SMU STUDENT SENATE ELECTION CODE

Amended March 7, 2023
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ARTICLE I. SMU STUDENT SENATE ELECTION CODE

Section 1. The Purpose of the Election Code

1. The SMU Senate Election Code serves to provide an equitable and fair election code for all candidates to effectively campaign, represent, and govern in the office they seek.

2. The Membership Committee is responsible for the conduct of general, special, runoff, and constitutional amendment elections as outlined in this SMU Student Senate Election Code.

3. All candidates must abide by the rules and regulations established in the Student Senate Constitution, the Student Senate Bylaws, and the Student Senate Election Code.

4. The Election Code shall be reviewed by the Membership Committee and subsequent amendments shall be presented to the SMU Student Senate by the Membership Chair when an election is not in place.

Section 2. Principles of Good Governance and Diversity, Equity, and Inclusion

1. Consistent with the values and by-laws of Southern Methodist University and the SMU Student Senate, elections and actions conducted by the SMU Student Senate Membership Committee aim to uphold principles of good governance and stewardship of public accountability.

2. The SMU Student Senate Membership Committee and Election Code aims to foster a strong sense of community in supporting nominations and candidacies from communities across the Hilltop.

Section 3. Amendments to the Election Code

1. This Election Code shall be revised and reviewed yearly, prior to the election.

2. Amendments to the Election Code shall be presented to the Senate, by the Chair of the Membership Committee. Recommended amendments may be seen individually or voted on in block.
ARTICLE II. THE MEMBERSHIP COMMITTEE

The Membership Committee reserves the right to exercise its discretion in the interpretation of the Election Code and has the right to make decisions and deliver sanctions in any matter concerning election integrity.

Section 1. The Structure of the Committee
1. The Membership Committee shall be comprised of:
   a. The Membership Chair
   b. The Student Senate Advisor, who shall serve as ex-officio, non-voting member
   c. A committee of the Chair’s choosing.

2. Members of the Membership Committee, including the Chair, shall not be allowed to run in the Election being held during the time they serve in Committee.

3. Additionally, members of the Membership Committee shall not endorse, campaign for, contribute to, or support any candidate for office.

Section 2. The Role of the Committee
1. The role of the Membership Committee is administering the general, special, runoff, and constitutional amendment elections as outlined in this SMU Student Senate Election Code, as well as the following responsibilities:
   a. Organizing events, if applicable
   b. Working with the Communications Chair to publicize the election
   c. Running the election
   d. Proposing revisions of the Election Code, if applicable
   e. Verifying candidate expense reports
   f. Responding to Advisory Opinion Requests, as outlined below
   g. Ensuring adherence to the rules set forth in this Election Code

2. The Committee has the right to levy warnings, sanctions, or disqualifications against any candidate who breaks the rules set forth in the Election Code.

3. The Membership Committee Chair and Student Senate Advisor will refer cases which could constitute violations of the Election Code to the Membership Committee, who will determine whether a violation occurred and which sanctions, if any, should be levied.
4. Clarification of the Election Code can be obtained from the Membership Committee Chair in the form of an Advisory Opinion Request.
   a. To request an advisory opinion, candidates should complete an Advisory Opinion Request form with their question.
   b. The Membership Committee Chair maintains the discretion to decide which Advisory Opinion Requests to answer.
   c. The Membership Committee Chair is not required to respond to all Advisory Opinion Requests, however, any requests that do receive a response must be shared with all candidates on a rolling basis. Requests for clarification of the Election Code received outside of this process will be denied.

ARTICLE III. DEFINITIONS

These definitions serve to clearly outline and regulate actions and interactions between candidates during general, special, runoff, and constitutional amendment elections and disqualifying actions as outlined in this Election Code.

Clarification of these definitions can be obtained from the Membership Committee Chair by submitting an Advisory Opinion Request.

1. **Candidate** refers to any student competing for an available position in an election.
2. **Campaigning** is defined as any action taken to solicit votes, including, but not limited, to speaking before groups and displaying or distributing campaign materials.
3. **Coalition** is defined as two or more candidates running for office jointly and pooling their resources to campaign together.
4. **Campaign Workers** are defined as any person who gives their time and effort to support a candidate and help said candidate campaign, where said candidate has knowledge of the time and effort delivered by the worker.
5. **New Campaigning** refers to the distribution or placement of campaign materials after the polling period for the first election.
6. **Campaign Period** refers to the full period of time which students can vote in an election.
7. **Election Day** refers to the last day which students can vote in an election.
8. **Proxy** refers to one person casting a vote for another person.
9. **Procedural Error** is defined as an error that occurred due to the process the Membership Committee used when hearing a complaint.
10. **Bulletin Board** is defined as any surface on which documentation is designed to be publicly displayed. Bulletin Boards are regulated by the governing entity of the building it is located within, not by the SMU Student Senate Membership Committee.

11. **Unethical Behavior** refers to any action taken to unfairly manipulate, mutilate, or monopolize any aspect of an election.

12. **Results** refers to a listing of the candidates elected.

13. **Endorsement** is defined as supporting a candidate.

14. **Running Mate** is defined as two or more candidates running jointly for election to their respective positions. All candidates must run individually for each position.

**ARTICLE IV. ELIGIBILITY FOR CANDIDACY**

In addition to the following requirements to be eligible for a Student Senate Seat, candidates during the Fall and Spring Election must attend the Mandatory Candidates Meeting.

**Mandatory Candidates Meeting**

1. The Mandatory Candidate’s Meeting for each Election will be announced by the Membership Chair in election correspondence in at least one week prior to the meeting. The meeting will:
   a. Provide access to necessary election guidelines and documents
   b. Offer a period of question-and-answer with the Membership Chair.

2. All Candidates are required to attend the Mandatory Candidate Meeting unless excused by the Membership Chair in writing. Candidates who are not present or represented at the meeting may not be allowed on the ballot, subject to the discretion of the Membership Committee Chair.

3. A candidate is not permitted to publicly promote their candidacy prior to the mandatory Candidate’s Meeting.

**Section 1. General Candidate Eligibility Requirements**

1. Candidates for all seats must have at least a 2.5 semester and cumulative GPA
   a. An exception is granted to candidates running for First-Year Senator Seats and those running for a position during their first semester.
2. All candidates, both undergraduate and graduate, must be SMU students enrolled full-time in a university degree-granting program, students enrolled in a co-op program, or students with minimum hours to graduate.

3. Be in good academic and disciplinary standing with the University.

4. Members of the Student Senate must be available to meet every Tuesday the Senate convenes from 3:30-5:00 PM. Student Senators will be required to attend committee meetings in addition to Tuesday chamber meetings of full Senate.

5. Student Senators will be required to follow the rules and regulations established in the Student Senate Constitution and the Student Senate Bylaws.

6. Former Student Senators, Chairs, or Officers who resigned or were vacated from the Student Senate previously due to excessive unexcused absences will not be allowed to run for any Senate position during the election cycle immediately following the term in which he or she resigned. Exceptions may be made for absences relating to class or work conflicts.

7. Former Student Senators, Chairs, or Officers who were impeached by the Student Senate at any point during their attendance at Southern Methodist University are barred from running for or appointment to any Senate position.

8. Each candidate’s eligibility must be verified by the Student Senate Advisor prior to the publishing of the official ballot.

Section 2. Candidate Eligibility Requirements

1. Candidates for school seats on the Student Senate are only eligible to run for seats of the school or for the constituency (in the case of special interest positions) in which they have declared a major or are a member of at the time of the election.

2. Students who have not yet declared a major that wish to run for an academic seat must run for a Pre-Major seat.
3. Students who have multiple majors can select the school they want to run to represent but cannot run for both schools.

4. Candidates must file their applications with the Membership Committee by the application deadline. Failure to submit the application on time will result in disqualification. No appeals will be accepted.

Section 3. Distribution and Determination of Seats for an Election

1. There will be one Student Senator representative per three hundred currently enrolled full-time and part-time students, with a minimum of two representatives for each school including:
   a. Cox School of Business
   b. Dedman College
   c. Lyle School of Engineering
   d. Dedman School of Law
   e. Meadows School of the Arts
   f. Perkins School of Theology
   g. Simmons School of Education and Human Development
   h. Pre-Major
   i. First-Year Senators.

2. If the number of currently enrolled full-time and part-time students is one hundred fifty-one students over any multiple of three hundred students, then that school will receive an additional representative.

3. The number of senators per school will be determined the first week of March each year by the Membership Chair and the Student Senate Advisor in consultation with the registrar before the Spring Election.

4. In addition, there will be one student for each of the following special-interest senator positions described below in Table 4.3.1. Eligibility requirements for running for these positions are in addition to the eligibility requirements set out in Section 2.
Table 4.3.1: Special Interest Senator Positions

<table>
<thead>
<tr>
<th>Position</th>
<th>Eligible to Run</th>
<th>Eligible to Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>African-American Senator</td>
<td>students designated as “African American” in my.SMU</td>
<td>students designated as “African American” in my.SMU</td>
</tr>
<tr>
<td>Asian Pacific Islander Senator</td>
<td>students who identify as Asian Pacific Islander</td>
<td>students designated as “Asian” in my.SMU</td>
</tr>
<tr>
<td>First Generation Senator</td>
<td>any student where neither parent or guardian obtained a four-year degree recognized in the United States</td>
<td>any student who identifies as First Generation</td>
</tr>
<tr>
<td>Hispanic-American Senator</td>
<td>students designated as “Hispanic” in my.SMU</td>
<td>students designated as “Hispanic” in my.SMU</td>
</tr>
<tr>
<td>International Senator</td>
<td>any student who attended high school or university outside the United States and/or is required to have a visa to live and study in the United States</td>
<td>any student who identifies as International</td>
</tr>
<tr>
<td>MILVET Senator</td>
<td>students designated as “Veteran” in my.SMU</td>
<td>students designated as “Veteran” in my.SMU</td>
</tr>
<tr>
<td>Queer Senator</td>
<td>any student who identifies as a member of the LGBTQIA+ community</td>
<td>any student who identifies as a member of the LGBTQIA+ community</td>
</tr>
<tr>
<td>Student Athlete Senator</td>
<td>students designated as “Athlete” in my.SMU</td>
<td>students designated as “Athlete” in my.SMU</td>
</tr>
<tr>
<td>Transfer Senator (elections will be held in the fall)</td>
<td>students designated as “Transfer” in my.SMU</td>
<td>students designated as “Transfer” in my.SMU</td>
</tr>
</tbody>
</table>

Section 3. Student Body Officer Eligibility Requirements and Stipulations

1. Those individuals wishing to run for Student Body Officer positions must have served previously as a member of the Student Senate excluding general members as defined under Article II of the Student Body Constitution.

2. Students who run for a Student Body Officer position may also run for a Senator position. If a student is elected for both positions, they may not hold both offices.

3. Student Body Officers will be required to attend Executive Committee meetings.
Section 4. Write-In Candidates
1. Write in candidates must abide by all the rules of the Election Code, except the application filing deadlines and attendance at the Mandatory Candidate Meeting.

2. To qualify as a write-in candidate, one must notify the Membership Chair via email of their intent to run as a write-in candidate to receive the official Election Calendar and information presented at the Mandatory Candidate Meeting.

3. Write-in candidates shall not be allowed to participate in the debate and other events sponsored by the Membership Committee.

4. Write-in candidates who wish to use campaign expenses or donations must notify (and receive confirmation from) the Membership Committee Chair before the election. Write-in candidates will also be required to submit an expense report by the official expense report deadline.

5. Official candidates are allowed to file complaints against write-in candidates who violate the election code.

6. Write-in candidates who do not use expenses or donations will still be required to submit an expense report.

7. No write-in candidates will be allowed for run-off elections. Write-in candidates in the general election who make the run-off will be placed on the run-off ballot.

ARTICLE V. ELECTION CONDUCT AND GUIDELINES

Section 1. Election Conduct
The Elections will be run by the Student Senate Membership Committee.

The Membership Chair will announce the Election before the Student Body, directing the Student Body Secretary and Communications Chair to announce the election.

Section 2. Campaigning Guidelines
Campaign Guidelines serve to create an equitable campaign landscape for all candidates to run on merit and fair terms. Candidates who fail to follow these
guidelines may receive sanctions as deemed appropriate by the Membership Committee.

1. Candidates are running individually, the term “running mate” may not be used.
   a. No coalitions will be allowed.
   b. No candidate may appear in the campaign materials (i.e. flyers, posters, etc.) of another candidate.

2. Campaign Materials shall comply with the Student Code of Conduct, University policies, and this Election Code.
   a. The placement of Campaign Materials must be pursuant to the governance of the location desired. The SMU Membership Committee shall only sanction the merit of Campaign Materials, not the location or violation of area governance unless directed by the governing bodies of the location of the violation.

3. Candidates are responsible for communicating campaign guidelines to their Campaign Workers. Campaign Workers must abide by the Election Code.
   a. No SMU staff or faculty member may serve as a Campaign Worker for any election.

4. Candidates are required to follow all rules regarding expenses used during their campaign in accordance with Section VI.

5. No campaigning may be performed within any residence hall, with these exceptions:
   a. Commons Council meetings
   b. Private door

6. No candidate may campaign through a third party that is a staff or faculty member at SMU.
   a. This includes, but is not limited to, a staff or faculty member’s endorsement of a candidate at a meeting of a student organization.
   b. If the Membership Chair is notified of staff or faculty member interference in a student election, the Chair will report such activities to the Student Senate Advisor.
c. No candidate may receive an endorsement from any individual while they are performing a professional service at the University (i.e. Aramark food service employees, SMU PD, etc.).

7. Student Body and Senate Officers who currently or have previously served on the Senate Executive Board may not endorse or campaign for any Candidates.

8. A Candidate or Campaign Worker may under no circumstances intentionally interfere with the campaign of another Candidate in any way. Engaging in any form of negative campaigning, including, but not limited to, defamation of character, libel, slander, or altering an opponent’s campaign materials is strictly prohibited.

9. Violations of the Student Code of Conduct or other applicable university and Student Senate policies are not allowed.

Section 3. Expense Guidelines

1. Candidates are limited to the following expense limits:
   a. Student Body Officers (President, Vice President, Secretary, Treasurer): $300
   b. Student Senator: $150

2. All campaign expenses contributed towards a candidate’s campaign will not be reimbursed to the candidates. It is at the discretion of the candidate to utilize their own funds appropriately.

3. All candidates must file a completed (with receipts and donation letters) expense report. The deadline for the expense report is at the discretion of the Membership Chair and must be disclosed in the official Election Calendar provided during the Mandatory Candidates Meeting. All campaign expenses must be recorded, including estimates on donations and loaned equipment. Sales receipts should be attached to the report. A letter must accompany all donations noted on the expense report from the donor. The letter must state the supplies donated and the exact price of the donated supplies. Sales tax will not be included in the total.
4. Failure to submit an expense report, exceeding the allotted spending amount, or submitted falsified or fictitious information shall result in the immediate disqualification of a candidate (barring extenuating circumstances as deemed acceptable by the Membership Committee). No appeals will be accepted.

5. Candidates who wish to use digital campaigning materials must include such expenses in the Campaign Expense Form Report. This includes, but is not limited to, social media advertisements, website domains, and geo-filters.

6. Candidates seeking more than one office are limited to the expense limits of the highest office for which they are running, not the combined total.

7. All materials used in the campaign must have an estimated value recorded on the expense report. Only the portion of materials used on visual display needs to be recorded as an expense. Compensation for paid labor and professional services must be included (students are not considered professionals unless they are serving in a professional capacity).

8. Materials that are not included in the visual display, but which were used in its manufacture will not be counted as an incurred expense (i.e., staple guns, hammers, etc.)

9. An identical sign may replace any sign that is torn down or destroyed without recording the additional cost on the candidate’s expense report.

10. Candidates in a run-off election will have a new expense limit with a value of one-half of the previous expense limit. Previously recorded expenses need not be recorded.

11. Expense reports of all run-off candidates are due to the Membership Committee Chair. The deadline for the run-off expense report is at the discretion of the Membership Chair and must be disclosed in the official Election Calendar provided during the Mandatory Candidates Meeting. An expense report must be filed even if no new expenses were incurred. Failure to submit an expense report on time will result in disqualification (barring extenuating circumstances as deemed acceptable by the Membership Committee). No appeals will be accepted.
Section 4. Campaign Material Creation and Distribution Guidelines

1. The creation of Campaign materials must follow the SMU Branding Guidelines. The use of the SMU Student Senate Logo in any likeness is strictly prohibited.

2. The placement of Campaign Materials must be pursuant to the governance of the location desired and the rules and regulations of Southern Methodist University. Candidates are required to follow SMU Office of Facilities Planning and Management rules for signs displayed outdoors.

3. The SMU Membership Committee shall only sanction the merit of Campaign Materials, not the location or violation of area governance unless directed by the governing bodies of the location of the violation.

4. Campaigning signs and posters are subject to the discretion of the Building Manager. However, campaign materials are prohibited from being placed on any:
   a. Building exterior of any academic or residential building.
   b. Wall, inside or outside of any academic building, excluding bulletin boards.
   c. Any classroom or bathroom doors.
   d. Any student’s private residence door without their explicit permission.
   e. Over any department information or safety information display on a public bulletin board.
      a. This includes fire escape maps and procedures.
   f. No signs, posters, or writing may be placed on chalkboards or whiteboards in classrooms.

5. All signs for use in residence halls must be no larger than $8^{1/2} \times 11$ inches in size.

6. Candidates must remove all campaign materials from all bulletin boards and public spaces within 72 hours of the conclusion of the election, or run-off election, if applicable.
ARTICLE VI. ELECTION AND SENATE APPOINTMENT PROCEDURE

Section 1. General Election Procedure

1. The official ballot of eligible candidates will be prepared and verified by the Student Senate Membership Chair at least 48 hours before the first Election Day.

2. First-year elections and general elections will take place over two voting days. If a run-off election is necessary, voting will take place over two additional designated days.

3. Voting will take place on Connect. The Membership Committee and Communications Chair will ensure that the website is ready for the election days.

4. Voting times will be announced at the Mandatory Candidate Meeting.

5. Voting by proxy is prohibited.

6. Students must vote independently of any external pressure and of their own free will. Any violation would be considered unethical behavior and a penalty will be incurred as is deemed suitable by the Membership Committee.

7. Students may vote only in the election of their schools of record. Problems with voting should be reported to the Membership Committee Chair via e-mail within 24 hours of the final voting date.

8. Students who wish to withdraw from an election before the voting days must notify the Membership Committee Chair in writing. The Membership Committee Chair shall remove the student from the ballot of candidates within 24-hours of the receipt of this notification.

Section 2. Run-Off Election Procedure

1. To be elected President, Vice President, or Secretary of the Student Body, or the Treasurer a candidate must receive a minimum of 50% of all the votes cast for that office; otherwise, there will be a run-off election between the top two candidates for that office.
2. If no candidate receives a majority and there is a tie for second place, there will be a run-off among the three top candidates and the winner will be selected by a plurality of the votes cast in the run-off election.

3. Elections for all positions, except for Student Body Officer elections, will be decided by a plurality of the votes cast. In the event of a tie vote for an open seat, a run-off election will be held.

4. The results of a run-off or subsequent elections will be determined by the following rules:
   a. If only two candidates appear in a run-off or subsequent election and one candidate is disqualified or removes themselves from the run-off ballot, there will be no run-off or subsequent election.
   b. If more than two candidates appear on the ballot and one of the candidates is disqualified, there will be a subsequent election if the number of candidates on the ballot is equal to or less than the number of open seats in that race.
   c. No write-in candidates are allowed in subsequent or run-off elections.
   d. Vote totals for candidates in run-offs will be kept confidential.

Section 3. Special Election Procedure

1. Special Elections are called by the SMU Student Senate Chamber in the occurrence of a Student Body Officer vacancy.

2. The Membership Committee must approve all special elections at least two weeks prior to the scheduled election date.

Section 4. Results

1. Elections will close at 12PM. Results from elections will be posted and announced by the Communications Director after results have been verified by the Membership Chair.

2. Additionally, the Membership Committee Chair will e-mail the results to all candidates and students as quickly as possible. The Run-off Election will follow the same procedure.

3. If a complaint is filed, the results of the contested race and races affected by the contested race’s outcome will be held until the complaint is resolved.
Section 5. Senate Vacancy Appointment Procedure

1. In the event of a resignation or impeachment of any Student Senator or Standing Committee Chair, the Membership Committee shall solicit applications and screen for replacement Senators and Chairs and recommend appointments of Student Senators and Chairs, which must be confirmed by the Student Senate.

2. In the event of a resignation or impeachment of any Student Senate Officer, the Student Body Secretary shall follow the format of Article III, Section 3 of the SMU Student Senate By-laws.

3. In the event of a resignation or impeachment of any Student Body Officer, the Membership Committee shall convene and call for a special election, following the procedure of a general election.

4. If any Senator vacancy is contested, members of the Membership Committee shall vote by majority and make a recommendation to the chamber.

5. Additionally, any unfilled Student Senator positions that exist after General Elections shall be filled in the same manner.

Section 6. Constitutional Amendment Election Procedure

1. Ratification of Constitutional Amendments will be decided by a two-thirds vote of the voting student body.

2. Constitutional elections must be held within three school weeks of constitutional amendments passed by the Student Senate. Otherwise, the amendment fails by default.

ARTICLE VII. ELECTION COMPLAINT PROCEDURE

Candidates, Faculty Members, and Students of Southern Methodist University can file Election Complaints with the Membership Committee on potential Election Code and Conduct Violations.

Section 1. Election Complaint Filing

1. Any protest complaint concerning a candidate’s campaign, or an election procedure must be submitted in writing, with evidence, to the Membership Committee Chair by the closing of the Election Day Voting Period.
2. When a complaint is filed, it must include the name of the person filing the complaint along with the name of the candidate against whom the complaint is filed. No anonymous complaints will be accepted.

3. The complaint must specify an allegation. The Membership Chair and Student Senate Advisor shall determine which section of the Election Code may have been violated and take any necessary action.

4. The complaint must be submitted in writing with the date, time, and a description of the incident in question and any relevant evidence.

5. The Membership Committee Chair will notify the candidate against whom the complaint is filed on a rolling basis.

6. During the complaint process, the complainant will have the opportunity to add relevant information to the previously filed complaint. It is up to the discretion of the Membership Committee to decide whether the new information is relevant or not.

Section 2. Election Complaint Hearing

1. The Membership Committee will hear cases referred by the Membership Chair and Student Senate Advisor as potential violations of the Election Code at the conclusion of the Election Day Voting Period. During a closed meeting, only Membership Committee members, the Committee Chair, and the Student Senate Advisor are allowed to be present.

2. Any complaint received by the Membership Committee will be discussed with both the complainant and the accused on a rolling basis.

3. The Membership Committee reserves the right to vote in secrecy.

4. Any Membership Committee member that is filing a complaint or participating in the election will step down from the committee for the duration of that particular hearing.

5. Both parties involved in the complaint have the right to protest the participation of a committee member in a particular hearing based on a conflict of interest. The Membership Committee will vote as to whether or
not the protested member should step down from the hearing board for that hearing.

Section 3. Election Complaint Resolution Procedure

1. The Membership Committee will take two votes. A simple majority will decide each vote. The first vote will determine if the accused is responsible or not responsible for the complaint. If the accused is found responsible, the Membership Committee will take a second vote to determine sanctions. Any or all of the following are feasible sanctions:
   a. Disqualification
   b. A percentage of the guilty candidate’s votes can be deducted at the discretion of the Membership Committee with consideration given to the nature and degree of the offense
   c. Referral to Student Conduct & Community Standards
   d. Actions deemed appropriate by the Membership Committee

2. If a majority cannot be reached, the determination of the whether the accused is responsible or not will be at the discretion of the Membership Chair.

3. Any candidate who is for any reason disqualified before the election will have their name removed from the ballot.

4. The Membership Committee reserves the right to exercise its discretion in the interpretation of the Election Code. Any clarification of the Election Code may be obtained from the Membership Committee Chair through the Advisory Opinion Request process.

5. The Membership Committee will publicly post any complaints heard by the committee in which a Candidate was found responsible for the complaint, alongside the Committee’s response within 24 hours of the final hearing.
   a. Sensitive information from the complaint may be redacted at the Membership Committee Chair or Student Senate Advisor’s discretion.
   b. Complaints which result in a finding of not responsible will not be publicly posted, but the complainant will receive a response with the reason the complaint was denied.
Section 4. Ballot Manipulation and Voting by Proxy

1. Vote manipulation, rigging, by proxy, or fraud is strictly prohibited and can result in punishment or disqualification, and/or referral to Student Conduct & Community Standards.

2. At the conclusion of an election, the Membership Chair and Senate Advisor will systematically investigate said election for the presence of voter fraud and manipulation. If said manipulation is suspected, special proceedings will convene.