
Policies and Procedures

SUBJECT: SUU STUDENT ASSOCIATION ELECTION BY-LAWS

Preamble:

Pursuant to Article II, Section 4 of the Constitution of the Southern Utah University Student Association (SUUSA), the SUUSA elections shall be governed by the SUUSA Constitution and the SUUSA Election Bylaws that are created, reviewed, and revised by the Academic Senate.

Article I - Election Director

Section 1: Selection and Ratification

- A. The Director of Student Involvement and Leadership or their designee shall select the Election Director by the end of Fall Semester. The Election Director shall be independent from any election candidates, impartial, must not be running for SUUSA office, and shall not support any candidate or party running for SUUSA office.
- B. The appointment of the Election Director shall be finalized by three-fourths (3/4) vote of the SUUSA Executive Council and ratified by a 2/3 vote of the Senate.

Section 2: Duties

The Election Director shall:

- A. Organize an election calendar.
 - a. The election calendar must include a mandatory meeting to distribute these Election Bylaws and answer candidate questions at least four weeks prior to campaigning. A Declaration of Candidacy Form shall be provided and made available, by this meeting to all students desiring to run for office.
 - b. An additional meeting shall be held at least two weeks prior to the end of the Fall Semester in order to provide information about elections and encourage students to get involved. The meeting shall be held in a place easily accessible to students.
- B. Appoint a minimum of two members to the Election Committee.
- C. Chair the Election Committee meetings.
- D. Coordinate with Information Technology (IT) to prepare and provide electronic ballots and voting booths/areas in a neutral location with laptops and/or computers as the Election Director sees fit to provide students with easy access to vote during election days.
- E. Review any unclear and/or contested ballots.

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- F. Work with SUUSA Administrative Committee in certifying and publishing the election results (See Article VIII, § 6, D of SUUSA Constitution).
- G. Appear before the SUUSA Academic Senate following the General Election to present any suggested revisions to these Election Bylaws before the end of the semester the election takes place in.
- H. Evaluate the campaign expenses of all candidates/parties. Ensure budgets do not exceed the designated limit on party expenses.
- I. Receive and/or file grievances and/or appeals for violations of the Election Bylaws with the SUUSA Administrative Committee.
- J. Coordinate campaign related activities with the Director of Student Involvement and Leadership or their designee prior to on-campus campaigning.
- K. Oversee scheduling of all rooms and/or locations, tables, and chairs for all election related activities.
- L. All other duties and responsibilities necessary to operate a fair election cycle as approved by advisors.

Article II - Election Committee

Section 1: Purpose and Composition

- A. The purpose of the Election Committee is to ensure an orderly election process for both the candidates and student body.
- B. The Election Committee consists of currently enrolled SUU students who meet the following conditions:
 - a. Are not on academic probation.
 - b. Are not running for SUUSA office.
 - c. Are impartial to any candidate or party running for SUUSA office.
- C. The Election Committee must comprise of a minimum of two members appointed by the Election Director.
- D. Election Committee appointments are not considered appointed positions as defined by the SUUSA Constitution.

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The Election Committee shall:

- A. Assist the Election Director with her/his duties.
- B. Publicize the deadline when Declaration of Candidacy Forms must be filed.
- C. Members of the Election Committee will:
 - a. Report candidates' financial expenditures to the Election Director.
 - b. Answer election-related candidate questions.
 - c. Ensure all campaign materials and actions align with the Election Bylaws.
 - d. Ensure that all campaign material is removed by the designated time.

Article III - Candidate Procedures

Section 1: Candidate Eligibility

- A. A student must meet the requirements for office as outlined in the SUUSA Constitution (Article II, Section 2) to be considered for candidacy.
- B. Candidates must read all Election Bylaws and the SUUSA Constitution prior to running.
- C. Candidates running for an Academic Senator must be enrolled in the college or school they seek to represent before they declare candidacy, and Class Senators must be a freshman/sophomore or junior/senior according to year and not credits, before they declare candidacy.
- D. Candidates running for graduate senator must prove they have applied to a graduate program, or are already in a graduate program, in order to run for the position. If they are not accepted into a graduate program prior to the start of the fall semester the candidate will not be eligible for their position. The runner-up in the election will then be offered the position as long as they have applied/been accepted into a graduate program.

Section 2: Declaration of Candidacy

- A. Eligible students may declare candidacy for one office to the Election Director(s) by filing a Declaration of Candidacy form. Prior to submitting a Declaration of Candidacy form, each candidate shall meet with the current SUUSA officer holding that position and the respective SUUSA advisor who oversees the branch of student government for which the candidate is running. If the present officer is unavailable or is a candidate, then meeting with the respective SUUSA advisor will be sufficient.

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- B. The Declaration of Candidacy form should be signed by the current SUUSA officer holding the position and the respective SUUSA advisor. If the present officer is unavailable or is a candidate, then the respective SUUSA advisor's signature will be sufficient.
- C. Candidates wishing to withdraw their Declaration of Candidacy Form may do so at any time by notifying the Election Director(s) in writing. After the Election Director(s) has received the withdrawal, the candidate may not be reinstated after the Declaration of Candidacy submission deadline has passed.

Section 3: Insufficient Candidates

- A. If there are no eligible candidates for an office after the official filing deadline, the Election Committee shall extend the filing deadline for the available offices.
- B. The Election Committee shall publicize notice of the second deadline.

Section 4: Write-In Candidates

- A. Write-in candidates must meet the eligibility requirements to hold office as outlined in the SUUSA Constitution.
- B. Write-in candidates must file a Declaration of Candidacy form upon entering the race. The Director of Student Involvement and Leadership or their designee will contact any write-in candidate to file a Declaration of Candidacy form that must be submitted prior to the announcement of the General Election results.
- C. Write-in candidates will not be included in any ads, pictures, biographies, or debates paid for or sponsored by the Election Committee.
- D. Write-in candidates will not be included on the Primary or General Election ballot.

Article IV - Election Procedures

Section 1: Elections Timeline

- A. Pursuant to Article II, Section 3 of the SUUSA Constitution, elections for the officers of SUUSA will be held the time frame outlined in these bylaws. Primary and General Elections will be held in spring semester as determined by the Election Committee, but by no later than April 10. The Election Director must publicize when Primary and General Elections shall take place.

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- B. Declared candidates must be at the mandatory campaign meeting held by the Election Committee to review the election policies and procedures, and answer questions. Absence will result in automatic forfeiture of candidacy.
 - a. Exceptions are rarely granted. Possible exceptions may include death in the immediate family or hospitalization.
 - b. Exceptions are granted by the Election Committee.
- C. The Election Committee shall facilitate candidate meet-and-greets and debates.
 - a. All candidate will be required to attend these events.

Section 2: Clean Up

- A. Primary candidates not advancing into the General Election are responsible for removal of all individual campaign materials by 6:00 a.m. the morning following the announcement of the Primary Election results.
- B. General Election candidates are responsible for the removal of all campaign materials by 4:00 p.m. on the final day of the General Election.
- C. Fees or other penalties may be assessed by Southern Utah University to any candidate and/or party who does not clean up all of his/her/their campaign materials by the appropriate time set by these bylaws.

Section 3: Primary Election Procedures

- A. Primary Elections will only be held if three or more candidates are competing for the same office.
- B. The two candidates for each contested office receiving the largest number of Primary Election votes shall advance to the General Election.
- C. In the event a candidate prevails in the Primary Election and subsequently withdraws or is disqualified prior to the start of the voting for the General Election, then the candidate with the next largest number of votes will advance to the General Election.
- D. In the event a candidate withdraws or is disqualified after voting for the General Election has begun, the sole remaining candidate in the General Election will be the de-facto winner, unless defeated by a write in candidate.

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- E. If two or more candidates receive the same number of votes needed to advance to the General Election, then these candidates will advance if they have received the highest or second highest overall votes.

Section 4: General Election Procedures

- A. The candidate that receives the most General Election votes will win the contested office.
- B. In the event there is a tie for the highest vote count among candidates running for a contested office in the General Election, a Special Election will be held between tied candidates as designated by the Election Director.
- C. Any exceptions to the Election Process must be approved by the Election Director.

Article V - Voting

Section 1: Voter Eligibility

- A. Any enrolled student at SUU may cast one vote for the candidates of each Executive Office and one vote for a Senatorial candidate in his or her respective college.
- a. Students with declared majors in two different academic colleges will get one vote for the academic senator for each of those colleges they are declared in.
- b. Students with an undeclared major will be allowed to choose one college to cast their vote for the academic senator.
- B. To vote, the student must have a valid SUU login.

Section 2: Ballots

- A. The Informational Technology (IT) department will prepare the electronic ballots, under the direction of the Election Director.
- B. All electronic ballots will include the candidate's name, as written on their Declaration of Candidacy form.
- C. All electronic ballots will allow the voter to write in the name of another person whose name does not appear on the ballot.

Section 3: Election Results

- A. Votes will be tabulated immediately following the closing of the polls.
- B. Pursuant to Article VIII, Section 6 of the SUUSA Constitution, the SUUSA Administrative Committee shall certify and publish the election results.

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C. After the votes are tabulated and verified, all results are final.

Article VI - Campaign Rules

Section 1: Definitions

A. Campaigning: Campaigning includes any action where a candidate and/or party is directly soliciting students for votes. (i.e. distributing flyers, surveys, shirts, gifts, and/or food, knocking on doors, talking with student clubs and organizations, hosting events, making announcements in classes, launching any social media campaigns, etc.).

Section 2: Campaigning

- A. A candidate, party, and their supporters are prohibited from campaigning until the time prescribed by the Election Committee. However, there are two exceptions to this rule:
- a. A candidate may participate in a face-to-face, word of mouth interaction with individual students to verbally declare candidacy and learn about the issues facing students in order to gain insight on how to address those issues and concerns in their platforms.
 - b. The Election Committee and their supervisor may coordinate events designed to allow all candidates to speak to groups or organizations on campus prior to the start of campaigning.
- B. Each candidate and/or party will keep an updated list of their campaign team and will share this list with the Election Committee.
- C. A candidate, party, and their supporters may NOT publicize, advertise, or verbally campaign (i.e. the distribution of physical materials, the spoken word) within campus computer labs, unless the computer lab in question is used as a classroom and the candidate has received the approval from the instructor in advance. The purpose of this is to keep computer labs a space of study and to allow for privacy in voting.
- D. Campaigning in the Gerald R. Sherratt Library and the STIL Offices is strictly prohibited (this includes the computer lab, classrooms, and study group rooms located in the library).
- E. Any and all campaigning within University Housing must be approved by the Housing Staff and comply with University Housing Policies.

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- F. A candidate and/or party may campaign in classrooms if the instructor has first given prior approval
- G. The use of email to campaign is subject to University Policy #5.58. 1. Policy #5.58 Article V, Section E.5 states: "SPAM: Sending unwanted e-mail messages to a large population abuses the email system and results in fewer resources for University purposes. Sending email messages to more than 10 users, whether as a single message or as a series or related messages, is expressly prohibited by this policy, except for communication detailed in section D, Mass E-mail."
- H. A candidate, party, and their supporters may not petition, seek, request, ask, or otherwise solicit endorsements from faculty, staff, University Sponsored Organizations (USO), and/or administrators at Southern Utah University.
- I. A candidate, party, and their supporters may distribute food on campus only after receiving approval from the campus food provider.
- J. A candidate and/or party will not be responsible for the conduct of a third-party supporter. However, candidates and/or parties who have prior knowledge of the prohibited conduct and fail to enforce applicable rules will be held responsible.
- K. A candidate, party, and their supporters may not provide means for students to vote via tablet, laptop, phone, etc. The Election Committee will provide, if needed, the means for all student voting.
- L. A candidate, party, and their supporters may not use any STIL resources to campaign. This includes all marketing resources with the exception of STIL bulletin boards and digital signage with a limit of 1 ad on digital signage per party or individual candidate if he/she is running independently.
- M. A candidate, party, and their supporters may wear shirts, wrist bands, etc, in the STIL offices as long as they are not actively campaigning.
- N. A candidate, party, and /their supporters must conduct campaigns in a manner consistent with the SUUSA Constitution, SUUSA Election Bylaws, University Policy, federal, state, and local laws, and campus and community standards.

Article VII - Publicity, Advertising, and Media

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- A. A candidate, party, and their supporters may not publicize or advertise with physical posters, banners, signs, and/or social media before 6:00 a.m. on the first day of the Election week outlined by the Election Committee.
- B. Notwithstanding Section A above, shirts, fliers, signs, etc. may be given to supporters 24 hours prior to the start of campaigning for the sole purpose of being ready to campaign at 6:00 a.m. on the first day of Primary Elections.
- C. A candidate, party, and their supporters may post signs or posters in the Sharwan Smith Student Center and on SUUSA bulletin boards provided the signs or posters are consistent with Student Center policy and they have been approved by the Office of Student Involvement and Leadership.
- D. Senatorial campaign posters may be posted in individual school and college buildings. It is up to the individual senatorial candidate to get written permission from the department or college to hang posters in the appropriate areas of his or her college. A copy of the written permission must be given to the Election Director prior to the posters being posted.
- E. Exterior campaign signs must:
 - a. Be anchored and secured to the ground, except for a-frames;
 - b. Be made of materials that can withstand being wet;
 - c. Be placed more than 36 inches from any sidewalk;
 - d. Not exceed 8ft x 8ft x 8ft (does not include materials used to secure sign);
 - e. Not be supported by, affixed to, or leaned against rocks, trees, buildings, light posts, garbage cans, etc.
- F. Campaign advertisements and publicity, regardless of form or medium, may not be placed on the exterior of campus buildings, statues or structures.
- G. A candidate, party, and their supporters must not draw, paint, or write on campus buildings, statues, or structures. Sidewalk chalk must be approved by the Director of Centralized Scheduling.
- H. Handbills and flyers may be distributed on campus provided the Election Director and the Office of Student Involvement and Leadership have approved them prior to use.

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- I. The content of campaign publicity, communications, advertisements, and/or messages, regardless of the medium, must:
 - a. Not display the image, likeness, or name of an individual or character unless written permission has been obtained from the appropriate party or owner.
 - b. Not display a trademark, logo, marking, likeness, image, or insignia unless prior permission has been obtained from the appropriate registered party, entity, or owner. This includes the images, trademarks and logos of SUU.
 - c. Remain consistent with campus and community standards.

Article VIII - Campaign Finance

- A. All expenditures, donations, goods, and services used for campaigning materials and supplies are subject to the provisions outlined below and must not exceed the following budget limits:
 - a. \$500 for each Executive Council candidate.
 - b. \$250 for each Senatorial candidate.
- B. All campaigning expenditures, donations, goods, and services on and off campus, must be included as part of the candidate's budget.
- C. Third-party campaign donations, contributions, and expenditures exceeding the candidate's allowed budget are prohibited.
- D. Candidates who exceed the budget limits will be sanctioned in accordance with Article IX, Section 2 of these bylaws.
- E. The cost of campaign materials shared by candidates or parties must be divided proportionately, according to the budget limit of the position the candidate is running for, by the number of candidates and deducted from each candidate's total budget.
- F. A donation is defined as free contribution of goods and/or services by a person, charity, or organization.
 - a. All tangible donations of goods and services, such as graphic design, shirts, photography, videography, musicians, clothing, pens, food, signs, advertisements, vouchers, coupons, etc. must be assessed at the current, fair market value determined by the Election Committee.

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- b. Donations of intangible services, such as assisting with the placement of campaign signs, helping distribute t-shirts, etc., will not be considered a donation and is therefore not required to be reported.
- G. Fair Market Value is defined as an estimate of the value of goods and services based on what an average buyer would pay to an average seller in the market.
 - a. All donated materials as defined above are to be priced at fair market value as determined by the Election Committee.
 - b. Donations or other un-purchased material must be presented to the Election Committee and assigned a fair market value before being used.
 - c. It is the responsibility of the candidate/party to obtain a fair market value for any donation or other un-purchased material from the Election Committee.
- H. The Election Director may choose to deem campaign resources of no importance. These resources will not be deducted from the candidate's and/or party's total budget.
- I. In the event a candidate or party is found responsible for violating University Policy or the Election Bylaws, fines may be assessed and deducted from their total budget. An equal fine shall be assessed to all candidates and/or parties involved in the same violation.
- J. Each candidate must submit a daily budget report to the Election Committee.
 - a. Budget reports must include an updated list of campaign expenditures, donations, and documentation of expenditures (itemized receipts, invoices, contracts, etc.).
 - b. Budget reports are due by 5:00 p.m. each day during campaigning. If the budget has not changed from the previous day's budget report, a written submission of "No Change" must still be submitted.
 - c. Affiliated candidates or parties may submit combined budget reports provided the report itemizes each candidate's expenditures.
 - d. All candidates must submit a complete list of receipts for all campaign expenditures and donations to the Election Committee upon request. If a receipt for an item is not available, it will be assessed a fair market value by the Election Committee.

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- e. Failure to submit budget reports by the deadline shall be subject to a fine as determined by the Election Committee.

Article IX - Grievances

Section 1: Grievances

- A. A grievance may be filed by any student reporting a violation of the Election Bylaws. The Election Director(s) will submit all grievances to the Administrative Committee. The Administrative Committee will hear and decide all violations of Election Bylaws (see SUUSA Constitution, Article VIII, Section 6). The Election Director will make grievance forms available to all students. The Election Director will notify all members of the Election Committee that a grievance has been filed.
- B. All grievances will be submitted to the Election Committee.
- C. A grievance must contain the name and contact information of the submitter to be considered.

Section 2: Process of Grievances

- A. All grievances will be resolved within forty-eight (48) hours of the time of submission.
- B. Submitted grievances will remain confidential until resolved. The grievance will be released to the candidate or party for which the grievance was filed for their information. Once resolved, grievance information, including consequential results, will be public information. Minutes in grievance hearings are to be taken and kept by the Election Director until 72 hours after the completion of the General Election.
- C. To the extent the Administrative Committee assigns such responsibilities, penalties for a grievance will be decided by a panel of any three (3) members of the Election Committee as selected by the Election Director. Rulings will be made by a simple majority of the panel.
- D. Penalties may include, but are not limited to, any of the following:
 - a. Fines
 - b. Campaign restrictions
 - c. Campaign suspensions
 - d. Removal of campaign material
 - e. Disqualification from the election

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Penalties may not include anything that takes away from the student voice. This includes removing a candidate's acquired votes or limiting any student the right to vote.

- E. A disqualification ruling made by the Election Committee panel must be ratified by the Administrative Committee with a majority vote no more than 24 hours after the initial ruling.
- F. A candidate must comply with the sanction placed by the Administrative Committee.
- G. If a candidate feels the sanction placed is unjust, an appeal must be filed with the Administrative Committee within 24 hours. The Administrative Committee then must review the appeal within 24 hours of the appeal submission. The appeal will be decided by a simple majority vote. The decision of the Administrative Committee will be the final say on any grievance filed.

Article X - Ratification

- A. The Election Bylaws must be ratified with a 2/3 vote of the Academic Senate. The Election Bylaws must be ratified by the end of Fall Semester for them to take effect during elections during the following spring.