

Florida A&M University
50th Student Senate
Senate Bill
SB20FA-002

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Sponsor: Chairman McKinney
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Title: Fall Emergency Election Abbreviated Timeline
Legislation: *Senate Bill*

Whereas,	The Florida Agricultural and Mechanical University Student Senate is the Legislative Branch of the Student Government Association and is empowered to pass legislation as it deems necessary to carry out the functions of the Student Government Association, and
Whereas,	The Student Senate has an annual responsibility of ensuring the governing documents of the Student Government Association and the Student body function in a capacity that is in the best interest of the Students, and
Whereas,	The Fall 2020 Elections were disrupted by technological inconsistencies
Whereas,	These technological inconsistencies impacted the viability of certain potential candidates
Therefore,	Be it enacted that Chapter 600 in the Florida Agricultural and Mechanical University's Student Body Statues be adopted for the Fall 2020 elections as follows:

Proviso Language

This piece of legislation will take affect immediatiely upon signage of the Student Body President and will only apply to the 2020 Fall Elections.

TITLE VII ELECTION CODE

Chapter 600 General Primary Election Schedule

1. Election Schedule

The election schedule shall be as follows:

1. Declaration of Candidacy
2. Dead Days
3. Campaign Period
4. Election Day
5. Run-off Election Day

2. Declaration of Candidacy

1. Fall Timeframe:

Declaration of Candidacy will take place **on a date between 10/12/2020 – 10/16/2020 determined by the Electoral Commission.** ~~during the third (3rd) week of the Fall Semester (Monday – Friday). Declaration of Candidacy will run from 9:00 a.m. until 6:00 p.m. each day.~~ Declaration of Candidacy forms may be obtained from the Electoral Commissioner **on the date and time deemed reasonable by the Electoral Commissioner within the above mentioned dates** ~~no earlier than 9:00 a.m. on the first school day of the third week of the Fall Semester~~ and must be submitted by **the date and time deemed reasonable by the Electoral Commissioner within the above mentioned dates.** ~~6:00 p.m. on the last day of the Declaration Period. The Candidate/Ticket shall sign and date the form.~~ The Electoral Commission shall **respond with a confirmation to each successful packet submission as sign and date the form "received."**

2. Spring Timeframe:

Declaration of Candidacy for Spring Elections will take place during the first week of February in the Spring Semester (Monday - Wednesday). Declaration of Candidacy will run from 9:00 a.m. until 6:00 p.m. each day. Declaration of Candidacy forms may be obtained from the Electoral Commissioner no earlier than 9:00 a.m. on the first school day of the first week of February and must be submitted by 6:00 p.m. on the last day of the Declaration Period. The Candidate/Ticket shall sign and date the form. The Electoral Commission shall sign and date the form "received".

3. Candidates Responsibilities:

All Candidates/Tickets must sign the "Candidate's Statement of Understanding" indicating that he/she will adhere to the rules submitted by the Electoral Commission. Any candidate not adhering to the rules will be subjected to suspension from all campaigning activities.

4. Electoral Commission Duties and Responsibilities

- a. The Electoral Commission shall immediately post an un-official list of the Candidates/Tickets filing for office on the Election Bulletin Board **and sent via FAMUInfo and/or iStrike** at 6:00 p.m. on the last day of the Declaration of Candidacy Period.
- b. The Electoral Commission shall provide all potential Candidates/Tickets:
 1. A copy of the Election Code
 2. An Election Schedule detailing all elections activities/meetings.
 3. All the forms required to be used in Chapter 600 shall be made available upon request, in alternative electronic formats, as defined in the Americans with Disabilities Act of

1990, Public L. No 101-33b, and 42 U.S.C. ss. 1202 et. Esq. by the Electoral Commission.

5. Responsibilities of the Attorney General:

The Attorney General shall provide the Electoral Commission with a current, indexed pamphlet of the Election Code prior to the Declaration of Candidacy Period. The cost of printing the pamphlets shall be paid out of funds appropriated for conducting elections

6. Changing Declaration of Candidacy Period:

The Student Senate with 2/3 vote of all those present and voting may change the time of the declaration **when necessary on issues deemed election emergencies by the Electoral Commissioner, either by verbal or written notice.** ~~with at least two weeks' notice prior to the original date of declaration.~~ This change will only be in effect for the current academic semester.

- a. All tickets are valid only as declared. Changes will not be made after 6 p.m. on the last day of the Declaration of Candidacy Period.
- b. Students may only be declared for candidacy for one position per election.
- c. The Electoral Commission shall allow students to declare candidacy when away from school by any means of communication via fax, mail or email format, during the declaration period.

3. Dead Days

Spring and Fall Timeframe:

Dead Days will take place from the first day after the Declaration Period ends until the day before the first day of the Campaign Period.

Period of Dead Day the Electoral Commission shall:

1. Verify all campaign materials.
2. Approve all campaign materials
3. Obtain and approve sample ballots for each voting academic class to be approved by all Candidates/Tickets. Candidates/Tickets shall meet with the Electoral Commissioner the first Monday of the Dead Day period between 9:00am and 6:00pm to verify that he/ she is accurately represented on the ballot for his/her academic class. All candidates/Tickets who fail to meet this deadline forfeit this opportunity.
4. Host **in person and/or virtual** events and promote initiatives that emphasize the importance of the democratic process **as deemed relevant and necessary by the Electoral Commissioner.**

4. Campaign Period

Campaign Period (~~Wednesday Tuesday~~) shall commence on the first school day following the Dead Days and end **after no more than seven (7) consecutive days.** ~~on the Tuesday of the following week.~~ In the instance of a run-off election, the campaign period will end **two days after the initial election date.** ~~on the Thursday following said Tuesday.~~

5. Election Day

1. A General Election shall be held on the final day of Campaign Period from 8:00 a.m. to 6:00 p.m.
2. The Electoral Commissioner shall post, ~~at each voting precinct,~~ **on the screen/opening page** the Voter's Bill of Rights and Responsibilities. This document shall be passed by a two-thirds (2/3) vote of the Student Senate.

6. Run-off Election

If no candidate/ticket in any race achieves a majority (50 % +1) of all votes cast for that race, a Run-off Election shall be held. If a Run-off Election is required:

1. The Run-off Election shall be held within two (2) business days after the general elections.
2. The two candidates receiving the highest vote count in the general election shall run in the Run-off Election, which shall be subject to the following exceptions:

- a. In any election in which there is a tie for first place in the general election, only the names of the candidates/tickets so tying shall be placed on the ballot in the run-off election.
 - b. In any election in which there is a tie for second place in the general election and the candidate/ ticket placing first did not receive a majority of the votes cast, the name of the candidate/ticket placing first and the names of the candidates/tickets tying for second shall be placed on the ballot in the Runoff election.
 - c. The candidate who receives the highest number of votes cast for the office in the Run-off shall be declared elected. In case of a tie another runoff shall occur.
3. There shall be no write-in votes cast in a Run-off Election.
 4. Run-off Elections for multiple seat races will only be held in case of a tie for the last seat.

7. Secret Balloting

In all elections held on any subject which may be submitted to a vote, the voting shall be by secret, official ballot will be sent to the FAMU emails of the student body and/or printed and distributed as provided by this code. No vote shall be received or counted in any election, except as prescribed by this code.

8. Exceptions

- A. Any proposed deviation from the election schedule must be sent to the E&A committee in the form of a memorandum at least five (5) business days prior to the start of the declaration period. A revised schedule must be presented by the Electoral Commissioner to the senate and approved by a two-thirds (2/3) vote.
- B. Online Voting shall be the primary way that the Electoral Commission shall move forward with paper Balloting and shall only be used in the event of a system malfunction or failure, or if the system is unable to be used.

Chapter 601 The Electoral Board

1. The Electoral Board shall be composed of the Electoral Commissioner and the Elections and Appointments Committee.

2. The Elections and Appointments Committee (E&A)

1. The Student Senate Elections and Appointments Committee Chairperson or his/her designee shall act as the ex- officio voting member of the Electoral Commission. These duties shall be as follows:
 - a. To enforce and recommend changes to the Election Codes.
 - b. To serve as the official liaison between the Electoral Commission and Student Government Association.
2. If a member of the Elections and Appointments Committee will be a candidate/ ticket or contribute to a candidate/ ticket, he/she must submit a letter stating the time of temporary leave of absence to the Senate President upon the declaration of candidacy of that particular ticket.

3. The Electoral Commission

Composition of the Electoral Commission

1. Electoral Commissioner
2. Deputy Electoral Commissioner
3. Five to Eight (5-8) Precinct Supervisors
4. Volunteers who are students at large. Require-

ments off Electoral Commission Members

1. Each Commission Member must have a minimum cumulative grade point average of 2.5 on a 4.0 scale.

2. The Deputy Electoral Commissioner and the Precincts Supervisors shall be appointed by the Electoral Commissioner and subject to approval of the Student Senate by two-thirds (2/3) vote.
3. The Electoral Commissioner must also submit a list of volunteers to the Student Senate for approval by majority vote, no later than the last meeting prior to the primary election. The list must contain the name, major, grade point average, FAMU student ID number, and contact information of each volunteer. Volunteers shall not be actively identified with any candidate or campaign for an elective office, nor act in any partisan manner during membership on the Electoral Commission.
4. The Electoral Commissioner must advertise and provide applications for the position of Deputy Electoral Commissioner and Precinct Supervisors for a period of no less than 10 business days.
5. Commission Members shall not hold any other Student Government Position.
6. Commission Members must never have been convicted by the University Disciplinary Board or the Student Supreme Court.
7. The Electoral Commissioner shall not serve consecutive terms. Du-

ties of the Electoral Commissioner:

1. Shall supervise and direct the Commission.
2. Shall make advance arrangements for voting materials for the Elections.
3. Shall collect all voting materials immediately after the polls close [in the event we have paper ballots](#).
4. Appear before the Student Senate 10 business days prior to the elections to deliver his/her plans for elections.
5. The Electoral Commissioner or his/her designee shall make all official statements through university media outlets.
6. Submit a list of Rules and Procedures (Candidates policies and procedures) to the Student Supreme Court for approval by majority vote before each Election.
7. Provide each student enrolled the opportunity to register to vote in local, state, and national elections and/or to update a voter registration record on each campus at least once a year. The Electoral Commissioner may also provide voter registration services at other times and places, such as upon application for financial aid, during admissions, at registration, upon issuance of student identifications, and at new student orientation. He/ She shall also sponsor campaigns to actively register all students to vote for local, state and national elections.

Electoral Commission Members Shall:

1. Post and serve minimum of three (3) office hours per week beginning with the week of Declaration of Candidacy until the election is over. The office of the Electoral Commission should be staffed from 9:00 a.m.-6:00 p.m.
2. Check the campus [and social media platforms](#) every day for any unauthorized campaign materials, throughout the Election Schedule, or use thereof, during the period between the days before the start of active campaigning and the days after.
3. Remove [and/or request the removal of](#) all unauthorized campaign materials immediately and initiate appropriate action to fulfill the requirements of this Election Code.
4. Post, on the Election Bulletin Board **and via FAMUInfo and/or iStrike**, all election results on the evening of the elections, as soon as the results are known.
5. Notify all Student Media of the results of the Election (in memorandum form) within twenty-four (24) hours of the confirmation of the election results.
6. Submit a list of problems, solutions, or possible changes to the Election Code (in Memorandum Form) within two (2) weeks following each Election to the Student Senate Elections and Appointments Committee.

7. Conduct a meeting to explain the Election Code, and to answer questions concerning them, for all Candidates/Tickets within four (4) calendar days after the end of Declaration of Candidacy. Each candidate or a representative of the candidate must attend this meeting.
8. Send a copy of the Election Code to all Student Media, notifying them that these Statutes will be used in the upcoming election.
9. Check the qualifications of all Candidates and shall post the names of those qualified of the Election Bulletin Board **and via FAMUInfo and/or iStrike**, within four (4) School **Business** Days after the end of Declaration of Candidacy.
10. Appropriately advertise all elections. Advertisements must include, but are not limited [too](#), posters and student media. These advertisements shall begin at least two (2) weeks before Declaration of Candidacy, during both the Spring and Fall terms, and shall occur on a daily basis (or as often as published student print media). Such posters shall be posted in multiple locations on at least the main building of each college and school. Additional advertisements shall begin at least ten (10) days prior to all elections, and shall include the date, time, place of voting, and offices to be elected and the rules regarding how and where to vote based on classification
11. Organize, publicize, and take all the responsibilities of establishing a Candidate Pageant (open to the public), and determine where the rally will be held (in a large-capacity area). The rally will take place during the Campaign Period.
12. Notify the Candidates of the date, time and place of the Candidate Pageant upon Declaration of Candidacy and at the Mandatory Candidates Meeting
13. Organize a SGA Presidential and Vice Presidential Candidate Debate. This rally would also include candidates seeking the positions of Junior Senator and the Electoral Commissioner.
14. Notify all Student Media at least seven (7) days in advance of the date, time, and place of the rally and the Presidential Debate.
15. Maintain a notebook containing all pertinent information related to violations of the Election Code. This notebook shall include, but not be limited [too](#), notices of violations, actions taken, Supreme Court decisions, and all material relevant to reaching these decisions. The contents shall be added to the public record at the conclusion of each Election Period.
16. Develops all forms used during elections shall be developed by the Electoral Commission, and in accordance with the Election Code. The aforementioned forms shall be approved by the Electoral Commissioner during the campaign rule-making process and shall be documented in a formal document of Election Rules.
17. Keep a list of all Candidates/Tickets names, FAMU student email address and two telephone numbers.
18. Perform in-house elections at the request of recognized & registered student organizations and clubs.
19. Organize and publicize at least three question-and-answer forums with the questions coming directly from the moderator, the candidates, and the students present; one for Mr. and Miss FAMU candidates, one for SGA President and Vice President Candidates, and one for electoral commissioner candidates. These forums shall be held at separate times during the week of campaigning.
20. The Electoral Commission may promulgate rules establishing an approved time, place, and manner\ of restrictions that regulate the displaying or posting of campaign materials during campaign rallies, debates, or pageants.
21. Adopt standard operating rules and procedures regarding the internal practices to be used and passed down year-to-year and are to be published on the SGA website.
22. Debrief each day during campaigning days to discuss violations and any other pertinent information. The meeting time and location shall be posted on the Electoral Commission bulletin board and open to the general public.

23. Construct a voter's bill of rights and responsibilities, which shall be approved by the Student Senate by a two-thirds (2/3) vote.

24. The Electoral Commission shall determine the proper method of reporting election violations. Electoral Commission Advisor

In addition to a staff member in the office of Student Activities, The Electoral Commission may have an advisor with academic knowledge of elections and electoral systems such as a professor of political science. The Electoral Commission shall have the power and authority over the election process.

4. Funding

1. Sufficient funds for the Election Process and student state and federal voter registration activities shall be allocated to the Electoral Commission from the Activity and Service Fees.
2. The Electoral Commissioners salary shall be specified in the Activity and Service Fee Budget.

5. Removal and Resignation

1. A If the Electoral Commissioner or an Electoral Commission member is dismissed due to professional misconduct by the Adjudication Process or by referendum, he/she shall receive no salary, as specified in the Dismissal Clause of the OPS contract.
2. If the Electoral Commissioner or an Election Commission Member resigns voluntarily during the election, he/she shall receive only a fraction of the salary, based upon the time portion of the contract that was fulfilled.
3. If the Electoral Commissioner is dismissed, or voluntarily resigns, the Deputy Electoral Commissioner shall assume the responsibilities of the Electoral Commissioner, and a Deputy Electoral Commissioner shall be appointed from and by the Commissioner. This appointment is subject to approval by 2/3 vote of the Student Senate.
4. In the event any appointed Commission Member violates the Election Code, he/she may be dismissed by a majority vote of the Student Supreme Court.

6. Election Reform Committee

An Election Reform Committee shall convene immediately following each fall and spring election. This committee shall consist of past, current, and newly elected Electoral Commissioners, the Elections and Appointments Committee chairperson, the Attorney General, a member of the Judicial and Rules Committee, three to five (3-5) students appointed by the SGA President, and one member from each branch. The election reform committee shall review the operations of the electoral process and its compliance with the election code. The findings and recommendations of the committee shall be submitted to the Student Senate. The total number of persons on this committee shall not exceed fifteen (15) individuals.

Chapter 602 Election Procedures

1. Rules and Regulations for Candidates Governing Student Elections

1. Official campaigning will start at 7:00 a.m. on the first day of Campaign Period.
2. All candidates are required to sign a "Statement of Agreement" indicating that he/she will adhere to the rules submitted by the Commission. Any candidate not adhering to the rules will be subjected to suspension from all campaigning activities.
3. Bribery will not be tolerated.
4. There will be no candidate/or representative leading voters to the polls. (Do not walk voters to the polls).
5. There will be no candidate/or representative harassing students to vote. (Do not take devices to students harassing them to vote)

5. All forms, memorandums, etc., must be typed and time stamped at the Student Activities Office before being submitted to the Electoral Commission.
6. Radio, T.V. and newspaper announcements will be permitted during the Campaign Period.
7. Campaigning will be allowed the day of elections; however, only 50 feet outside the polling place. There should be no campaigning or campaign materials beyond the designated area that will be clearly marked Election Day.
8. Posters must be no smaller than 17 x 22 and no bigger than 18" x 24" in size. No Banners will be permitted on campus.
9. The statement "Please Do Not Post" must be clearly marked on any advertisement and endorsements not of poster size, including but not limited to flyers, quarter sheets, handouts, etc.
10. No campaign materials shall duplicate in any way or combine the copyrighted trademarks, logos, slogans, or related promotional materials of any public or private patented entity(s) without the specified permission. All copyrighted or patented logos, slogans, and images to be used in campaigns must be submitted along with written documentation on official company letterhead permitting the use from the company department overseeing copyright usage with a contact person, their company title, and a contact number for verification; The Electoral Commissioner shall approve or disapprove submitted materials during the Dead Days period as outlined in the Election Schedule. Candidates shall also be required to sign an indemnification agreement at the mandatory candidates' meeting in which candidates assume liability in the event that the copyrighted entity opts to take legal action due to infringement.
11. Candidates can place only one (1) poster on each approved location listed by the Electoral Commission. Defamation of University Buildings is prohibited. The Electoral Commission shall be provided with the original typed copy of said authorization.
12. The candidates shall only be permitted to use bullhorns/megaphones between 9am to 9pm during campaigning on campus.
13. The candidate's name and two phone numbers must be placed on the back of all posters, which must be laminated.
14. Clear packaging tape is required to post all posters.
15. Candidates shall report all missing posters to the Electoral Commission.
16. No posters shall overlap another candidate's poster.
17. All campaign materials must reflect the ticket declared.
18. All campaign material must be removed from the campus within 24 hours of the final day of the election, by the candidate/ticket.
19. Defamation of one's character by another candidate and/or representatives of either party is prohibited.
20. Off-Campus campaigning shall be permitted.
21. All posters and stakes must have the official approval stamp from the Office of Student Activities before being displayed.
22. The use of chalk on all university grounds is strictly prohibited.
23. Stakes are prohibited from being placed on/in university grounds.
24. Parading, or the use of vehicles (moving or stagnant) that may impede the flow of traffic on any area of the campus, is prohibited.
25. Campaigning in any manner, is strictly prohibited in Lee Hall and the SGA section of the Student Union.
26. No cups, paper, or any other materials may be used in the fences to act as campaigning for any candidate.

Voting

1. Each voting student must **sign into their FAMU email account to receive and cast their e-ballot through the Qualtrics system**, present a FAMU Student ID Card or a Picture ID to verify his/her status and identity.
2. Voter Rolls must have two columns for signatures in addition to the student's current information. These two columns must be placed within the same row of each student's name. One column will be designated for the signature of the student voting during the general election and the second column will be designated for the signature of the student voting during the run-off election.
3. Each voting student must sign his/her name within the designated signature column for each specified Election Day.
4. All students shall be eligible to vote only once during each election.
5. Students shall vote according to their classifications as recorded by the University Registrar.
6. Students wishing to vote for graduate positions shall be those students enrolled in a Florida A&M University Graduate Program and have declared graduate status through the university registrar.
7. Exceptions may be made for: Students in their first year of enrollment at Florida Agricultural & Mechanical University wishing to vote for:
 - a. Freshman Class positions in the Fall Elections.
 - b. Sophomore Class positions in the Spring Elections.
8. ~~Students who have earned more credit hours than the maximum required for the classification in which they desire to vote must present a copy of the first page of his/her unofficial transcript at the time of voting. The Precinct Supervisor will verify that the voter's date of entry into the university corresponds with that of all students in that classification.~~
9. The following locations shall be precincts if the Electoral Commissioner deems necessary:
 - a. Grand Ballroom; Lobby
 - b. Tucker Hall; Charles Winterwood Theater Lobby
 - c. Dyson Pharmacy; Patio
 - d. Engineering Building; Lobby
 - e. School of Business and Industry; Bull and Bear Lounge
 - f. New Pharmacy Building; Student Lounge
 - g. College of Law; Lobby

Students enrolled in the following colleges and schools shall vote in the following precinct:

1. Precinct 1: All Freshmen, School of Architecture, College of Agriculture and Food Science, College of Science and Technology
2. Precinct 2: School of Journalism and Graphic Communication, College of Social Sciences, Arts and Humanities,
3. Precinct 3: School of Nursing, School of Allied Health Sciences, School of the Environment
4. Precinct 4: College of Engineering
5. Precinct 5: School of Business and Industry, College of Education Precinct 6: College of Pharmacy
6. Precinct 7: College of Law; Lobby

In cases of emergency and/or unforeseen circumstances, the Student Senate can change the location of a permanent precinct or add a precinct with a 2/3 vote of all those present and voting.

The facility request for an alternate voting location must be filed with the Office of Student Activities by the Electoral Commission the following business day after the vote is passed. In the event the facility request for the alternate voting location is denied, the Electoral Commission will have the discretion in choosing the alternate voting precinct.

- a. ~~The polls shall be open at the voting precincts at 8:00 a.m., on the day of the election, and shall be kept open until 6:00 p.m., of the same day.~~
- b. ~~If an emergency occurs, preventing any precinct from opening at the appropriate time, that precinct's closing time shall be extended. The precinct shall be open for an additional amount of time equal to the amount of time its opening was delayed. In such case, the new closing time shall be calculated and posted no later than one hour after the precinct has opened.~~
- c. ~~The electoral commissioners and staffers shall make public proclamation of the opening and closing of the polls. During the election and canvass of votes, the ballot box shall not be concealed.~~
 - a. The e-ballots will be sent out to the student body through FAMU email via Qualtrics on election day at 8:00 AM EST and will close at 6:00 PM EST
 - b. If an emergency occurs, preventing the e-ballot from being send out at the appropriate time, the closing time shall be extended. The voting window shall be open for an additional amount of time equal to the amount of time its opening was delayed. In such case, the new closing time shall be calculated and posted no later than one hour after via FAMUInfo and iStrike

11. System Malfunction

- a. In the event of a system malfunction the electoral commission will then proceed with paper balloting.

Note: All Graduate Students will vote in the precinct for their respective majors

3. **Type-In** and/or Write-in Candidacy

Type-In (Write-In if Necessary) votes shall be legal in the election process

1. **Type-In** (Write-In if Necessary) Candidates/Ticket must file a Declaration of Candidacy form with the Electoral Commission at least forty-eight (48) hours before the commencement of voting, with the understanding that they must adhere to the Election Code, just as any other Candidates/Tickets.
2. Any voter who writes in the name of a student who is not qualified to hold office shall have his/her vote disqualified for that office and that office only.

4. **Electronic/Paper** Balloting

1. Candidates shall be listed in alphabetical order, based on last name.
2. All e-ballots or paper ballots for primary elections shall have a space for write-in and/or type-in candidates.
3. All e-ballots or paper ballots containing only one candidate listed for any office shall have a space for "NONE OF THE ABOVE." (N.O.T.A.)
4. If N.O.T.A. wins, the race shall be disqualified, and a Declaration of Candidacy shall be held.
5. The Electoral Commissioner shall post sample ballots for each classification on the Elections Bulletin Board **and via FAMUInfo and iStrike** prior to election day for voters' reference. If no report is filed to the commission, stating any inaccuracy of information on the e-ballot or paper ballot, the e-ballot or paper ballot, shall remain valid.
6. E-Ballots or paper ballots for freshmen shall be made available at every voting precinct. No student's name shall appear on more than one voter roll in more than one precinct.
7. The precinct supervisors shall use the classification indicated on the voter roll unless the voter wishes to vote outside of his or her classification. (606.2 D)

5. Counting of **Electronic** Ballots

1. One (1) Member of the Executive Branch, one (1) Member of the Judicial Branch, (1) Member of the Student Senate Elections and Appointments Committee must be present as observers of the process only. The Electoral Commission (Commissioner, Deputy Commissioner and Precinct Supervisors; excluding volunteers), the Director of Student Activities or his/her designee and/or University Official must be

present at the e-ballot results meeting counting, and are the only persons authorized to manage e-ballots. No other persons are allowed to be present at e-ballot results meeting counting if they do not represent any of the aforementioned stated parties which should not exceed 15 persons, excluding the Director of Student Activities or his/ her designee. Disqualified e-ballots shall not be counted

2. No e-ballot shall be disqualified if the voter's intentions are determined "legal" and "clear" by the Electoral Commissioner, one (1) member of the Student Senate Elections and Appointments Committee, one (1) member of the Executive Branch and one (1) member of the Judicial Branch.
3. Candidates/Tickets will be elected by a majority of the votes cast for that office.

4. If the difference of votes between two (2) candidates is ten (10) or fewer, the e-ballots shall be recounted.
5. If ballots are not to be counted, immediately following their collection, they shall be locked and sealed in the presence of the Electoral Commissioner one (1) member of the Student Senate Elections and Appointments Committee, one (1) member of the Executive Branch and one (1) member of the Judicial Branch.
6. Candidates for the Senate will be elected according to the eight candidates who receive the highest number of votes.

6. Absentee Balloting

1. Absentee balloting should only be used in the event that paper ballots are disseminated to the Student body due to the Qualtrics system having a malfunction and will proceed as below:
2. Any student who is unable to be on campus on the day of any student election may submit a request for an absentee ballot to the Electoral Commissioner. The Electoral Commission must receive a written request no later than ten (10) business days prior to the day of elections. A copy of the student's identification and verification of enrollment must accompany the written request to the Electoral Commission. The Electoral Commissioner shall mail all absentee ballots no later than five days preceding the election. All ballots must be received by the Electoral Commission no later than 6:00 p.m. the day preceding the election. The ballots shall be placed in the custody of the Electoral Commissioner or his/her designee who shall place them in a safe until the counting of the ballots on Election Day. A member of Elections & Appointments committee and the Judicial Branch must be present when the absentee ballots are placed in the safe. The ballot shall be opened and counted at the time of counting regular election ballots. Before the absentee ballot is counted, the accompanying photocopy of university identification shall be used as a means of verifying the student's enrollment status and to prevent duplication of voting. Any appeal must list reasons for appealing the decision of the Electoral Commission.
3. Voting absentee ballots in person. Any qualified and registered voter may pick up and vote by absentee ballot in person at the office of, and under the supervision of the Electoral Commissioner or his/her designee. Before receiving the ballot, the voter must present current and valid picture identification. If the voter fails to furnish the required identification, he/she shall not be provided an absentee ballot. The ballots shall be placed into a sealed envelope by the voter, handed directly to the Electoral Commissioner or his/her designee and stored in a safe until the counting of the ballots.

7. Ballot Accountability

1. If a machine is inoperable, the students shall be allowed to immediately insert their ballot into the side panel of the machine. Under no circumstance should ballots be handed to an Electoral Commission member or volunteer.
2. At The closing of elections, the Electoral Commission Advisor or his/her designee shall be the only person in control of transporting ballots from the precincts to the Office of Student Activities.
3. A time log shall be created by the Electoral Commission for each precinct. This log will have the hours of operation of each precinct. A signature is required for each allotted time by the designated precinct supervisor.

8. Ballot Transferability

Ballot Transfer forms must be completed if a transfer of ballots from one precinct to another is necessary. The form must be constructed by the Electoral Commission and must include the identification numbers of the ballots being transferred, what precinct they are being transferred from and to, who is transferring and transporting them, and the reasoning of them being transferred.

9. Withdrawing Candidacy

1. Students may rescind their candidacy declarations at any time before the end of the Declaration of Candidacy.
2. Withdrawing from a race after the end of Declaration of Candidacy will require a statement signed by the candidate or all members of a ticket.
3. Candidates/Tickets may file withdraws at any time during the Election Schedule.
4. Candidates/Tickets may not re-enter a race once they withdraw. However, candidates/tickets that withdraw from one race are still eligible to enter another as a write-in.
5. Candidates/Tickets that withdraw before the printing of ballots shall be removed from e- ballot.
6. Notice of withdrawals occurring after the printing of ballots must be displayed by the Electoral Commission at each precinct on Election Day.

Chapter 603 Violations

1. Violations

1. All candidates must sign a statement explaining that they are aware that they are liable to be penalized for violating the Student Government Election Codes.
2. The Electoral Commission shall create a point system where points are levied to a candidate/ticket for violating various Election Codes. The amount of points amassed per each violation shall correlate directly to the severity of that violation. The Electoral Commission shall also set a limit, specifying the maximum amount of points that each candidate/ticket can accumulate. Once that limit is met or surpassed, the candidate/ticket is disqualified.
3. The point system, including the maximum point limit, must be approved by the Student Senate with 2/3 of all those present and voting in order to go into effect.
4. The Electoral Commission shall meet and determine whether an actual candidate/ticket violated the election codes. If the candidate/ticket is found responsible for committing the violation, the Electoral Commission shall assess the corresponding amount of points.
5. Points must be assessed and posted by the Electoral Commission within twenty-four (24) hours after they have charged a candidate with a violation. The Electoral Commissioner shall post the points on the election bulletin board.
6. Points for violating the election codes can be assessed at any time during the campaign season (from the time the candidate/tickets declares candidacy to the time that the election results are announced)
7. Every day of the election, the Electoral Commissioner must post a signed and dated list detailing all candidates/tickets and the amount of points they have accumulated throughout the election.
8. In the event that ticket/candidate is disqualified, the Electoral Commissioner must send a memorandum to the Student Supreme Court and the Elections and Appointments Committee Chairperson within twenty-four (24) hours, detailing why the candidate/ticket was disqualified. The memorandum must include a list of violations, the points assessed for each violation, and the total amount of points accumulated by the candidate/ticket.

Chapter 604 Contest/ Appeals

- 604.1 1. Any contest/appeal of a campaign, Electoral Commission decision, or an election by a Candidate/Ticket shall be submitted in the form of a typewritten letter and signed in ink. This letter of contest shall be hand-delivered **and/or emailed** to the SGA Solicitor General no later than 24 hours following the

public posting of Election Results. The Solicitor General shall notify the Chief Justice within two (2) school days.

2. Any appeal must list reasons for appealing the decision of the Electoral Commission or list charges or violations purportedly committed by a Candidate/Ticket or Electoral Commission.
3. Upon receiving the appeal, the Supreme Court shall determine within ten business days the type of appeal and course-of-action available as specified below:
 - a. Candidates/Tickets Appealing an Electoral Commission Decision: The Supreme Court shall determine whether the Election Commission's decision was incorrect, procedurally or substantively. It may uphold, overturn, or change the Electoral Commission's decision.
 - b. Contempt based on Electoral Commission Members Violating Election Code: The Supreme Court shall determine if the Electoral Commission Member(s) violated statute, and, if so; did this affect the election results? If this is the case then the Supreme Court may call for a New Election and/or may require that the Electoral Commission member(s) receive no salary, based on the dismissal clause of the OPS contract.
 - c. Contempt based on Candidates/Tickets Violating Election Code: The Supreme Court shall determine whether the Candidate/ticket committed no violation, a minor violation, or a major violation. The Supreme Court shall disqualify the Candidate/Ticket and call for a Special Election if the Candidate/Ticket has committed a major violation of the Election Code. If it finds that a Candidate/Ticket committed a minor violation, it shall assess the Candidate/Ticket between one and thirty points for each violation.
4. The Electoral Commission shall have all the rights and privileges of students, as outlined in the System of Student Body Statutes.
5. All decisions made by the Electoral Commissioner or the Supreme Court for candidates shall be posted by the Electoral Commission on the Election Bulletin Board immediately.
6. If someone feels the Supreme Court has violated his/her rights to a fair hearing or due process, he/she may appeal to the proper appellate or administrative entity.
7. A New or Special Election will be held at least five (5) business days following the end of the adjudication process

Chapter 605 Other Election

1. Special Election

Special Election will occur only if the winning Candidate/ Ticket are disqualified. Only qualified Candidates/Tickets who ran in the Primary Election, including Write-in Candidates/Tickets will be placed on the Election e-Ballot. There will be no new **Type-In (Write-In if Necessary)** Candidates/Tickets for Special Elections.

2. New Election

New Election shall occur if the Race is "Invalidated" by the Supreme Court. Only qualified Candidates/Tickets who ran in the Primary Election, including Write-in Candidates/Tickets will be placed on the new e-Election Ballot. **Type-In (Write-In if Necessary)** candidates/tickets from the primary election shall also run as write-in candidates in the new election.

Chapter 606 Referendums and Petitions

1. Referendums and Petitions

1. The Electoral Commissioner shall conduct referendums and petitions at the request of the Student Senate.
2. The official ballot for a referendum or petition shall include space for the voter to indicate approval or disapproval.
3. Complete copies of the subject of referendums or petitions shall be made available at the polling places.
4. The official ballot for a referendum or petition shall include an explanation of the significance of selecting each option written by the Judicial and Rules Committee of the Student Senate. The explanation(s) must be ruled “fair and not leading” by majority vote of the Supreme Court during Dead Days.
5. All referendums must be received by the Electoral Commission at least 10 business days prior to election.

Chapter 607 Definitions

- 607.1
1. Active Campaigning - Any verbal or visual advertising or distribution of information for a Candidate/Ticket for an Elective Office of the Student body.
 2. Authorized by Candidate-Candidate's written or verbal approval.
 3. Authorized Campaign Materials- Any publicity approved by the Electoral Commission which contributes to a Candidate's campaign
 4. Bribery- a gift, not necessarily of pecuniary value, bestowed to influence the conduct of the receiver
 5. Contribution-Any service, goods, or sum of money donated to the Candidate with the intent of promoting or aiding the Candidate in his/her Campaign.
 6. Dead Days- the period following Declaration of Candidacy for the purpose of verifying candidates' eligibility and preparing election materials. Campaigning is prohibited during this period.
 7. Declaration of Candidacy – the official act of expressing an intent to pursue an elective office
 8. Election Bulletin Board- Bulletin Board containing Election information.
 9. Major Violation-any violation that affects the outcome of an Election; repeated or multitude of Minor Violations or repeated blatant disregard of the Election Codes.
 10. Minor Violation-Any violation that does not affect the outcome of an Election.
 11. Semesters- The academic semesters (Fall and Spring) excluding the summer sessions.
 12. Majority Vote - Fifty percent of total votes, plus one (1).
 13. Single Seat Race – a position that can be won and held only by one ticket.
 14. Multiple seat Race – positions that can be won and held by more than one ticket.
 15. Pecuniary- monetary; relating to money; financial consisting of money or that which can be valued in money.
 16. Pre-campaigning – Any verbal or written solicitation for votes for a candidate/ticket for an Elected Office of the Student body prior to the end of the advertised dead days.
 17. Week- any calendar week containing at least three (3) school days.
 18. Multitude of Minor Violations -at least three (3) offenses not arising from the same action or event and each of which must occur after at least one (1) proper formal sanction or warning by the Electoral Commissioner of the same kind of offense.
 19. E-Ballot: Electronic Ballot
 20. Type-In Candidate: A candidate that is typed into the Qualtrics system due to them not being on the ballot.
 21. Qualtrics: The Online voting system that the Electoral Commission uses to conduct student elections.
 22. System Malfunction: The Qualtrics system being down and unable to be use for the Campus Elections

Chapter 608 Qualifications for Office

1. Qualifications

Ratified Fall 2018 The following are requirements to declare for and to hold elected office:

1. The SGA President and Vice-President, and Mr. and Miss Florida Agricultural & Mechanical University must have a minimum cumulative grade point average of 2.8.
2. A minimum cumulative grade point average of 2.5 for all other elected offices.
3. Must not have had any major judgments rendered against them by the Student Supreme Court or by any Administrative Hearing Panel or Academic Panel
4. Shall not have any civil or criminal convictions against them.
5. Class Presidents, Class Vice-Presidents and Attendants must be of the relevant class standing by the first day of the Fall semester of their prospective term.
6. The SGA President, Miss and Mr. Florida Agricultural & Mechanical University must be of at least junior standing by the first day of the Fall semester of his/her prospective term
7. The SGA Vice-President, King and Queen of Orange and Green, and Electoral Commissioner must be of at least sophomore status by the first day of the Fall semester of his/her prospective term.
8. Must be enrolled as full-time students at Florida Agricultural & Mechanical University.
9. Once a candidate has declared candidacy under a certain classification that student may not be eligible for appointed positions of another class standing

2. Eligibility

1. Class standing shall normally be based on classification as recorded with the University Registrar's Office:
 - a. Freshman are those students having less than 30 semesters hours inclusively, or their first year of undergraduate studies.
 - b. Sophomores are those students having 30-59 semester hours inclusively, or in their second year of undergraduate studies.
 - c. Juniors are those students having 60-89 semester hours inclusively, or in their third year of undergraduate studies.
 - d. Seniors are those students having 90 or more semester hours inclusively, or in their fourth year of undergraduate studies.
 - e. Graduate students are those students who are enrolled in and have declared graduate status Florida Agricultural and Mechanical University Graduate Program through the university registrar.
2. Certain specific expectations may be more for students in regard to a particular class standing:
 - a. Freshmen with hours from International Baccalaureate or Advance Placement Exams, Dual Enrollment Programs, or other hours that would cause them to have more than 29 hours at the time of Declaration of Candidacy shall be allowed to run for a Freshmen Class office.
 - b. Non-Freshmen who have (or will have upon time of assuming office) hours above the maximum for their class standing may use alternate qualifications for class standing:
 1. Sophomores are student in their second year of enrollment
 2. Juniors are students in their third year of enrollment.
 3. Seniors are students in their fourth year of enrollment.
 4. Graduate students are student enrolled in a FAMU Graduate Program.
3. Students who feel they should be included in a particular class, but do not meet the requirements stated in points A or B of this section may request an eligibility hearing before a panel consisting of the Electoral Commissioner and Deputy Electoral Commissioner, three (3) members of the Elections and Appointments Committee of the Student Senate, and two (2) member of the Student Supreme Court.
 - a. Any request must be submitted to the Electoral Commission no later than the end of the Declaration of Candidacy period.
 - b. All hearings must take place before the end of the Dead Days period.

- c. The student requesting eligibility is responsible for providing all evidence that may help him/her establish his/her claim.
- d. Five (5) members must be present to hold a hearing.
- e. A majority decision of the members present is needed to establish eligibility.

For: 14

Opposed: 0

Abstain: 1

Pass: X

Fail:

Student Senate President

X 

Date: 10/07/2020

Student Body President

X 

Date:

10/8/20

4. No student may run for a particular class office more than once.

History: 34th Student Senate, SB05SP-006, 34th Student Senate, SB05SP-008, 35th Student Senate SB06SP-008, 36th Student Senate, SB06F-001, 36th Student Senate SB06F-002, 46th Student Senate SB16SU-003, 46th Student Senate SB16SU-014, 46th Student Senate SB16SU-015, 47th Student Senate SB17FA-015, 48th Student Senate SB18FA-001