

JMU SGA Elections Policy [04/14/17]

I. Purpose

This document establishes the rules and regulations governing the SGA election process, effective with the 2017-2018 academic year elections. This policy shall be the highest binding authority on the election process when not inconsistent with the SGA Constitution/Bylaws or Honor Code. This body will work under the same standards as set forth by the James Madison University Student Accountability Council.

II. Election Commission

In order to maintain the highest degree of impartiality and fairness, all SGA elections shall be conducted by a neutral Election Commission.

A. Authority

Decisions regarding SGA Elections that are charged to the Election Commission, when in accordance with this document, and the SGA Constitution/Bylaws, shall be binding. However, decisions of the Election Commission may be appealed to the SGA Advisor. The SGA shall have no authority over the Election Commission other than that stated herein. Issues not directly covered by this policy must be demonstrated as being in violation of existing SGA governing documents, university policies, local, and Virginia State or Federal law before permission can be denied.

B. Members

1. Eligibility

- a. Members must be currently enrolled full-time as a JMU undergraduate student.
- b. Must be in good academic standing.
- c. Cannot be a candidate in the election at hand.
- d. Cannot serve as a staff member of a candidate in the election at hand.

2. Election Commissioner

- a. The Elections Commissioner will be a yearlong position. It will be nominated by the Student Body President Elect and the past Elections Commissioner, and confirmed by the Student Senate after the Leadership Team is announced in the Spring Semester. Confirmation of the next Elections Commissioner shall take place at the first senate of the new year.
- b. Their duties will include Fall Elections as well as Spring Major and Minor Elections.
- c. Act as the chairperson for the Election Commission
- d. Serve as the voice of the Election Commission.
- e. Interpret the parliamentary rules with regards to the Election Commission.

- f. Assign responsibilities to other members of the Election Commission as needed.

C. Term of Duty

The Election Commission shall be appointed no later than the second week of January of the Spring semester each year for Major Elections. The board will disband following the amendment and ratification of the Election Policy for the following school year. Therefore, recruitment and accepting of applications shall occur no later than the first week back from winter break each year for Major Elections. In the event that a vacancy should occur in the Election Commission during the year, the member selected to fill the said vacancy would serve until a new commission is appointed the following semester.

D. Meetings

Meetings may be called by the Commissioner. A quorum of two thirds (2/3) must be established for decisions to be binding.

E. Composition

1. Voting Members

The Commission shall contain at a minimum five (5), but up to eleven (11) voting members of which (1) is the Parliamentarian, and at least one (1) member shall be an at-large student body member.

2. Ex-Officio Members

The sitting SGA President and Speaker of the Student Senate shall serve as non-voting members of the Election Commission. Given the circumstance that either the SGA President or Speaker chooses to run in an election they shall forfeit their participation in the Election Commission within 48 hours before Election Packets are submitted. In the event the Ex-Officio Member plans to continue with the Student Government Association in the future, they will not be granted an At-Large Senate seat.

3. Election Commissioner & Member Advertisement

Before any selection takes place, there must be a period of one week during which advertisements and announcements are made by the SGA Executive Council. Advertisements may consist of an advertisement in the student newspaper and flyers posted in prominent locations around campus per week.

4. Election Commissioner Selection

The Election Commissioner shall be appointed by the Student Body President with the approval of two-thirds (2/3) of the Student Senate.

5. Election Commission Member Selection

Applications are accepted by the Commissioner and reviewed by both the SGA Advisor and the Election Commissioner.

6. If the commissioner chooses to leave this position due to running in the Spring major or minor election or if they feel as though they can no

longer commit to the duties of the role, they must make that decision by two weeks prior to winter break.

7. Failure to Obtain Needed Members

In the event that the steps in II.E.5. (Selection Process) fail to identify enough qualified members to fill the Election Commission, the Speaker shall reopen the search for a minimum of one week. If positions are still vacant, the Speaker shall select the necessary number of individuals from the members of the SGA (excluding the Executive Council) and the Honor Council.

8. Vacancies

Vacancies, as they arise, shall be filled by the Speaker by using the procedure outlined in II.E.6. (Failure to Obtain Needed Members). In the event that one week is not available to conduct advertising, the Speaker may appoint a member of the SGA (excluding the Executive Council) and the Honor Council.

9. Speaker Ineligibility

In the case that the Speaker of the Student Senate plans to resign from the Elections Commission he/she must relinquish his/her appointment duties to a graduating senator elected by the Student Senate. Should the Speaker of the Student Senate choose to resign, they must do so 48 hours after Election Packets are submitted. The graduating Senator may not be involved with a campaign. He/she shall review applications and report to the Senate within 2 days of receiving applications. The graduating Senator will also take over appointment duties as seen in II.C.6. (Failure to Obtain Needed Members) and 7 (Vacancies)

F. Powers

1. The Election Commission shall certify election results or declare results null and void in the event of a breach of security or serious violation of election protocol.
2. The Election Commission shall interpret, enforce, and uphold the policies and provisions of documents affecting the election process.
3. The Elections Commission shall be able to sanction any candidate based on violation of election rules or regulations and to reconsider such sanctions. Sanctions may range from warnings to disqualifications.
4. The Elections Commission shall have the option to create a basic rubric for campaign violations. Should violations step outside of those described in the rubric, their consequences should be decided on an individual basis by the elections commission.

G. Responsibilities of the Election Commission

1. Maintain a record of all candidates.
2. File a statement signed by the Commissioner of the Election Commission certifying that each candidate meets all qualifications for the position sought.

3. Filing a statement signed by the candidate indicating knowledge of and agreement to comply with all election rules and regulations.
4. Establish and maintain poll station and ballot security during the election and during the tabulation of results.
5. Oversee the tabulation of election results immediately after the close of polling.
6. Provide a list of all registered candidates at all polling locations on the day of the election.
7. Advertise each election and establish/ensure that deadlines for applications are publicly announced in advance.
8. Represent the SGA in any dispute arising with a candidate regarding SGA elections occurring in any university student accountability hearing.
9. Ensure public awareness of the polling times.
10. Maintain the integrity of all those involved in the elections process through confidentiality.

H. Advertising Obligations

The Election Commission shall be responsible for advertising all elections and referenda for at least two weeks prior to the election. Locations of polling places and times during which polling will take place must be widely advertised. In keeping with this idea, it shall be the responsibility of the Election Commission to see that the following take place:

1. All SGA positions open for election shall be advertised in the school newspaper and outside the SGA offices for at least two weeks prior to the deadline for application for those positions.
2. A list of candidates running for office shall be published on the SGA website prior to election day.
3. The poll opening and closing times, and voting procedures shall be made public at least 5 class days prior to the election day.
4. Election results shall be posted outside the SGA office, on the SGA social media. The results will consist of the name of each candidate with the number of votes received. The winner will be the first name under each category. The results will remain on file in the student government office.

I. Candidate Affiliation

No Election Commission member may campaign, serve as a campaign staff member, give or take bribes, or commit sabotage. Any Elections Commission member cannot verbally support any candidate, this includes social media posts. Any Election Commission member found responsible of any of these shall be removed from the Election Commission as outlined in the following section (Removal of Election Commission Members).

J. Removal of Election Commission Members

In the event that a member of the Election Commission is suspected of violating any regulations set forth in this document and/or SGA or University policy pertaining to SGA elections, that member may be removed from the commission by action of the Election Commission Advisor and 2/3 approval from the commission excluding the member of the commission under review.

III. **Major Elections**

The Major Elections shall consist of the offices of the SGA Executive Council (President, Vice President, and Executive Treasurer), and Student Representative to the Board of Visitors. In addition, any referendum proposed and approved by the SGA Student Senate shall be voted on at this time.

A. Timeframe

1. Major Elections shall occur before the first day of March.
2. Candidate Packets shall be made available the first day of the Spring Semester.
3. Packets shall be turned into the Elections Commission by 5pm on the second Friday of the Spring Semester.
4. One mandatory candidates meeting shall be held on the Sunday prior to the beginning of campaigning period.
5. Campaigning may begin immediately following the candidate's meeting and ends that Friday.

B. Eligibility

1. Voters
 - a. All full-time undergraduates enrolled at JMU at the time of the polling shall be eligible and encouraged to vote in all Major elections.
2. Candidates
 - a. Candidates for office must meet the requirements specified for that office in the SGA Constitution, Bylaws, and Honor Code.
 - b. Candidates must hold a cumulative GPA of 2.5. In order to ensure this requirement is met, candidates must submit a grade release form to the Elections Commissioner with their elections packet.
 - c. Must be able to fulfill the entire term of office.
 - d. Candidates can only run for one office in the same organization.
 - e. Any Student Government official removed from office because of excessive absences will not be allowed to apply or run for any Student Government office for one calendar year after subsequent removal.
 - f. Candidates (Except the SRBOV) must be able to attend Vision Week, scheduled for the week before classes start in the Fall Semester

- g. All candidates (except the SRBOV) must attend at least one (1) Leadership Team meeting, one (1) Senate meeting, and one (1) committee meeting of their choosing prior to campaigning. Attendance shall be reported to the commissioner or committee chairs. In case of class conflict, exceptions may be made by discretion of the commission.
- h. Tickets are prohibited. Interpretations are left to the discretion of the commission and must be described at the candidates meeting.

C. Candidate Petition Process

- 1. The Election Commission shall provide the following to each candidate:
 - a. The Election Policy
 - b. Dates, times, and locations for Mandatory Candidate Meetings
 - c. Any other information deemed necessary by the Election Commission or the Election Commission Advisor
- 2. Candidate Obligations
 - a. Candidates must complete all requests established by the Commission in the elections packet.
 - b. The following positions shall garner 200 signatures: Student Body President; Vice President, Executive Treasurer, and Student Representative to the Board of Visitors.
 - c. The following positions shall garner 100 signatures: Academic College Senators and Class Council Officers.
 - d. Those running for the College of Graduate and Outreach programs shall be required to garner 50 signatures.
 - e. Candidates for all the positions listed in points b, c and d, must obtain their own signatures.
 - f. Potential candidates for Student Body President must meet with the current SGA Advisors so that they have an accurate understanding of the general responsibilities, procedures, and time commitment that coincides with the position.
 - g. Attend one mandatory candidate meeting.
 - h. Obtain signatures from their campaign staff before they may begin campaigning. New members may be added by sending an email to the Commission during campaign week. Any additions to campaign staff must be added within 72 hours after the candidates meeting.

D. Polling

- 1. Electronic polling shall take place for all Major Elections positions over a period of one days.
- 2. Ballots shall be available starting at 7:00 AM on the first day of voting and will close at 7:00 PM on the day of voting [if applicable.]
- 3. In the event of problem, polling will be extended for the same amount of time the polling was down.

E. Post-polling Election Commission Process

Immediately following the close of polls, the Election Commission shall oversee tabulation and verification of votes. The Information Technology Division of JMU Computing Services will tally electronic votes following the close of polls. The Commissioner and a chosen member of the Election Commission shall verify the results. The results will be brought back to the commission for confirmation. Results shall be publicly announced 24 hours after confirmation.

F. Appeals

1. If candidates choose to appeal the results, an email must be sent with all evidence, reasoning and grounds for appeal within 24 hours after closing the polls.
2. The Elections Commissioner will send an email to all candidates that ran for that position that an appeal has been filed.
3. A meeting is scheduled with the SGA Advisor, The Elections Commissioner, the Parliamentarian and other necessary individuals. This meeting must take place within 48 hours after the appeal is filed.
4. A decision will be made and the individuals involved will be contacted.
5. If an appeal is granted another election for that specific position will take place after Minor Elections.
6. If there is no appeal, election results shall become binding 24 hours after they are publicly announced.

G. Candidate Meetings

1. The Election Commission shall conduct at least one Candidate Meetings.
2. The purpose of this meeting is to familiarize the candidates with basic election policies, and address any questions asked by the candidate.
3. During this meeting, the Election Commission shall ensure each candidate has received all SGA and University regulations and policies pertinent to the election and campaigning.
4. All Candidates and campaign managers shall be required to be present for the entire duration of at least one Candidate Meeting.
5. Each candidate shall be required to submit a signed statement indicating knowledge of and agreement to comply with all University, SGA, and election rules and regulations at the conclusion of the meeting.
6. Any individual failing to attend the meeting in its entirety or who refuses to sign the statement shall be automatically declared ineligible as a registered candidate.
7. Individuals declared ineligible may not participate in the election outlined in the write-ins section.
8. Extenuating circumstances for those unable to attend must be filed within 24-hours before the last candidate meeting to be taken into consideration by the commission.

H. Campaign Staff

1. Campaign Staff shall be defined as any individual conducting “major campaign activities”.
 - a. “Major campaign activities “shall be defined as activities central to an election campaign, such as stamping and hanging of posters, distribution of more than twenty handouts, wearing campaign apparel (t-shirts), or major activities determined by the current Elections Commission.
 - b. Major campaign activities do not include advocating for a candidate verbally or electronically.
2. Members of the executive council and staff may not serve on any candidate’s campaign staff, except in their own, this includes verbally and electronically supporting a candidate.
3. Class Council may not serve on any minor campaign candidate’s staff, except in their own.
4. There can be no more than 15 campaign staff members excluding the campaign manager, for a total of 16 individuals.

I. Voting

1. The primary method of voting for the Major Elections shall be through the Internet available both on and off campus and maintained by the Office of Information Technology. This electronic voting service is available only to those directly connected to the JMU network. This interface shall require each voter to identify him or herself by username, student ID number, and/or password. Votes shall then be recorded
2. Should the website be unavailable for an extended period of time, the Elections Commissioner with the guidance of the Elections Commission Advisor and the Office of Information Technology will decide whether the polls should remain open for an additional day.
3. Physical polling locations may be added at the discretion of the Election Commissioner. These locations may remain open for a maximum of one class day for an election. The physical polling places shall be declared open no later than 9am and closed at the discretion of the Election Commission no earlier than 5pm on the each election day. The online ballot will remain available from 7 AM the first day to 7 PM the second day of voting.

J. Results

1. Verifying of Results
The Election Commissioner and one additional voting member of the Election Commission must be present when results are being reported by the Office of Information Technology. The qualified candidate with a plurality for each position shall be declared the winner.
2. Notification

The Election Commission will notify candidates by telephone as soon as possible after the results have been verified. A candidate may request an alternative means of notification before the close of the polls.

3. Certification

After the polls have been closed for twenty-four (24) hours without the filing of an appeal, the Election Commission must hold a meeting to certify the final results of the election. Certification must be a two-thirds (2/3) majority vote of the voting members of the Election Commission. A vote to certify must follow each election including run off elections.

K. The candidate with plurality will win.

1. Run Off Elections

In the unlikely event that there is an exact tie for the plurality a run-off election shall be held one week after the original election. Only the individuals involved in the tie shall run in the run-off election. The JMU SGA Elections Policy shall apply to all run-off elections. The candidates MUST attend one more candidates meeting to discuss this.

L. Write-ins

1. Any names written in on ballots shall be tallied. In the event that a write-in obtains enough votes for a particular office, the Elections Commission shall verify his/her eligibility for that office and, if it is determined that he/she is eligible for that office, he/she shall be granted that office as if he/she had been a registered candidate. If he/she is determined to be ineligible for that office, the person with the next highest number of votes shall be awarded the office.
2. In the event that an individual written in to more than one seat is eligible and has enough votes to be elected, that individual shall receive the seat in which he/she receives the most votes.
3. In the event that there is a tie, the individual who will receive the seat is up to the discretion of the Elections Commissioner.
4. Write-ins are to be held to the same regulations regarding campaigning as registered candidates.
5. Write-in candidates may be disqualified for violation of campaign rules by the Election Commission in the same fashion as regular candidates.
6. Since write-ins are not required to attend the candidates' meeting, it is their responsibility to familiarize themselves with the relevant regulations.

M. Resignation Prior to Taking Office

In the event that a candidate-elect decides not to confirm his/her seat prior to the first meeting of the new academic year, the candidate with the next highest number of votes shall be declared the winner and receive the seat.

N. In the event an office does not fill, a special election will be held. The commission shall advertise the position, create a form to express interest, brief any interested candidate(s) on the elections policy, and allow one week of campaigning. Those individuals who submit forms expressing interest will be on the ballot. A maximum of two special elections will be held.

O. In the event that the results are declared null and void, the commission will hold a re-election with only the same candidates no later than a week after the original elections was held.

IV. **Minor Elections (Spring)**

The Minor Elections for the spring semester shall consist of the offices of Sophomore, Junior, and Senior Class Council Officers (President, Vice President, Secretary of Events, and Secretary of Communications), and Academic College senate seats. In addition, any Major Election position resulting in a run-off election.

A. Timeframe

1. Minor Elections (Spring) shall occur the week after Major Elections.
2. Candidate Packets shall be made available within 24 hours of when Major Election packets are submitted.
3. Packets shall be turned into the Elections Commission by 5pm, two weeks after they are released.
4. One mandatory candidates meetings shall be held prior to the beginning of campaigning period.
5. There shall be approximately one week of formal campaigning. Campaigning may not begin until polling for Major Elections has concluded.

B. Eligibility

1. Voters
 - a. All enrolled full-time undergraduate students declared as a major within an academic college shall be eligible and encouraged to vote for that academic college's candidate for the Student Senate. Any student with more than one (1) major must pick a primary college in which to vote and may only vote once.
 - b. All Enrolled full-time undergraduate students who entered the University at the same time, or have the course credit hours to classify, as a member of a class an election is being held for, are encouraged to vote for that class's officers.
2. Candidates
 - a. Candidates for office must meet the requirements specified for that office in the SGA Constitution, Bylaws, and Honor Code.
 - b. Must be able to fulfill the entire term of office.
 - c. Candidates can only run for one office in the same organization.

- d. Any Student Government official removed from office because of excessive absences will not be allowed to apply or run for any Student Government office for one calendar year after subsequent removal.
- e. Class Officer Candidates must have entered the University at the same time as a member of the class they wish to represent.
- f. Academic College Senators must be a declared major within their academic college for the academic year of their service.

C. Results

- 1. Candidates receiving a plurality of votes in Minor (Spring) Elections shall be declared the winner.
- 2. Run-off Elections
In the unlikely event that there is an exact tie for any contested office a run-off election shall be held two weeks after the original election to allow for one week of advertising and one week of campaigning. The method for this run-off election shall be held in the same manner as the Major Elections run off process as seen in section V.I. (Run-off Elections). Only the individuals involved in the tie shall run in the run-off election.
- 3. Special Elections
If there is an unfilled position, the elections commission must advertise and create a form to be submitted by candidates to express interest in running for the position. This form should be submitted to the commission on the Friday before campaigning begins and after a week of advertising has been completed. Names of those who submit forms will be placed on the ballot. Any other interested candidates who do not submit a form will have to run a write in campaign. A maximum of two special elections will be held. If the seats still do not fill they will be filled in the fall Minor Elections.

D. Miscellaneous:

The following categories listed previously under “Major Elections” also apply to Minor (Spring) Elections: Voting, Candidate Meeting, Write-ins, and Resignation Prior to Taking Office.

V. **Minor Elections (Fall)**

The Minor Elections for the fall semester shall consist of the offices of Freshman Class Council Officers (President, Vice President, Secretary of Events, and Secretary of Communications), The College of Graduate and Outreach Studies, and Resident Area senate seats.

A. Timeframe

- 1. Minor Elections (Fall) shall take place before the First of October.

2. Applications shall be made available within the last week of August. Applications for all positions shall be submitted during the first week of September. The actual deadline shall be established by the Elections Commission.
3. Candidates shall attend at least one Candidates Meeting before the campaign period.
4. Campaigning may begin directly at the conclusion of the meeting.

B. Eligibility

1. Voters

- a. All enrolled full-time undergraduate students residing within a residence area shall be eligible and encouraged to vote for that area's candidate for Student Senate.
- b. All enrolled full-time undergraduate freshmen attending James Madison University shall be eligible and encouraged to vote for the Freshman Class Council.
- c. All enrolled graduate students attending James Madison University shall be eligible and encouraged to vote for graduate student Senate seats.

2. Candidates

- a. Candidates for office must meet the requirements specified for that office in the SGA Constitution, Bylaws, and Honor Code.
- b. Must be able to fulfill the entire term of office.
- c. Candidates can only run for one office in the same organization.
- d. All candidates running for Freshman Class Council must be an incoming freshman of that school year.
- e. All candidates running for Senate must run for a Residence Hall Area or graduate student Senate seat.
- f. Residence Area Senators must be a resident within the area they choose to represent.
- g. No one who ran for a seat in elections the previous spring is eligible to run again.
- h. Any Student Government official removed from office because of excessive absences will not be allowed to apply or run for any Student Government office for one calendar year after subsequent removal.

C. Miscellaneous

Procedures in regards to results, voting, candidate meeting, write-ins, and resignations shall follow those explained in the "Major Elections" section of this document.

II. Pre-Campaign Period

- A. The pre-campaign period for the spring elections shall consist of the time following submission of a candidate's packet, and prior to the beginning of campaigning. All regulations in Section VIII. Campaigning will be in effect during this time.
- B. During the pre-campaign period, the candidate may only speak to individual students, not to include student organizations, about his or her platform. Members of the candidate's campaign staff or other supporters may not campaign on behalf of the candidate during this time. Campaign materials may not be used or distributed until the campaign period has begun.

III. Campaigning

A. Campaign Regulations

All candidates and campaign staff members must abide by the regulations set forth in this document.

1. All electronic correspondence advertising a specific candidate during the campaign period must include a disclaimer at the bottom of the e-mail that reads, "Please reply to sender if you do not wish to receive further e-mail from this candidate. If you still receive e-mail from this candidate please contact the Election Commission at jmuelelections@gmail.com." The candidate or the candidate's staff will not send electronic correspondence to any recipient who chooses to be removed from the candidate's mailing list until the election has concluded.
2. Anyone may help advertise the time, manner, and place of elections.
3. Electronic paid advertising may not be used at any time. Examples of such advertising include facebook fliers, ad banners, paid search results, etc. The Commissioner may decide the finality of what constitutes electronic paid advertising under this rule. Websites paid for and created by a candidate are exempt from this restriction.
4. All advertising created and utilized by the commission may not in any way advocate support for a candidate. The contact information for the flyer must state jmuelelections@gmail.com.
5. Candidates may accept endorsements from recognized student organizations that do not involve financial inputs. However, no candidate may accept from any recognized student organization its assistance as a recognized student organization to obtain for a candidate any university resource to which that candidate would not have access as an individual student. Any issues in which the use of University resources is ambiguous, the interpretation of the possible University resources will be up to the discretion of the Elections Commission.
6. No candidate may accept from any recognized student organization financial contributions of any type, Regardless of the source of funding. Candidates must notify the commission of any endorsement by a recognized student organization.
7. No candidate shall spend more than \$200 in total campaign expenses per election.

8. The following actions are prohibited:
- a. falsifying of any information to the Election Commission or the SGA Appeals Board
 - b. disobeying any proper election commission order
 - c. defacing, damaging, or destroying University or public property
 - d. formal campaigning conducted before the end of the candidates meeting or before all necessary signed statements have been submitted (Section 7.b)
 - e. campaigning that interferes with academic or University policies
 - f. publicizing endorsements before pre-campaigning begins
 - g. failure to abide by an official JMU policy or guidelines
 - h. using University and/or SGA funds or resources for campaigning purposes
 - i. bribery by any person
 - j. sabotage by any person
 - k. making statements that are defamatory; this includes slander or libel of candidates regarding, but not limited to; race, gender, creed, culture, national origin, age, handicap, sexual orientation, political affiliation, or religion
 - l. use of electronic list-serves that the individual candidate is not a part of or any form of “spamming”. This includes the use of Canvas. Exceptions include list-serves of organizations from which a candidate has received a formal endorsement with the permission of the leader of the organization.
 - m. use of any University equipment for campaigning purposes that is not equally available to all candidates
 - n. failure to remove his/her campaign materials twenty four (24) hours following the end of the election
 - o. failure to have any and every posted campaign materials approved by the University and elections commission
 - p. On voting days, no campaigning may take place within 100 feet of “possible major polling locations”
 - a. 1. “Possible major polling locations” shall be defined as: Carrier Library and Rose Library.
 - b. If campaign materials are posted within 100 feet of possible “major polling locations” prior to voting days, each candidate is responsible for removing the materials by midnight before the first day of voting.
 - q. Campaigning in the SGA Office or SGA sponsored events excluding official campaign events which will be specified by the Elections Commission prior to the beginning of campaigning.
 - r. Use of the Madison Society “Spirit Rock” for the purposes of campaigning.
 - s. Misrepresentation.

B. Election Violations

A. Process

1. Violation is received by the Elections Commission
 - a. Any violation must be adequately supported, and determined by the Commission
 - b. Violation is submitted within 24 hours after the violation occurs accompanied with necessary evidence.
2. Elections Commission contacts alleged violator
 - a. Provides a copy of the complaint
 - b. Schedules a meeting within 24 hours of when the violation was received with the alleged violator
3. Meeting with alleged violator
 - a. Meeting is attended by the Elections Commissioner and members of the Elections Commission
 - b. If it is considered a major violation, the SGA advisor must be present
 - c. Violation and sanction is discussed
 - d. Determine if the violation happened and who is responsible
4. Sanctioning
 - a. The Elections Commission shall determine responsibility
 - b. The Elections Commission shall determine a sanction and informs the violator
5. Appeal
 - a. If the violator accepts the decision, the process ends
 - b. If the violator does not accept the decision, they have 6 hours to appeal
 - c. The violator meets with the SGA Advisor and they determine the final outcome.
6. Time Constraints
 - a. This process can be augmented by the Elections Commission when necessary

II. Definitions & Clarifications

- A. **ad hoc polling:** the use of a personal computer as a polling site.
- B. **Breach of security:** Any tampering or compromising of official election results.
- C. **bribery:** offering or promising any person any monetary incentive or a gift in excess of \$1.00 in value for the purpose of inducing any person to vote or refrain from voting for or against any candidate or any issue.
- D. **class day:** A weekday (Monday through Friday) during the fall or spring semester during which the University is scheduled to conduct classes. Class days exclude such events as Spring Break and Thanksgiving Break. Days on

which classes were scheduled to be conducted but were cancelled due to weather events or other circumstances can be counted as class days for the purposes of determining timeframes for elections

- E. **Computer Lab/Polling Station:** any public space containing more than two public University owned computers
- F. **election commission advisor:** the advisor to the Student Government Association (SGA) or his/her designee shall be the Election Commission Advisor. He/or she shall serve as ex-officio with voice but no vote in all Election Commission meetings.
- G. **formal campaigning:** electronic or physical posting or distribution of campaign tokens and/or literature advertising candidacy in mass or student media, or conducting campaign activities that require scheduling through the University or that use University equipment.
- H. **Member of JMU community:** any current student, faculty, or staff member of James Madison University.
- I. **misrepresentation:** communicating information (i.e. demonstrable factual statements of significance) that the communicator either knows to be false, or upon reasonable efforts could know to be false, to any voter other than the person that the information is about for the purpose of inducing any person to vote or refrain from voting and/or to undermine proper Election Commission activities.
- J. **preponderance of evidence:** evidence of greater weight or more convincing than the opposing evidence; evidence more credible and convincing, more reasonable and probable, and can be circumstantial in nature.
- K. **sabotage:** damaging, destroying, removing, or undermining in some way proper campaign and/or Election Commission activities with the purpose of assisting or harming a candidate and/or to subvert an election or referendum.
- L. **SGA member:** for SGA Election Policy purposes only, an SGA member is one who holds a representing position in the organization, excluding Executive Council members.
- M. **spamming:** sending unsolicited emails to groups of people of which you have no Affiliation.
- N. **Staff Member:** any individual wearing or displaying campaign paraphernalia larger than 5 inches in diameter and/or acting on behalf of a candidate. Such individuals are responsible to the candidate they act on the behalf of.
- O. **Ticket:** Two or more individuals running together, sharing campaign staff, materials or other major campaigning items. This includes social media graphics with more than one individuals name associated with it.

III. **At-Large Senate Appointments**

There will be a minimum of twelve (12) At-Large positions. Following the Minor Elections, any remaining open Senate position will also become an At-Large position for the remainder of that academic year. Half of the vacant seats will be appointed in the spring and the remaining seats are appointed in the Fall semester. Any student that would meet requirements to run for a student senate position, not

including signatures, shall be eligible to apply for an At-Large senate seat. Applications can be accepted from, but not limited to, the following:

1. Eligibility

- a. Those not victorious in the Senate and freshman class council elections shall be eligible for appointment to an At-Large Senate position.
- b. Those serving on the Major Elections Commission shall be eligible for appointment to an At-Large Senate position.
- c. Transfer Students, Residence Advisers (RAs), Hall Directors, or Residence Hall Association (RHA) officers shall be eligible for appointment to an At-Large Senate Position.
- d. Candidates must notify the commission of any endorsement by a recognized student organization.

2. Selection

- a. The Executive Council shall be responsible for selecting the At-Large Senate positions; the Commissioner of the Elections Commission shall act in an advisory role in the selection process.
- b. The criteria for selection shall be determined by the Executive Council
- c. The Executive Council reserves the right to request interviews for any candidate for an At- Large Senate position;
- d. The Executive Council shall have 48 hours for selection and interviews but no longer

II. **Amendment and Ratification**

This policy shall govern all election activities for any given academic year. After the end of Minor (Class Council) Elections the Election Commission, the Elections Commissioner must review this policy for the upcoming year. Any revisions may be submitted as amendments to the Student Senate. If no amendments are submitted, the SGA Elections Policy shall be approved at the end of the academic year for use in the upcoming academic year.