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Fall 2011

### F11RS SGB No. 1 (Election Code)

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## STUDENT SENATE

F11RS

SGB No. 1

BY: SENATORS LOGA, BEADLE, FRIAS AND SULLIVAN

**A BILL****TO AMEND THE STUDENT GOVERNMENT ELECTION CODE**

**PARAGRAPH 1:** WHEREAS, THE STUDENT GOVERNMENT ELECTION CODE IS DESIGNED TO PROVIDE A FAIR AND ETHICAL SET OF RULES TO GUIDE ELECTIONS; AND

**PARAGRAPH 2:** WHEREAS, THESE BROAD REVISIONS WOULD SERVE TO GREATER UPHOLD CAMPAIGN ETHICS; AND

**PARAGRAPH 3:** WHEREAS, THESE BROAD REVISIONS WOULD FURTHER PROVIDE A FAIR ARENA FOR CANDIDATES ; AND

**PARAGRAPH 4:** WHEREAS, THESE BROAD REVISIONS WOULD INCREASE VOTER APPEAL AND TURNOUT; AND

**PARAGRAPH 5:** WHEREAS, THE STUDENT GOVERNMENT ELECTION CODE SHOULD READ:

**ARTICLE III****Election Timetable****Section 1. Order of Events**

The election time frame shall consist of ~~thirty (30) class days~~ **seven (7) academic weeks** beginning no sooner than ~~the twentieth (20<sup>th</sup>)~~ **fourth (4<sup>th</sup>) academic week** day of class in a semester and ending no later than ~~the sixtieth (60<sup>th</sup>) day~~ **twelfth (12<sup>th</sup>) academic week** of class in a semester. The order of events for any campus-wide election, not including special elections and the elections for the consideration of a referendum brought by petition or constitutional amendment, shall be as follows:

- A. Pre-Qualifying**
- A. Filing period
- B. Qualifying
- C. Posting of qualified candidates and appeals
- D. Election Informational Meeting(s)
- E. Ticket registration
- F. **Passive** Campaigning begins
- G. Mandatory Meetings
- G. Active Campaigning begins**
- H. Posting of official ballot
- I. General Election
- J. Financial and monetary contribution reports filed
- K. General Election results
- L. Validation of General Election results
- M. Run-off Election
- N. Run-off Financial and monetary contribution reports filed

- O. Run-off Election results
- P. Validation of Run-off Election results

## Section 2. Selection of Election-Related Dates and Deadlines

- A. The Election Board shall be in charge of setting all dates of the election-related events listed in Section 1 of this Article subject to any further provisions of the Election Code. All deadlines and dates that are relative to filing, campaigning, and election days for the Fall and Spring Student Government Elections shall be declared by the Commissioner of Elections no later than the ~~twentieth (20<sup>th</sup>)~~ **second (2<sup>nd</sup>) academic week** class day of the semester of the election in question.
- B. The election time frame shall span ~~thirty (30) class days~~ **seven (7) academic weeks** beginning with the first day of filing, and ending two (2) class days after the final election results have been announced.
- C. Once the dates have been set and publicly announced before the Student Senate, the Commissioner of Elections will immediately deliver this information to Student Media, the Student Body President, the Speaker of the Student Senate, and the Chief Justice of the University Court.

## Section 3. Announcement of Elections

- A. The Commissioner of Elections shall:
  - 1. Issue a press release at least five (5) class days prior to the opening of the **filing pre-qualifying** period for the Fall and Spring elections.
  - 2. Issue appropriate widespread campus announcements, which may include but not be limited to broadcast emails, a letter to the editor, or advertisements in the campus newspaper at least three (3) class days prior to the opening of the **filing pre-qualifying** period for the Fall and Spring elections.
- B. The announcement shall list the following:
  - 1. Positions to be filled in the election;
  - 2. Dates for the opening and closing of **both pre-qualifying and** filing;
  - 3. Time and place that a person may **pre-qualify and** file for office;
  - 4. Dates of the General Election and any run-off; and,
  - 5. Name and contact information of the Commissioner of Elections.

## Section 4. Pre-Qualifying

- A. **A student shall have the option to pre-qualify for an election to ensure he/she meets all stipulations outlined in Section 6 of this Article for the sought office before the period of filing begins.**
- B. **A two (2) day class period for pre-qualifying shall be opened on the first academic week of the election timeframe.**
- C. **A student shall submit a Pre-Qualifying Form to the Election Board on these two (2) from 9:00AM until 4:30PM. This form shall include:**
  - 1. **The student's name;**
  - 2. **The student's LSU identification number;**
  - 3. **The Academic Area in which the student is enrolled;**
  - 4. **The office sought.**
- D. **The Commissioner of Elections shall deliver these reports to the Office of the Dean of Students, who shall process the requests and notify the Commissioner of Elections of the results by the following Monday.**
- E. **The Commissioner of Elections shall post these results outside the Student Government Executive Office as soon as it is received.**

## Section 4. Filing

- A. A person shall file as a candidate by:
  - 1. Filing his/her intention for candidacy by completing registration with the Election Board during the filing period; and,

- a. No one may file on behalf of a student that is not himself/herself.
    - b. Official LSU picture ID must be presented at the time of filing.
  2. Verifying his/her eligibility by the Election Board.
- B. A three (3) class day period for filing shall be opened **on the second academic week of the election timeframe. no less than twenty one (21) calendar days before the date of the General Election.** Any student may file an intention of candidacy form provided by the Election Board for the office he/she seeks from 9:00 A.M. to 4:30 P.M. during these days.
- C. Once a student has filed for a certain office, he/she may not change to any other office even if the filing period has not closed. The student may either run for the position for which he/she originally filed for, or may withdraw from the race completely. The only exception applies to President/Vice President candidates and is as follows:
1. Candidates for Student Body President and Vice President shall both be listed together on the ballot and identified as to which office each candidate seeks. If, after the close of filing, a candidate for Student Body President or Vice President has not qualified, has been disqualified, or has withdrawn, then the remaining candidate may submit the name of a replacement candidate to the Commissioner of Elections, and this replacement candidate must be qualified by the Commissioner of Elections by 4:30 P.M. on the fifth (5<sup>th</sup>) class day preceding the General Election. The remaining candidate will also have the discretion to refile as either President or Vice President upon selecting their replacement candidate.

## **Section 5. Qualifying**

- A. Candidate Eligibility
1. A qualified student is any full-time student that is in accordance with all Campus Life mandated requirements for officers of recognized campus organizations.
  2. For all Senate and College Council positions a candidate must be enrolled at the time of filing in the college which he/she is seeking to represent, with the exception of the Graduate School or LSU School of Veterinary Medicine.
    - a. Students seeking a Senate or College Council position in the Graduate or LSU School of Veterinary Medicine must have applied and received provisional or full acceptance prior to the filing process of the election in question in order to run for that position.
    - b. Proper acceptance documentation must be presented to the Student Government Commissioner of Elections at the time of filing to ensure candidate eligibility.
  3. If any clerical errors arise on behalf of the University, the Commissioner of Elections shall consult the University Registrar and approve members to run in their appropriate college or for their desired position on a case-by-case basis.
  4. No senator can file or run for another seat within the LSU Student Senate until the final semester of their current term unless proof of change of college can be presented to the Commissioner of Elections. Proof of college must be provided by the University Registrar.
- B. After the closing of the filing period, the Commissioner of Elections shall submit the appropriate information for each potential candidate to the office of the Dean of Students for verification.
- B. If a student has pre-qualified with the Election Board as outlined in Section 4 of this Article, the Commissioner of Elections shall not submit their information for verification, and shall list those students as eligible.**

- C. Once the office of the Dean of Students reports back to the Commissioner of Elections, he/she shall report to the Election Board with a listing of filed candidates, and whether or not each is qualified.
  - D. After any amendments and final approval by the Election Board, the official list of qualified candidates will be posted outside of the Student Government Executive Office. This ~~should~~ **shall** occur on ~~class days six (6) and seven (7)~~ **at noon (12:00PM) on the Monday of the third (3<sup>rd</sup>) academic week** of the election time frame. Appeals to the qualifying of candidates may be filed during this time.
    - 1. The Commissioner of Elections shall notify all candidates who fail to qualify and give reason for disqualification.
    - 2. Appeals pertaining to academics and discipline should be addressed to the Office of the Dean of Students.
    - 3. All other appeals should be made to the Commissioner of Elections and the Election Board.
- C. Once the office of the Dean of Students reports back to the Commissioner of Elections, he/she shall report to the Election Board with a listing of filed candidates, and whether or not each is qualified.**

## **Section 6. Meetings**

- A. Non-mandatory
  - 1. Election Informational Meeting  
The Commissioner of Elections shall hold an Election Informational Meeting on any day between the end of qualifying and the beginning of campaigning. The purpose of this meeting will be to provide a simple explanation of basic campaigning guidelines, and a general election timeline, in hopes of fully educating all candidates on basic election practices. This meeting is optional for all candidates.
- B. Mandatory  
All candidates, excluding those running for re-election for the office currently held, must attend a meeting appropriate to the office they are pursuing. These meetings are for the explicit purpose of informing the candidates of their potential duties, responsibilities, and expectations. All meetings will be held **on the fourth (4<sup>th</sup>) academic week anytime between the beginning of passive campaigning and five (5) class days before the general election.**
  - 1. Executive Staff Meeting  
All candidates running for President or Vice President must attend one (1) Executive Staff Meeting. At the conclusion of this meeting, the President and Vice President shall provide a basic explanation of their positions to the candidates.
  - 2. University Court Instruction Course  
All candidates running for a University Court position must attend one (1) University Court Instruction Course. This meeting shall be conducted by the Chief Justice and a minimum of one (1) Associate Justice (as selected by the Chief Justice) to provide a basic understanding of the judicial process.
  - 3. College Council Informational Meeting  
All candidates running for a College Council position must attend one (1) College Council Informational Meeting. This meeting shall be conducted by the chairman of the College Council Presidents Commission or his/her designee and should provide an explanation of basic College Council practices, such as holding meetings, expending funds, contacting administrators, and appointing vacancies.
  - 4. Senate Procedure Instruction Course  
All candidates running for the Student Senate must attend one (1) Senate Procedure Instruction Course. This meeting

shall be conducted by the Senate staff and volunteer Senators and should be run as a “mock” Senate meeting, providing exemplification of the meeting agenda items and explanations of parliamentary procedure. Senatorial duties will also be outlined at this meeting.

- C. Each of these meetings is to be attended by either the Commissioner of Elections or a member of the Election Board to ensure that the candidate stays for the meeting’s entirety. Upon arrival, candidates must sign in with the Commissioner of Elections or member of the Election Board and also present a valid form of picture identification.
- D. In the event that candidates are unable to attend one of the mandatory scheduled instructional courses or meetings, the candidate must notify the Commissioner of Elections before their mandatory scheduled meeting. If an extenuating circumstance as determined by the Election Board occurs on the night of a meeting which causes a candidate to be unable to attend, the candidate must provide a written excuse to the Commissioner of Elections within two (2) class days of the mandatory scheduled meeting. In any case where the candidate becomes excused, the appropriate meeting chair shall work with the Commissioner of Elections to determine alternate arrangements for the candidate. Multiple meetings can be held if deemed necessary.
- E. There should be ample time during a meeting to answer any questions candidates may have about their potential positions.
- F. If a candidate does not attend their appropriate meeting, they will be disqualified and therefore no longer considered a candidate.

#### **Section 7. Ticket Registration**

- A. Each ticket shall select a Ticket Representative who shall serve as the liaison between the Election Board, the Commissioner of Elections, and the organized ticket.
- B. The Ticket Representative's duties shall be to provide the Commissioner of Elections with the ticket name and entire ticket roster no later than one (1) **academic week** after the end of filing in order to register the ticket with the Election Board.

#### **Section 8. Campaigning**

There shall be no campaigning, as defined in Article VI, prior to the qualifying of candidates.

- A. **Passive Campaigning, as defined in Article VI, will begin at 12:30PM on the Monday of the third (3<sup>rd</sup>) ~~on class day eight (8) at 4:30 P.M.~~ academic week** of the election time frame. Further rules will be discussed in Article VI of this Code.
- B. **Active campaigning, as defined in Article VI shall begin at 7:00AM on the Monday of the fifth (5<sup>th</sup>) academic week of the election time frame.**
  - 1. **On election day, no active campaigning shall take place after 4:30 pm.**

#### **Section 9. General Election**

- A. **Fall election**  
The General Election for the appropriate Student Senators and members of the University Court elected in the Fall shall be held each year **on the Monday and Tuesday of the sixth (6<sup>th</sup>) academic week of the election time frame.** ~~beginning no sooner than the twentieth (20<sup>th</sup>) day of class and ending no later than the sixtieth (60<sup>th</sup>) day of class in the fall semester.~~
- B. **Spring election**  
The General Election for the Student Body President, Student Body Vice President, the appropriate Student Senators, and College Council officers, shall be held **on the Monday and Tuesday of the sixth (6<sup>th</sup>) academic week of the election time frame.** ~~no sooner than the twentieth (20<sup>th</sup>) day of class and ending no later than the sixtieth (60<sup>th</sup>) day of class in the spring semester.~~

**Section 10. General Election Results**

Regardless of complaints or appeals, the unofficial results of the General Election shall be announced by the Commissioner of Elections in an appropriate campus location after 4:30 P.M. on the night after the General Election.

**Section 11. Validation of General Election Results**

If no complaints or appeals are registered by 4:30 P.M. **on the Friday of the sixth (6<sup>th</sup>) academic week of the election time frame** ~~within two (2) class days of the announcement of election results,~~ all election results shall be deemed final.

**Section 12. Run-off Election**

- A. Except as otherwise provided in this Election Code, if no candidate in the General Election receives a percentage majority of the votes cast, the two (2) candidates receiving the highest number of votes in said election shall be in a Run-off Election.
- B. The Run-off Election shall be held **on the Monday and Tuesday of the seventh (7<sup>th</sup>) academic week of the election time frame** ~~within three (3) to six (6) class days after the General Election.~~
- C. Provisions for ties are included in Article IV of this code.

**Section 13. Run-off Election Results**

Regardless of complaints or appeals, the unofficial results of the Run-off Election shall be announced by the Commissioner of Elections in an appropriate campus location after 4:30 P.M. on the night of the Run-off Election.

**Section 14. Validation of Run-off Election Results**

If no complaints or appeals are registered by 4:30 P.M. **on the Friday of the seventh (7<sup>th</sup>) academic week of the election time frame** ~~within two (2) class days of the announcement of election results,~~ all election results shall be deemed final.

## ARTICLE IV Voting

**Section 1. Ballots**

- A. Candidates shall appear on the General Election ballot in alphabetical order. This order shall be reversed in the Run-off Election.
  - 1. Student Body President and Vice President shall not be voted on separately; they shall be listed together.
  - 2. No ticket affiliation shall be listed anywhere on the ballot.
- B. ~~The Commissioner of Elections shall post sample ballots outside the Student Government Executive Office and purchase a one-time ad in the official campus newspaper displaying the sample ballot, two (2) class days prior to any General or Run-off Election. The wording and layout of these sample ballots shall be the same as those used on Election Day.~~

**Section 4. Online voting**

Students may vote from any voting apparatus, including but not limited to laptops or personal digital assistants, with access to the internet using PAWS, or voting stations provided by the Election Board.

## Section 5. Voting Times

The voting application on election days, including referendum-only elections, shall be accessible from 7:00 A.M. to ~~9:59 P.M.~~ **6:59PM.**

# ARTICLE VI

## Campaigning Practices

### Section 1. Definition of Campaigning

A. Campaigning is any activity by a candidate or ticket member that is intended or likely to affect how a voter casts a ballot. This includes the placement of any signs or the like on display and the solicitation of the vote of any LSU student. If a candidate or ticket member campaigns before the date set in the election timeline, the candidate or ticket member will be disqualified.

B. **For the purposes of this Election Code, campaigning shall be divided into active and passive campaigning.**

1. **Passive campaigning includes but is not limited to:**

- a. **Announcing or discussing potential candidacy and/or ticket name in print, broadcast, public forum, or any other media;**
- b. **Seeking endorsement (other than financial contributions) or voter support for a campaign at an official meeting of a registered student organization;**
- c. **Wearing apparel, buttons, stickers, and/or similar items explicitly reflecting an affiliation with a candidate or ticket;**
- d. **Disseminating any campaign material via ~~standard mail, e-mail, text message, or social media;~~**

2. **Active campaigning includes but is not limited to:**

- a. **Distributing campaign materials other than private distribution to immediate campaign staff and candidates;**
- b. **Disseminating any campaign material via standard mail, e-mail, or text message;**
- c. **Posting any campaign materials**

~~B. Campaigning includes but is not limited to verbal and/or electronic solicitation of votes and the following:~~

- ~~1. Distributing campaign materials other than private distribution to immediate campaign staff and candidates;~~
- ~~2. Announcing or discussing potential candidacy and/or ticket name in print, broadcast, public forum, or any other media;~~
- ~~3. Seeking endorsement (other than financial contributions) or voter support for a campaign at an official meeting of a registered student organization;~~
- ~~4. Posting any campaign materials; and,~~
- ~~5. Wearing apparel, buttons, stickers, and/or similar items explicitly reflecting an affiliation with a candidate or ticket; and,~~
- ~~6. Disseminating any campaign material via standard mail, e-mail, text message, or social media.~~

### Section 2. On-Campus Campaigning Rules and Regulations



- A. Campaigning does not include reporting by media outlets of any referendum, petition, recall, or constitutional amendment.
- B. List-Serves and E-Mails
  - 1. Before ~~active and during~~ campaigning ~~begins~~, members of a private ~~campaign~~ list-serve ~~belonging to a run by candidates or~~ campaign staff, **including and limited to staff, volunteers and candidates, or running on a ticket** are considered willful participants and therefore may receive any email concerning candidacy, ticket issues, and other information.
  - ~~2. During active campaigning, members of any list-serve concerning a ticket or the elections are considered willful participants and may receive emails soliciting votes.~~
  - 3. During **passive and** active campaigning, the leader of any student organization, whose organization is not affiliated with Student Government and is registered with the University, may be contacted by any candidate or ticket affiliate for the sole purpose of requesting to speak at that organization's meeting to seek its endorsement.
- B. **Social Media**
  - 1. **Social Media shall be defined as any web-based or mobile-based applications that use highly accessible and communication techniques for social interaction.**
  - 2. **Social Media may be used by any campaign during both the passive and active campaigning periods,**
  - 3. **Only pages or groups created and run by a recognized ticket or individual candidate campaign may be used to disseminate campaign material.**
  - 4. **Campaign material may only be sent to those who have expressly consented to receiving any communications on the application.**
- C. Prohibition on Interference with Education
  - 1. Campaigning must not interfere with the educational life of the University. This includes but is not limited to the posting of campaign signs and/or posters in classrooms, and writing on chalkboards or similar devices.
  - 2. No campaigning shall be allowed inside any University building or within twenty (20) feet of any entrance to a University building.
    - a. Specifically exempt are candidate and ticket organizational meetings and meetings of registered student organizations, or events authorized by a building coordinator.
  - 3. Active campaigning within twenty (20) feet of the Quadrangle is prohibited except for election days.

### Section 3. Prohibited Methods of Campaigning

The following methods of campaigning may not be used:

- A. Aircraft;
- B. Watercraft
- C. Loudspeakers, sirens, or other noisemakers;
- D. Decorating any car without the express consent of the owner;
- E. Any method that violates university or state policy concerning mass e-mail **or text message**;
- F. Sending potential voters unsolicited electronic messages at any time;
- F. Sending potential voters electronic messages through any LSU software;**
- G. Sending electronic messages specifically asking for a vote is prohibited prior to campaigning;
- H. Any method using animals, except consenting humans; and,
- I. Any method that uses a voting apparatus or interferes with a person using a voting apparatus.

# ARTICLE VII

## Spending Limits

### Section 2. General Election Spending Limits for Tickets

- A. ~~Two One~~ thousand dollars (~~\$21,000~~) shall be the total expenditure limit of any President/Vice President pair.
- B. ~~Three Two~~ hundred ~~fifty~~ (~~\$250300~~) shall be the expenditure limit of any candidate running for a University Court Associate Justice position.
- C. Fifty dollars (\$50) shall be the expenditure limit for any candidate running for a Senate or College Council position).
- D. Expenditure limits for tickets shall be based on the total expenditures of individuals involved with a particular ticket who are opposed in their election, as stipulated in Section 7 of this Article.

### Section 3. General Election Spending Limits for Independent Candidates

- A. Two thousand three hundred and fifty dollars (\$2,350) shall be the combined expenditure limit of any President/Vice President pair.
- B. ~~Eight Six~~ hundred dollars (~~\$8600~~) shall be the expenditure limit of any candidate running for a University Court Associate Justice position.
- C. One hundred seventy five dollars (\$175) shall be the expenditure limit for any candidate running for a Senate or College Council position.

**PARAGRAPH 6:** THEREFORE, BE IT ENACTED BY THE STUDENT SENATE OF LOUISIANA STATE UNIVERSITY AGRICULTURAL AND MECHANICAL COLLEGE THAT THE STUDENT GOVERNMENT ELECTION CODE BE THUS AMENDED.

**PARAGRAPH 7:** THIS BILL SHALL TAKE EFFECT UPON PASSAGE BY A TWO-THIRDS (2/3) VOTE OF THE LSU STUDENT SENATE AND SIGNATURE BY THE PRESIDENT, UPON LAPSE OF TIME FOR PRESIDENTIAL ACTION, OR IF VETOED BY THE PRESIDENT AND SUBSEQUENTLY APPROVED BY THE SENATE, ON THE DATE OF SUCH APPROVAL.

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**Aaron Caffarel**  
Speaker of the Senate

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**Cody Wells**  
Student Body President

**Date:** \_\_\_\_\_

**Date:** \_\_\_\_\_