of President, the Presidential Debate will not occur.

### **Section 18. Public Identity of Candidates**

18.1 All material submitted through the election process shall be considered public documents.

18.2 The identity of and all content submitted by candidates shall be openly available to university officials, the university press, and other public agencies.

### **Section 19. Voter Guide or Information**

19.1 The Public Information Officer, or any other authorized person thereof, may share public and non-campaign election materials, resources, and content.

### **Section 20. Legality of Actions**

20.1 The Student Association and the University Election Commission explicitly prohibit illegal actions in campaigns and has the authority to turn over any unlawful material or knowledge to authorities of the university or any governmental jurisdiction for which it applies.

### **Section 21. Prohibition of Candidates using SVSA Resources**

21.1 At no point may a candidate for elected office under the sanction of this document use the resources of the Student Association including physical, financial, or digital resources which includes, but is not limited to, office supplies, logos, letterheads, or monetary resources.

### **Section 22. Procedural Campaign Rules**

22.1 The University Election Commission may establish additional rules for the campaign season on behalf of the university's interest, provided that all candidates be given advanced written notice.

22.2 At no point shall an individual participate in campaigning for elected office on the campus of Saginaw Valley State University until the mandatory campaign meeting (see Section 17) is completed or until the candidates receive the official campaign rules sent out by the University Election Commission.

22.3 At no point shall campaigns physically post and leave unattended campaign materials outside of the designated parameters defined by the University Election Commission.

### **Section 23. Campaign Finance Regulations**

23.1 Candidates for President shall be limited to \$500 (five-hundred dollars) in total campaign expenditures during an election cycle.

23.2 Candidates for Representative shall be limited to \$100 (one-hundred dollars) in total campaign expenditures during an election cycle.

23.3 Candidates must provide receipts for all campaign-related expenses to the University Election Commission.

23.4 Candidates must not expend in excess of \$2 (two dollars) in value on any singular item given, as a part of campaign activity, to any person eligible to vote in an election, except if given to an agent of a candidate's campaign as defined in Section 24.

23.5 Candidates must not give cash, or any other liquid asset, regardless of value, as a part of campaign activity to any person eligible to vote in an election.

23.6 Candidates must not give controlled substances to any individual as a part of campaign activity to any person eligible to vote in an election.

23.7 A candidate for both President and Representative in the same election shall be limited to the campaign finance restrictions for President only.



23.8 No one piece of campaign material may be considered a violation of more than one rule.

#### **Section 24. Agents of a Candidate's Campaign**

24.1 Any person working on a candidate's campaign shall be considered an agent of a candidate's campaign.

24.2 Any agent of a campaign is subject to the same campaign regulations as a candidate.

24.3 Liability for any agent's violation of an SEC provision rests with the candidate.

24.4 Any candidate may submit to the University Election Commission a notice that an individual is not an agent of their campaign. If the Commission accepts the notice as valid, the campaign is no longer liable for that individual's actions. If the candidate resumes campaign contact with said individual, the notice is voided and liability resumes.

24.5 Any individual which is banned from working on a campaign must cease all activity on behalf of that campaign.

24.6 A list of banned individuals who violate the SEC through acting as a false agent under Section 24 shall be reviewed through the judicial review process of the Student Association. Individuals who are confirmed in violation shall be subject to internal discipline (if they are a member of the association) or other censure by the Association.

#### **Section 25. Violations of the SEC**

25.1 Violations of the SEC shall be recorded through a demerit point system.

25.2 A collection of three (3) demerit points results in disqualification of a candidate seeking office.

25.3 Demerit points may be given by the University Election Commission.

25.4 Demerit points may be appealed to the Student Association judicial review procedure.

25.5 All violations of the SEC shall receive one (1) demerit point, except:

Two (2) Demerit Points for Violation of Sections: 17, 21.

Three (3) Demerit Points for Violation of Sections: 20, 23 (Clause 1 and 2 only).

#### **Section 26. Liability for Breach of the SEC**

26.1 In the sake of transparency, all candidates shall be provided with a paper or digital copy of the SEC.

26.2 As a candidate receiving this document, they agree as a candidate for elected office within the Student Association, that they understand the terms and conditions of this document thereof.

### **Appendix A. Definitions**

“Agents” or “Agents of a Campaign” is any individual person committing time, energy, or resources in working, including as an unpaid volunteer, for a candidate’s campaign.

“Campaign Expenditures” is any monetary amount spent by a campaign or campaign committee on the election through the purchase of physical or digital campaign materials. This includes, but is not limited to: campaign literature, paid social media posts, items or monetary resources given to agents, radio advertisement, television advertisement, newspaper or other periodical advertisement, billboards, t-shirts or other clothing items, food, beverage, posters, flyers, banners, buttons, stickers, or any promotional or other item given to voters.

“Elected Office” is any position being sought through the Election including both President and Representative of the Student Association.

“Liquid Asset” is an owned item that can quickly and simply be converted into cash while retaining its market value. This includes, but is not limited to, cash, funds in a savings or checking account, or funds in a liquid investment portfolio. For the terms of this document, “liquid assets” shall also include gift cards and vouchers.

“Running for Elected Office” is the action of any person as a candidate, or a person attempting to gain ballot access.