

Eastern Michigan University Student Government

Election Ordinance

Last Amended
02/03/09

Content

Ordinance 01.....01
General Elections of the Student Body

Ordinance 02.....02
Election Ordinances

Ordinance 03.....03
Election Commission

Ordinance 04.....04
Election of a Student Body President and Vice President

Ordinance 05.....05
Election of Senators

Ordinance 06.....06
Write-in

Ordinance 07.....07
Referendums

Ordinance 08.....08
Campaigning

Ordinance 09.....10
Voting

Ordinance 10.....12
Violations of the Election Ordinances

01. General Elections of the Student Body

- a. **Definition.** The General Elections of the Student Body (elections) are those elections that are open to the student body and are prescribed in the Student Body Constitution of Eastern Michigan University (constitution).
- b. **Date.** The constitution mandates that the elections take place every year on the last consecutive Wednesday and Thursday in March.
- c. **Time.** The elections shall begin at 8:00 a.m. on Wednesday and run constantly until 8:00 p.m. on Thursday. No rule or commission order may alter the time for elections.
- d. **Administration.** An election commission (commission) established by the Student Senate shall administer the election in accordance with election ordinances (EO).
- e. **Nature of Elections.** The constitution mandates that elected officers of the student body shall be elected via these elections.
- f. **Items of Election.** The Student Body President and Vice President, Student Senators, and Referendums shall be the items students will be able to vote upon during the elections.
- g. **Elections Budget.** Funding for the administration and the advertisement of the elections and election related events shall come from the Eastern Michigan University Student Government (SG) budget.

02. Election Ordinances

- a. **Definition.** The EO is the governing document of the elections. No section of the EO may contradict the constitution of Student Government Bylaws (bylaws).
- b. **Jurisdiction.** All matters of interpretation of the elections are vested in the EO.
- c. **Ongoing Authority.** This EO has continuous authority. It need not be adopted again after initially approved.
- d. **Senate.** The Student Senate can offer amendments to the EO up to one month prior to the elections.
- e. **Commission Orders.** After the one month amendment cut-point, any changes to the EO can only come from the commission in the form of Commission Orders. The commission can only use Commission Orders when the smooth administration, fairness, and openness of the elections are in danger.
- f. **Election Commission.** The commission, when in session, has the sole responsibility over the enforcement of the EO.
- g. **Internal Affairs Committee.** The Internal Affairs Committee, when the commission is not in session, has the sole responsibility over the enforcement of the EO.
- h. **Interpretations.** When needed, final interpretations of the EO shall come from a judicial committee of interpretations convened through the means prescribed in the bylaws.
- i. **Bylaws.** The EO shall be placed as a supplement to the bylaws. It shall be placed in the annual SG Handbook and available on the SG website.

03. Election Commission

- a. **Definition.** The commission is an independent body headed by a commissioner appointed by the Student Senate. The commission is charged with administering fair and open elections.
- b. **Term.** The commission shall be in session from January to December. The commission is out of session when there is no appointed commissioner.
- c. **Composition.** The commission is composed of a commissioner appointed by the Student Senate and associate commissioners appointed by the commissioner.
- d. **Election Commissioner.** The Election Commissioner (commissioner) shall be appointed by the Student Senate by the second meeting of the winter term. The Student Senate, through resolution, has the power to recall the commissioner for prudent reason.
- e. **Responsibilities.** The responsibilities of the commission include:
 - 1. The commission cannot back or show support for candidates or referendums.
 - 2. The commission must create and make known to the Student Senate and the student body an election calendar stating dates important to the elections.
 - 3. The commission must design and implement effective advertisements and marketing for the elections and election related events.
 - 4. The commission must administer fair and open debates and forums.
 - 5. The commission must administer fair, open, and democratic elections.
 - 6. The commission must honestly count the votes and post accurate results.
 - 7. The commission must reprimand individuals and/or campaigns for misconduct by all available means.
 - 8. The commission must prepare an operational budget for the commission.
 - 9. The commission must turn in a money log to the Director of Business and Finance for auditing.
- f. **Availability.** The commission must have posted office hours from the months of January through March. The commission must hold at least five hours per week when the SG Office is open.
- g. **Meetings.** The commissioner will hold meetings of the commission whenever needed.
- h. **Mandates.** The commission has the authority to issue mandates binding to all prospective and official campaigns.
- i. **Election Workers.** The commission may appoint election workers when needed. The commission may compensate election workers, but cannot compensate any election worker more than \$25.00 (twenty-five dollars) for a day's work.
- j. **Appeals.** Decisions of the commission may be appealed to a judicial committee of appeals.
- k. **Disciplinary Action.** The commissioner shall have sole authority to reprimand misconduct of any associate commissioner so long as that misconduct has not been brought up through a formal grievance.

04. Election of a Student Body President and Vice President
- a. **Prospective Campaigns.** Any campaign that is considering a run for the executive offices of Student Government is a prospective campaign and is bound by the EO and under the authority of the commission.
 - b. **Ticket.** Student Body President and Vice President must be elected as a ticket. Each campaign must have two prospective candidates.
 - c. **Candidacy.** The sole authority to award candidacy to prospective executive campaigns is vested in the commission. Once a prospective campaign is awarded candidacy, they are considered official campaigns.
 - d. **Requirements.** The following requirements must be satisfied in order for a prospective campaign to gain candidacy:
 1. Both prospective candidates must be students currently enrolled in classes at Eastern Michigan University.
 2. Both prospective candidates must be expecting to remain students throughout the term they would be elected to.
 3. Both prospective candidates must be at least University recognized sophomores prior to the time of the beginning of official campaigning.
 4. Both prospective candidates must be students in good judicial and academic standing with both the University and SG.
 5. Both Prospective candidates must prove knowledge of the Student Body Governing Documents. The Student Body Governing Documents are defined as the constitution, bylaws, EO, the Student Bill of Rights, and the Student Conduct Code.
 - e. **Forms.** The following forms must be completed and submitted by the dates stated on the elections calendar; failure to complete and submit these forms will result in disqualification:
 1. Both prospective candidates must submit to the commission a declaration of intent attesting to their intent on seeking the office of Student Body President or Student Body Vice President.
 2. Campaigns must submit to the commission a platform that addresses the following:
 1. Name of each candidate
 2. Year and educational discipline of each candidate
 3. One paragraph biographical statement per candidate
 4. One paragraph narrative on each candidate's experience as a student leader
 5. One paragraph narrative on why the candidate's are seeking office
 6. Goals of the campaign
 3. Campaigns must complete a three-hundred (300) signature petition of currently enrolled students. A student can not sign the same petition more than once, but can sign multiple petitions. Duplicate names, illegible names, incomplete information, or non-students will not be counted. If fraud in any form is found in the collection of signatures, the campaign will be disqualified. The commission will deal with petition disputes.
 4. Campaigns must register their campaign manager and staff along with any affiliated individuals and organizations.
 5. Both prospective candidates must submit a list of organizations they belong to or are affiliated with.

05. Election of Senators

- a. **Prospective Campaigns.** Any candidate that is considering a run for a seat on the Student Senate is a prospective candidate and is bound by the EO and under the authority of the commission.
- b. **Candidacy.** The sole authority to award candidacy to prospective senate candidates is vested in the commission. Once a prospective candidate is awarded candidacy, he/she is considered an official candidate.
- c. **Campaigns.** Candidates running for the office of Student Senate must run on there own. They cannot run in conjunction with other campaigns, nor can they have campaign staff.
- d. **Requirements.** The following requirements must be satisfied in order for a prospective candidate to gain candidacy:
 1. The prospective candidate must be a student currently enrolled in classes at Eastern Michigan University.
 2. The prospective candidate must be a student in good judicial and academic standing with both the University and SG.
 3. The prospective candidate must prove knowledge of the Student Body Governing Documents. The Student Body Governing Documents are defined at the constitution, bylaws, EO, the Student Bill of Rights, and the Student Conduct Code.
- e. **Forms.** The following forms must be completed and submitted by the dates stated on the elections calendar; failure to complete and submit these forms will result in disqualification:
 1. The prospective candidate must submit to the commission a declaration of intent attesting to their intent on seeking the office of Student Senator.
 2. Candidates must submit to the commission a platform that addresses the following:
 1. Name of the candidate
 2. Year and educational discipline of the candidate
 3. One paragraph biographical statement about the candidate
 4. One paragraph narrative on the candidate's experience as a student leader
 5. One paragraph narrative on why the candidate is seeking office
 6. Goals of the campaign
 3. Candidates must complete a fifty (50) signature petition of currently enrolled students. A student can not sign the same petition more than once, but can sign multiple petitions. Duplicate names, illegible names, incomplete information, or non-students will not be counted. If fraud in any form is found in the collection of signatures, the candidate will be disqualified. The commission will deal with petition disputes.
 4. Candidates must submit a list of organizations they belong to or are affiliated with.

06. Write-in
- a. **Write-in.** Candidates not appearing on the ballot may be written in.
 - b. **Authority.** The sole authority to approve write-in candidacy for Student Body President and Vice President, and write-in candidacy for Student Senators is vested in the commission.
 - c. **Submission.** Candidates wishing to be considered for write-in candidacy must submit notice to the commission before the opening of the polls with a list of acceptable names or aliases to be considered as voted for the candidate.
 - d. **Names.** The commissioner has final discretion over the use of any names or aliases.
 - e. **Executive Tickets.** Write-in candidates for the position of Student Body President and Vice President must run as one ticket. Voters may write just one name from the ticket in order for that vote to be counted as a vote for the ticket.
 - f. **Acceptance.** No write-in candidacies will be accepted until after the beginning of official campaigning.
 - g. **Compliance.** Write-in candidates must comply with the EO, as if they were true accepted candidates, at all times. Non-compliance will lead to disqualification.

07. Referendums

- a. **Referendums.** A student or group of students has the right to propose referendums and have them voted upon by the student body. All referendums must conform to rules set forth in the EO.
- b. **Prospective Referendums.** Any student or group of students that are considering proposing a referendum are considered prospective referendum campaigns and are bound by the EO and under the authority of the commission.
- c. **Authority.** The sole authority to approve referendums for placement on the ballot is vested in the commission.
- d. **Prohibitions.** The following are prohibitions on referendums:
 - 1. No referendum can force a change of Student Government Bylaws or policy;
 - 2. No referendum can amend the Student Body Constitution of Eastern Michigan University; and
 - 3. No referendum can be approved that would, if passed, harm, intimidate, harass, or belittle a group of people for their race, ethnicity, religion, sexual orientation, or gender identity.
- e. **Wording.** The wording of the referendum cannot be more than one hundred words. Appendixes that offer explanations to the referendum may be submitted to the commission, but these appendixes will not be used on the ballot. The wording and any appendixes must be presented to the commission both electronically and in print.
- f. **Petition.** In order for a referendum to be considered for approval, a five hundred (500) signature petition must be completed and submitted to the commission by a date mandated by the commission. A student can sign a referendum's petition only once, but can sign several petitions. Duplicate names, illegible names, incomplete information, or non-students will not be counted. If fraud in any form is found in the collection of signatures will result in the rejection of the referendum. The commission will deal with petition disputes. The exact wording of the referendum must be on the top of the petition.
- g. **Passage.** In order for a referendum to pass, a majority of all votes cast must be a yes vote for the referendum

08. Campaigning

- a. **Clarification.** For this section, please consider executive campaigns and senate candidates as campaigns.
- b. **Campaigning.** Prospective campaigns and official campaigns may oral campaign at anytime, but cannot active campaign until the stated official campaigning season Non-compliance will result in disqualifications.
 1. Oral campaigning is defined as prospective candidates explaining to and asking students to sign their petition papers.
 2. Active campaigning is defined as official campaigns disseminating campaign literature (including web publications), having a registered campaign organization, having campaign staff, holding campaign or information events, and meeting with external organizations.
- c. **Printed Campaigning.** In addition to these rules, campaigns must adhere to Campus Life poster policies. If the Campus Life policies contradict these rules, the Campus Life policies are to be adhered to. Printed campaign materials may be posted on Campus Life designated bulletin boards, subject to the approval of the commission, and will not:
 1. Libel against nor discriminate on the basis of race, age, color, religion, creed, national origin, marital status, ancestry, gender, sex, sexual orientation, gender identity, or disability
 2. Exceed dimensions of 16" x 24" (40.6 cm x 61.0 cm)
 3. Be posted on trees, buildings, telephone poles, wires, fire hydrants, automobiles, parking meters, trash cans, doors, door frames, windows, woodwork, walls, or public signs on campus
 4. Be posted within residence halls without the explicit permission of residence hall staff
 5. Be posted within, or on the walls or doors of, a residence hall resident room without the explicit permission of all persons residing in said room.
- d. **Chalk Campaigning.** Campaigning in the form of chalk writings and/or drawings is permitted. The Campus Life and Physical Plant policies on chalking must be adhered to. The use of classroom chalkboards, dry erase boards, etc, to endorse any specific campaign shall be prohibited. Writing on classroom chalkboards and dry erase boards is allowed only to encourage people to vote in the election and should not endorse any specific candidate.
- e. **Handbill Campaigning.** Handbills may be distributed in public areas of the Eastern Michigan University campus. Excess and discarded handbills shall be collected and removed from the area of distribution by the campaign, prospective candidate or assistants before leaving the area.
- f. **Removal of Campaign Material.** Campaign materials are to be removed from all Eastern Michigan University campus locations within three (3) days of the end of the elections.
- g. **Respect.** Campaigns, or organizations and individuals associated with campaigns, will not deface, remove, or otherwise tamper with, campaign materials of any other campaign.
- h. **Behavior.** Campaigns shall be held responsible for behavior not in compliance with the EO displayed or executed by campaign staff or organizations and individuals associated with the campaign.
- i. **Truthful Statements.** The commission will take action against campaigns that willfully produce untrue statements during campaigning.
- j. **Must Comply.** Any, and all, campaign materials distributed, displayed, or otherwise

produced by a campaign must comply with the EO, the regulations of Eastern Michigan University, the laws of the State of Michigan and the nation, and any other additional mandates or orders of the commission. Failure to comply with any of the above mentioned will lead to punishment as seen fit by the commission or other appropriate governing bodies.

- k. **Campaign Spending.** Campaigns can spend no more than \$500.00 for campaigning. All campaigns must maintain a complete and accurate record of all monies spent, raised, or otherwise acquired in relationship to the campaign. Said records must be submitted to the commission, in whole, within twenty-four hours (24hrs) of the closing of the polls or commission mandate. Non-compliance will result in disqualification.

09. Voting

- a. **The Right to Vote.** Each student of Eastern Michigan University has the right to submit a completed ballot in the elections upon presentation of a valid Eastern Michigan University student identification card and/or number.
- b. **Election Vote.** Each student of Eastern Michigan University has the right to cast only one vote when voting for an executive ticket in the executive elections and has the right to cast ten (10) votes in senate elections.
- c. **Referendum Vote.** Students of Eastern Michigan University have the right to cast only one vote for each referendum question under consideration on the ballot. The vote shall be a yes or no vote.
- d. **One Ballot Rule.** Students can submit no more than one ballot as provided by the commission on which to cast votes for all offices and matters of consideration offered in the elections. Should the commission receive multiple ballots during the elections from the same student, said student shall forfeit all votes cast on all ballots submitted to the commission during the said elections.
- e. **Polling Sites and Election Days.** The following are the rules on polling sites:
 1. Official polling sites will be designated by the commission and shall be made public to the Student Body no later than one week prior to elections.
 2. No candidate or campaign shall engage in campaigning of any type within fifty (50) feet of any given official polling site during election days.
 3. Members of the commission, and any other persons designated by the commission, shall act as election workers on election days at official polling sites, and will be charged with enforcing the EO and other commission mandates and orders.
- f. **Names on the Ballot.** The commission must include on the ballot only the names of individuals that have obtained candidacy prior to the commencement of said elections.
- g. **Ballots.** The power and responsibility to design, prepare, and count any and all ballots and votes shall be solely vested in the commission.
- h. **Vote Counting.** Only members of the commission shall faithfully count the votes and report on them. The Student Government Clerk and the Judicial Sergeant shall supervise to vote count. No other person may be present during the vote count.
- i. **Ties in Executive Elections.** In the event of a tie in the executive elections, the incoming Student Senate shall vote and by majority vote pick the winner amongst the tied campaigns. If no majority is reached with the first vote, the Student Senate shall continue voting until a campaign has reached a majority. Losing candidates may not appeal the use of this method.
- j. **Ties in Senate Elections.** In the event of a tie in the senate elections, if the number of candidates tied is equal to or less than the number of remaining positions, than all tied candidates win. If there is a tie and the number of tied candidates is greater than the number of available positions, than the commission will first ask each of the tied candidates if they would like to withdraw from the election. If there still remains a number of candidates that is greater than the number of available positions, the commission shall, under the supervision of the Judicial Sergeant and Student Government Clerk, draw randomly from the name of tied contenders until all positions are filled. Losing candidates may not appeal the use of this method.
- k. **Notification of Unofficial Results.** Once the vote count has concluded, the commission shall hold a meeting and notify the candidates, campaigns, media, and public on the unofficial results. At this meeting the commission shall orally report on the vote count. After the report has been given, each candidate and campaign will be asked to sign a

statement, if they can, attesting to their knowledge of the results and waving their right to submit a grievance. Winning candidates and campaigns shall sign an additional statement, if they can, that states they will accept their elected position.

- l. **Ratification of Results.** The vote count shall not be official until the current Student Senate ratifies the elections results during the transition meeting. The Student Senate can only refuse the results if they feel the election was not properly administered and must show reason for such a claim.
- m. **Oath of Office.** All winning candidates and campaigns have thirty (30) calendar days in which to take the SG Oath of Office administered by the Student Body Vice President, commissioner, or Judicial Sergeant. Failure to take the oath will result in forfeiture of the won position. No member of SG may take office until the oath has been administered.

10. Violations of the Election Ordinances

a. **Grievances**

1. **Right to Submit a Grievance.** Any student has the right to submit grievances against any other student regarding violations of the EO. Grievances shall be submitted to the commissioner in a typed document. Said grievances shall be received no later than twenty-four (24) hours following the alleged violation or 11:59 P.M. on the Thursday of the election days, whichever occurs first. Said grievances shall conform to any and all mandates of the commission.
2. **Chance to Respond.** Following reception of the grievance, the commissioner shall forward copies of said grievance to all parties named therein. Said parties may submit typed responses back to the commissioner no later than twenty-four (24) hours following notification of the grievance by the commissioner. Failure to submit a typed response in the required timeframe shall constitute a forfeiture of a response and ability to present oral arguments before the commission. Said typed responses shall conform to any and all mandates of the commission.
3. **Legitimacy to Claim.** Once a typed response is received, or once the twenty-four (24) hour timeframe has expired, the commissioner will decide whether or not the claim is legitimate. If the commissioner finds that a wrong has been committed, commissioner must assemble a four member Election Grievance Board (board), chaired by the commissioner, to review the grievance and rule on it in less than twenty-four (24) hours. If the claim is against the commissioner, then a board chaired by the Judicial Sergeant must be called automatically. Saturday and Sunday are days the board can meet, if needed.
4. **Election Grievance Board.** The commission will draft and approve rules of procedure for the board. Membership of the board is to consist of three senators, chosen by lottery, and the commissioner. The commissioner has no vote and acts as an advisor and presiding officer to the board. No member of the board will be part of any party involved with an election grievance.
5. **Power to Penalize.** The board is empowered to penalizing any candidate or campaign for infractions of the EO brought up through grievance.
6. **Original Jurisdiction of Election Grievances.** The commission has original jurisdiction over all election grievances and interpretation of the EO.
7. **Appellate Power.** A judicial committee of appeals has appellate power over the disciplinary decisions of the commission and any subsidiary body of the commission.

b. **Commission Disciplinary Action**

The commission has the right to penalize candidate and/or campaigns who are found to be in violation of the EO but had not had a student grievance brought against them.