

## **ARTICLE I: DEFINITION OF ELECTION TERMS**

- 1.01 “Election Period” shall be defined for purposes of this code as a campaign period commencing at 12:00 noon on the day designated by the Election Commission extending through and ending at the close of the polls on the last day of voting.
- 1.02 “Voting period” shall be defined for the purposes of this code as the period during which voting occurs, beginning from the receipt of the official election E-mail and ending when voting is closed.
- 1.03 “Full-time undergraduate student” shall be defined for the purposes of this code as any student registered in Fordham College at Rose Hill or the College of Business Administration attempting 12 or more credits.
- 1.04 “Informal Campaigning” shall be defined for the purposes of this code as accumulating signatures for a candidate packet. A candidate may discuss ideas for their campaign, and may show a rough draft of their intended platform. However, a candidate may not distribute or post any material. Any material shown to a voter must be retained after the conversation. Any material found around campus prior to the beginning of campaigning will constitute campaigning early, and is punishable as stated in Article XI.
- 1.05 “Formal Campaigning” shall be defined for the purposes of this code as the posting of materials, distribution of written materials, or any effort to canvas voters.
- 1.06 “Receipt of Purchase” shall be defined for purpose of this code as a statement of purchase or vendor form indicating vendor name, date, amount purchased, including number of copies, if applicable, and cost. Any donated material must be accompanied by a written description and cost of the material, if purchased, signed by the donator.
- 1.07 “Candidate Packet” shall be defined for purpose of this code as a Candidate Petition and Intent to Abide, and typewritten Candidate Platform.
- 1.08 “Executive Ticket” shall be defined as the ticket of Executive President and Executive Vice President.
- 1.09 All times and dates reference business days. If the code says that a decision must be made within 24 hours that means one business day from the time referenced (Monday-Friday 9:00 AM to 5:00 PM).

## **ARTICLE II: THE ELECTION COMMISSION**

- 2.01 The Election Commission will be selected after April 15<sup>th</sup>, in a session of the incoming USG Senate. It shall consist of a minimum of five, and up to nine full-time students who shall be seniors at the time of the elections over which they will preside. The Chair of the Commission will be a current member of USG appointed by the USG President with consent of the USG Advisor. The USG President cannot appoint him/herself as Chair. Candidates for the position of Commissioner shall apply for the position, interview and be selected by the Chair with consent of the USG Advisor. The Chair is subject to USG Senate approval.

- 2.02 The Advisor to USG will advise the Election Commission.
- 2.03 Selection of Vice-Chairperson and Secretary will occur at the first meeting of the Election Commission by secret ballot, each member of the Commission having one vote. The candidate with the most votes will be declared winner. The Chair of the Election Commission will be the tie-breaking vote.
- 2.04 The Election Commission shall enforce the provisions of this code and all other rules, regulations, and procedures for any election under United Student Government jurisdiction. The Election Commission shall establish the deadlines for all nomination and election credentials, and shall regulate all campaign practices and action as herein provided in this code. The Election Commission shall have the sole power, as delegated by the Senate, to approve or reject all individuals as candidates for United Student Government office for non-compliance with electoral rules, violation of University policy, and The Election Commission shall have the full authority to investigate unfair campaign practices on its own initiative or in response to written request.
- 2.05 Two-thirds of the Election Commission shall constitute quorum to conduct business. All sessions and internal records of the Election Commission shall be confidential until elections have been certified by the Election Commission at which point such information shall become public. All election documents must be kept for a minimum of five years, in the USG Office or the Library Archives.
- 2.06 The Chairperson may be impeached for failure to execute their duties of office or for a gross violation of the United Student Government policies and/or University regulations by a two-thirds majority vote of the Senate. The Chairperson shall then be removed from office upon a three-fourths vote of the Senate, provided that such vote shall occur no less than ten days and no more than fourteen days following impeachment. The vote for removal shall not occur within the same session of the Senate in which impeachment was proposed.
- 2.07 Election Commissioners may be impeached only by an internal Election Commission proceeding or if the USG president asks the Senate for a vote of no confidence of a Commissioner. The Executive Board and the Senate may not ask the Senate for a vote of no confidence.
- 2.08 Vacancies that develop on the commission shall be filled by the same process used to select Commissioners.

### **ARTICLE III: CANDIDATE QUALIFICATIONS**

- 3.01 Candidates must be full-time students in FCRH or CBA at the time of their candidacy as well as during their term of office. There are two exceptions to this rule, students who begin a semester as full-time students and withdraw from a course making them temporarily part-time and seniors who need fewer credits to graduate than the number of credits that dictate full time status.
- 3.02 All Executive Board candidates must have completed one year of college by the end of the semester in which the election they run in takes place.

- 3.03 All Students must have a 2.25 cumulative GPA prior to the registration of candidacy.
- 3.04 A candidate for office must be in good standing, i.e. not currently on University disciplinary probation, as outlined in the Student Handbook. The process of registration of candidacy implies consent for the Election Commission to verify the standing of each candidate. Disciplinary checks will be conducted upon receipt of candidate packet before campaigning begins by the USG advisor.
- 3.05 Candidates may not hold any other elected Student Government (Resident Hall Association or Commuting Student Association) office while an official of United Student Government.
- 3.06 Class level positions must be members of their respective class. Class shall be defined as the year of graduation of his or her freshman class. Clarification on these matters will be made by the Election Commission with consultation from the Office of Student Leadership and Community Development and appropriate academic Dean.
- 3.07 A candidate may run for only one office per election.

#### **ARTICLE IV: THE NOMINATION AND ELECTION OF ALL STUDENT GOVERNMENT OFFICERS**

- 4.01 It is the responsibility of a student wishing to run to receive a Candidate Packet, USG Constitution and Election Code at a general information session designated by the Election Commission. Candidates are also responsible for receiving and abiding by all campaign requirements and deadlines put forth by the Election Commission. Candidates may not receive signatures for candidacy prior to declaration of the position for which they are running.
- 4.02 The Petition shall consist of a statement to be signed by the candidate stating their intention to abide by all campaign rules and regulations and their understanding of possible penal action should they fail to abide by said regulations.
- 4.03 Each Fordham College Rose Hill Senate candidate must obtain 50 signatures from current FCRH students in their class year. Each College of Business Administration Senate candidate must obtain 30 signatures from current CBA students in their class year. All signatures must be from current students within the candidate's constituency. All Executive Board Candidates, except for the two academic Vice Presidents (Vice President of FC and Vice President of CBA) must obtain 150 signatures. The two academic Vice Presidents must obtain 100 signatures from their respective colleges. All candidates must type up the names of signatures and submit them electronically as an Excel 2003 (.xls) file to the election E-mail account ([USGelection@fordham.edu](mailto:USGelection@fordham.edu)). All Candidates must also submit a hard copy of the names. The Election Commission will verify all signatures before the candidacy can be considered valid.
- 4.04 Any Fordham University student may only sign one candidate packet per position. If a student signs multiple packets per position the name will be deleted on both packets.
- 4.05 The Executive Ticket must submit a platform statement. The platform must be a typewritten statement not to exceed one 8.5" x 11" page regarding their qualifications, goals and

objectives for this position. It must be saved and submitted as a .doc file (Word 2003) or a PDF. The statement will be posted in the McGinley Center Lobby and included on the online ballot during the election period. Platform statements will be submitted electronically as well as hard copy to the election E-mail account.

- 4.06 Responsibilities of the positions are stated in the USG Constitution which will be distributed at the informational sessions.
- 4.07 The Election Commission shall be responsible for holding a mandatory meeting at which the Candidate Packet is due. At this point the Executive Ticket will be officially registered. The Election Commission will confirm student's candidacy after checking his or her disciplinary standing and packet signatures.
- 4.08 If at the deadline for registration of candidacy there is zero or one candidate for the Executive Ticket than the deadline for registration will be extended for 72 hours. If at the end of that 48-hour period there are still no candidates, the elections will proceed as scheduled. By the second Senate meeting following the end of the election period the USG President shall submit to the Senate no less than three candidates for each vacant office. The Senate shall then elect one candidate for each vacant office.
- 4.09 If at the deadline for registration of candidacy only one ticket has registered for any office, this candidate will not be automatically declared the winner. The election will proceed according to the election code.

#### **ARTICLE V: TIMING OF THE ELECTION**

- 5.01 Election Packets will be made available no earlier than March 1st. After March 1<sup>st</sup> any student may take a packet and may begin the process of registering a campaign.
- 5.02 Within the following two weeks, there will be two Info Sessions held, one of which must be attended by those intending to run for the ticket.
- 5.03 All candidates must attend one USG Senate meeting prior to the start of Formal Campaigning.
- 5.04 The day after the packets are due, the Election Commission will hold a campaign meeting.
- 5.05 Candidates will have at least five days to conduct their campaign.
- 5.06 Voting will be held during the final two days of campaigning.
- 5.07 Informal campaigning will begin the day that candidates pick up their candidate packet.
- 5.08 Formal campaigning will begin immediately following the campaign meeting, where signatures packets will be collected and the code will be reviewed.
- 5.09 Elections will take place during the week allotted for campaigning on the last two days. Elections will last 18 hours.

## **ARTICLE VI: MEET THE CANDIDATES NIGHT EXECUTIVE DEBATE AND CANDIDATE FORUM**

- 6.01 The purpose of the Meet the Candidates Night is for the Senate candidates to meet their constituency and answer any questions concerning their candidacy.
- 6.02 The Meet the Candidates Night is for all candidates running for a position in the USG Senate.
- 6.03 The event will take place after official campaigning has begun and before the opening of polls in a location to be determined by the Election Commission. It will be coordinated and moderated by the Election Commission.
- 6.04 An explanation regarding the event will be distributed and explained by the Election Commission at the campaign meeting for all candidates.
- 6.05 The Meet the Candidates Night will consist of, but is not limited to, the following elements:
- a) Every candidate will be invited to set up a table at the event where campaign materials can be distributed and voters can meet the candidates.
  - b) Each candidate may have a one-minute opening statement.
  - c) The Election Commission will ask a series of questions to the candidates for each position for the Senate. Each candidate may have one-minute to respond.
  - d) Each candidate may have a one-minute closing statement.
- 6.06 Candidates will be required to bring five students to the Meet the Candidates Night. Each student will count only once per position.
- 6.07 The Election Commission is not obligated to host any more events during the election period.
- 6.08 The Candidate Forum will be for all Executive Board Candidates. The purpose of the Candidate Forum is for all Executive Board Candidates to meet their constituency. Participation in the Candidate Forum is a requirement for a candidacy.
- 6.09 The forum will take place after official campaigning has begun and before the opening of polls in a location determined by the Election Commission. The forum will be coordinated and moderated by the Election Commission.
- 6.10 An explanation regarding the forum will be distributed and explained by the Election Commission at the mandatory candidates meeting.
- 6.11 The Executive Board candidates must bring five students to the Candidate Forum.
- 6.12 The forum will consist of, but not limited to, the following elements:
- (a) Each executive candidate may have a two-minute opening statement.

(b) The Election Commission will ask a series of questions to the candidates for each position.

6.13 Both events can be recorded and televised at the discretion of the Election Commission.

## **ARTICLE VII: CAMPAIGN FINANCES**

7.01 Executive Board candidates may spend a total of \$100 on their campaign.

7.02 Senate candidates may spend a total of \$50 on their campaign.

7.03 The total value of all campaign expenditures, whether purchased or donated, shall not exceed the specified limitations contained in this code. This includes money spent by others on behalf of the candidate. Any donated items must be presented to the Election Commission for a decision on the fair market value by the Election Commission. It must also be accompanied by a donation letter on company letterhead including a contact person and phone number.

7.04 All campaign receipts and samples of all printed materials must be submitted to the Election Commission prior to the posting/distribution/wearing of such publicity. Failure to submit receipts and samples to the Election Commission will result in sanctions deemed appropriate by the Commission. According to this code, budget infractions are considered major infractions and will be handled by the Commission as described in Article XI.

7.05 Candidates may publicly support other candidates in print or in speeches. A candidate's name may appear on other candidates' publicity (i.e. any senator can appear on the name of any other candidates' poster.). If a candidate appears on another candidate's poster the poster will count towards both candidates financial statements.

## **ARTICLE VIII: CAMPAIGN REGULATIONS**

8.01 Candidates for all elections must run independently of each other.

8.02 The winner of the election will be the candidate with the most votes.

8.03 In the event of a tie, if there are more than 2 candidates running, the Election Commission will hold a run-off within one week of the election.

8.04 If there is a tie and there are only 2 candidates running, the outgoing Senate will determine the winner of the election.

8.05 The regulations for hanging campaign material are the same as the rules for "Publicity and Posting" as stated in the Student Handbook. Posting locations in the residence halls must be approved by the Resident Director of the building prior to posting.

8.06 In classroom buildings, candidates may only hang campaign materials on bulletin boards. No oral campaigning is allowed in classroom buildings.

8.07 University policy states that no under the door flyer campaigns are allowed.

- 8.08 There will be no campaigning within 200 feet of the McGinley Center polling place or University sponsored computers. Campaigning along Constitution Row between Jack Coffey Field and the tennis courts is also prohibited. Campaigning in the Lombardi Center is only allowed in the weight rooms, where you are permitted to hang campaign materials only with scotch tape. Campaigning is allowed in the Lower Level Student Lounge, but campaign material may not be placed on the glass walls/doors. Campaigning is not allowed in the Ultimate Dining Marketplace and/or the Lobby/first floor of McGinley.
- 8.09 During the voting period, candidates or anyone acting on behalf of a candidate may not set up voting stations with any electronic device, including, but not limited to, laptops, desktop computers and Blackberries. However, candidates may conduct normal campaign activities during the voting period, including campaigning using electronic devices. In the event of an online election, candidates may not be physically present while any other student is in the process of voting.
- 8.10 Campaigning shall begin at a time determined by the Election Commission. In no case shall there be campaigning before this period. Candidates will be given a minimum of five business days to campaign. Campaigning in or around the William D. Walsh Family Library is prohibited at all times. Violations may be sanctioned through punitive actions levied by the Election Commission, as described in Article XI.
- 8.11 Candidates must be aware of copyright laws. The candidate will be held accountable by law for any copyright infringement and may face punitive action.
- 8.12 The Office of Student Leadership and Community Development resources such as the photocopy machine cannot be used to produce candidates' campaigning.
- 8.13 The use of the RAM mascot suit is prohibited.
- 8.14 All campaign material must be removed by the day after the election results are announced.
- 8.15 No materials may be distributed through the mailroom.
- 8.16 E-mails may be sent to friends or supporters for assistance with campaigning as long as e-mails include the opportunity to opt out at any time. If e-mails are sent to friends or supporters after they have let the candidate know they wish to opt-out, candidates may be subject to penalties by the Election Commission. Friends or supporters will be defined as those who have voluntarily given their e-mails to the said candidate.
- 8.17 Personal election websites are permitted including but not limited to "MySpace," "Facebook," and personally designed URL's. With any multimedia platform, members of the Election Commission must be notified and an Election Commissioner must be made an Administrator. Candidates using outside designers, e.g. non-student professionals, must submit receipts for this work.
- 8.18 All campaign posters and flyers must be checked and approved by the appropriate administrator in the Office of Student Leadership and Community Development before they are posted.

- 8.19 Student Organizations are only allowed to endorse Senate Candidates or the Executive Ticket. However, they are not allowed to financially support the campaigning of any candidate. All endorsements must be approved by an Election Commissioner before they are considered valid.
- 8.20 All endorsing organizations must fill out a current endorsement form before officially endorsing a candidate. Candidates may show copies of their platform to leaders of clubs they are seeking an endorsement from. However, they must retain the platform at the conclusion of their presentation. Any campaign material found will be considered posted and will be subject to sanctions outlined in Article XI.
- 8.21 An endorsement must be secured by a majority vote of the Executive Board of the endorsing organization. Endorsing organizations are strongly encouraged to allow candidates to speak at a general member meeting prior to officially endorsing a candidate.
- 8.22 Any organization that endorses a candidate without completing the proper paperwork may face sanctions from the Operations Committee of United Student Government.
- 8.23 All electronic media, e.g. the candidate's website, or MySpace page must be approved prior to its posting by the Election Commission. Any endorsing organization must also get approval from the Election Commission prior to posting of any campaign material.
- 8.24 All electronic communication (i.e. e-mails, "Facebook") must be accompanied by two disclaimers that recipients are able to opt out of campaign communication and that the candidate's views do not necessarily represent the views of Fordham University.
- 8.25 All members of the Election Commission are prohibited from endorsing candidates.

## **ARTICLE IX: BALLOTING AND TABULATION PROCEDURES**

- 9.01 All full-time undergraduate students enrolled in Fordham College or the College of Business Administration shall be entitled to vote in any election of the United Student Government, and no student shall be denied the right to vote in any such election, poll, or referendum under any circumstances, provided that the student's name and Fordham ID number submitted to Campus Groups are officially checked against the voting register provided by the Election Commission. If the student's name does not appear on the voting registrar, the burden of proof of full-time status lies on the student. Official documentation from the Class Dean must be submitted at the time of voting to an Election Commissioner.
- 9.02 Standardized official online ballots shall be used for all elections. Full voting instructions, the office being sought, the recognized candidates for those offices, and/or any issue to be decided shall appear on the ballot. Each voter shall indicate his/her choice for offices and/or issue by making an appropriate mark by the names of candidates for office and/or decisions on issues.
- 9.03 All elections shall be by secret ballot, and the order in which candidates or tickets appear on the ballot shall be chosen randomly in a public setting at The Meet the Candidates night. The



order will be the reverse order of the candidates order in the debates. (i.e. If Candidate X opens the debate, then Candidate Y will appear first on the ballot and vice versa)

- 9.04 The Election Commission and their advisor shall verify the legitimacy of the online election. The Election Commission shall have the power to penalize candidates for actions of either the candidate or his/her supporters that attempt to violate the integrity of the election process. Such action may include any sanctions under the authority of the Election Commission and may also include referral to the Dean of Students for actions that violate the University Code of Conduct.
- 9.05 All ballots shall be tabulated by in a secure location by Campus Groups, and results released to the Chair of the Election Commission in a timely fashion.
- 9.06 There shall be no absentee ballots.
- 9.07 All results must be kept for five years and the Election Commission should only access these records if there is an appeal.
- 9.08 The USG advisor shall be present at the verification of the ballots.
- 9.09 Write-in candidates will be allowed to participate in the election. Any person who wishes to be a write-in candidate may do so provided that he/she registers as a write-in candidate with at least one member of the Election Commission up until the close of polls. The write-in candidate must contact a member of the Election Commission as soon as he/she decides to run.
- 9.10 It is the write-in candidate's responsibility to become familiar with and comprehend the rules set forth by the Election Commission.
- 9.11 All the election qualifications are in effect for the write-in candidates; all election rules are retroactively in effect for the write-in candidate. If any election rules are broken by the write-in candidate prior to registration, the Election Commission has the right to reject that person as a candidate or disqualify them.
- 9.12 Due to the status of a write-in candidate, his/her name will not appear in the ballot. A blank entry field will appear and it is up to the individual voter to write in a candidate's name.
- 9.13 The Election Commission reserves the right to determine the legitimacy of a write-in vote, if it does not specifically match the name the write-in candidate submitted to be considered for the election. The correct spelling of a last name will always count, unless two write-in candidates with the same last name are running for the same position in the same election cycle.
- 9.14 All unregistered write-in votes will be considered null and void.

## **ARTICLE X: CANDIDATE WITHDRAWAL**

- 10.01 Any candidate who wishes to withdraw from the election before the close of polls shall sign an official statement of such withdrawal in person in the presence of an Election Commissioner and must present proper identification.

## **ARTICLE XI: SANCTIONS**

- 11.01 There are five types of violations that can occur during campaigning. The types of violations are as follows: Petty Offenses, Minor Infractions, Major Infractions, Multiple Offenses and Disqualification.
- 11.02 Petty Offenses are offenses that the Election Commission determines to have no material impact on the election, regardless of intent of the candidate. During a candidates' campaign a Petty Offense may only occur one time. Subsequent Petty Offenses will result in an escalation of the offense to a Minor Infraction.
- a) Unauthorized Posting of 20 or less of the same sized campaign material that is 8.5x11 inches or sending an unauthorized E-mail to 20 or less students are examples of Petty Offenses. If a candidate illegally posts two or more different sized posters, regardless of the number of posters posted, the offense is immediately handled as a Minor Infraction.
- 11.03 Minor Infractions are infractions that the Election Commission determines to have a minor impact on the election, and demonstrate a clear violation of the Election Commission standards, regardless of the intent of the candidate.
- a) Multiple Petty Offenses, distribution of campaign material (regardless of size) in an academic classroom while a Fordham University class is taking place, unauthorized posting of a banner (any written material larger than 8.5x11 inches) and any other similar violations are considered Minor Infractions.
  - b) A campaign may be fined up to 15% of their maximum total budget, and/or suspended from campaigning for up to six hours, during any period of the campaign cycle. The Election Commission reserves the right to decide the hours a campaign is barred from campaigning.
- 11.04 A Major Infraction has significant material impact on the Election and causes severe harm to the integrity of the election.
- 11.05 The Election Commission reserves the right to determine if any similar infractions would constitute a major infraction. However the following are examples of major infractions:
- a) Campaigning before the time designated by the Election Commission and the Election Rules,
  - b) Posting material that has not been approved by the USG Election Commission and the OSLCD Office Manager or his/her designee,
  - c) Over-expenditure on a campaign account,
  - d) Using a club office as a campaign headquarters,

- e) Campaigning in the University Library during any day of the Election Cycle,
  - f) Campaigning in any University Computer Lab during voting days,
  - g) Campaigning in designated non-campaigning area,
  - h) Use of slander against another candidate, even if you are not running against that candidate in an Election Cycle,
  - i) Proof of a misrepresentation of facts to the Election Commission,
  - j) Setting up your own polling place. It IS illegal to have someone vote on your computer, under all circumstances.
- 11.06 There are two types of sanctions that the Election Commission may issue for a Major Infraction. There are Budget sanctions and all other sanctions. The Election Commission may fine a campaign up to 25% of the total allotment for ANY Major Infraction. If the punishment by the Election Commission causes a campaign to go over the allotted amount for that position then the Budget sanction will be applied. Any campaign that spends more than their budget allotment will result in any combination of removal of campaign material, loss of time allowed to campaign or disqualification. If a campaign spends more than 50% more than their budget allotment, they will be immediately disqualified (\$75.01 for a \$50 allotment).
- 11.07 For all other Major Infractions a campaign still may be penalized with a fine of up to 25% of the budget allotment. The Election Commission may also suspend a candidate from campaigning for a period of time no less than 12 hours and no more than 24 hours. The Election Commission reserves the right to designate those hours at their discretion and they can be broken up. (i.e. 12 hours on voting day 1 and 12 hours on voting day 2).
- 11.08 Multiple Infractions are two or more dissimilar offenses during one campaign cycle.
- 11.09 If there are two different minor infractions in an election cycle, the Election Commission is able to use the punishments for Major Infractions in lieu of the punishment for the Minor Infraction. If a candidate has already been punished for a Minor Infraction and proceeds to commit a second Minor Infraction he/she may be punished using the Major Infraction Standards for non-budget infractions.
- 11.10 In the event that a candidate commits two Major Infractions, the candidate will be forced to cease campaigning immediately, pending hearing to be held by the Election Commission, immediately the following business day. The maximum amount of time a candidate may be suspended from campaigning, without being disqualified is 48 hours. The Election Commission will decide the amount of suspension time at the conclusion of the hearing. The Election Commission may count the time on immediate temporary suspension towards the penalty; however, they are not obligated to do so.
- 11.11 A candidate will be disqualified immediately for the use of racial, sexual, or religious discrimination towards another candidate.

## ARTICLE XII: APPEALS

- 12.01. Appeals must be brought to the attention of the Election Commission within twenty-four hours after the election. If a candidate would like to file a complaint against another candidate, it must occur within 24 hours from the time the alleged violation occurred.
- 12.02 All appeals must be E-mailed to the Election Commission at [USGElection@fordham.edu](mailto:USGElection@fordham.edu).
- 12.03 The Election Commission must have a meeting as soon as possible but no later than 12 hours after the appeal has been made.
- 12.04 Involved parties, to be determined by the Election Commission, will have ten minutes to speak to the Election Commission on the case brought forth.
- 12.05 The Election Commission will then enter a closed session to make a decision concerning the case.
- 12.06 This decision must be shared with all involved parties at most one hour and a half after the start of the hearing.
- 12.07 If a candidate wants to appeal an offense, believing that the Election Commission has ruled improperly, the candidate can appeal to the USG Court. If the candidate has been disqualified they may appeal to the Dean of Students after the USG Court has made a ruling.
- 12.08 If an appeal is brought to the USG Court, the following format must be used:
  - a) Introduction and explanation of rules, Chief Justice
  - b) Explanation of Violation, Chair (3 minutes)
  - c) Response to decision, Candidate (3 minutes)
  - d) Rebuttal and evidence, Chair (5 minutes)
  - e) Rebuttal and evidence, Candidate (7 minutes)
  - f) Closing Remarks, Chair (2 minutes)
  - g) Closing Remarks, Candidate (3-4 minutes)
  - h) Adjournment, Chief Justice
  - i) Closed Hearing
- 12.09 If the Chair cannot be present, he/she may select another Election Commissioner to stand in place. If the candidate or his/her designee cannot be present they forfeit their rights at the hearing.

- 12.10 The Court will have an hour after the hearing to make a decision. If more time is needed, the Court can request extra time from the advisor of USG.
- 12.11 After the allotted time, the Court will share its decision, with explanations to the candidate and Election Commission Chair. The Court should have a Majority and Dissenting Opinion, if applicable.
- 12.12 The USG Court may reduce sanctions or overturn the sanction completely.
- 12.13 An E-mail must be sent to the USG E-Mail account indicating the desire to appeal within 24 hours of the Election Commission decision.

### **ARTICLE XIII: AMENDMENTS**

- 13.01 To amend this Election Code, an amendment must first be presented to the Election Commission.
- 13.02 A meeting of the Election Commission cannot take place without quorum, defined as two-thirds of the Commission.
- 13.03 The amendment cannot be added to the Code unless  $\frac{3}{4}$  of the Commission agree upon the change.
- 13.04 Once agreed upon by the Election Commission, the amendments must be brought to the USG Senate, where  $\frac{2}{3}$  vote is required to change the Code.
- 13.05 All changes must be acknowledged by the current USG president and require his/her signature.
- 13.06 All changes must be filed with the USG advisor and OSL&CD.

### **ARTICLE XIV: ACKNOWLEDGMENTS**

- 14.01 The Election Commission will abide by all policies stated in the Student Handbook.
- 14.02 The views of the Election Commission do not necessarily reflect those of the University.
- 14.03 The Election Commission reserves the right to interpret this code in regard to individual cases.
- 14.04 The Election Commission reserves the right to approve this code article by article.
- 14.05 The Election Commission may make non-material changes to this code for the express purpose of conducting a fair, equitable and efficient election. All non-material changes must be approved by the Election Commission by a  $\frac{2}{3}$  vote and a majority vote of the USG Senate.

14.06 The Election Commission will abide by the University's hazing policy.

14.07 The Election Commission will not restrict membership based on race, gender, national origin, religion, creed, sexual orientation, age or physical handicap.

*This code was revised throughout the 2009-2010 School Year by the 2009-2010 Election Commission. The code was adopted on February 22<sup>nd</sup>, 2010 by the Office of Student Leadership and Community Development and the Election Commission. The code passed with unanimous consent on the United Student Government Senate on February 11<sup>th</sup>, 2010. The code was ratified by a 4-0-0 vote and the vote was supervised by Chairman Michael Recca.*