

**CHAPTER 55. BYLAWS OF THE STUDENT SENATE OF  
THE UNIVERSITY OF TEXAS AT DALLAS**

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**CHAPTER 55. BYLAWS OF THE STUDENT SENATE OF THE UNIVERSITY OF TEXAS AT DALLAS**

**ARTICLE I  
DEFINITIONS**

1. **Student:** any person whose name appears on the current registration list at The University of Texas at Dallas (UTD).
2. **Student Body:** collectively, all students as defined in this Article.
3. **Non-Student:** any person who is not a student in this Article.
4. **SG:** refers to **Student Government**, the student governing body and its committees and subunits as set forth by the SG Constitution.
5. **Election:** refers to **SG Election**, any election for Student Government Senators or Officer Candidates, referendums, constitutions, amendments, and/or other issues open to the student body and governed by the SG Constitution.
6. **Election Cycle:** the period of time from the start of filing to the certification of all results.
7. **Elections Board (EB):** the group governing the SG Elections as empowered in the SG Constitution.
8. **Hearing:** an official meeting of the Elections Board for the purpose of resolving certain election disputes as defined in Article VI of this document.
9. **Ballot:** the official list of candidates to be used during the election to record votes.
10. **Cast Ballot (Cast Vote):** a ballot, whether blank, partially completed, or completed, placed by a voter into the official ballot box.
11. **Voter:** a student possessing a ballot.
12. **Vote:** the choice of a student for a particular candidate or issue as marked on the ballot.
13. **Voting Area:** the area within ten feet of the official voting table(s).
14. **Filing:** the process by which a student or ticket applies to be placed on the ballot.
15. **Certification of Results:** the official process by which the results of an election are made final.
16. **Candidate:** any student endeavoring to gain office in SG during the current election.
17. **Write-In Candidate:** a candidate whose name does not appear on the ballot.
18. **Officer Candidate:** a candidate whose name appears on the ballot for the position of President or Vice President.
19. **Ticket:** a group of candidates who have properly applied for ticket status and been approved. A group of candidates campaigning jointly who have not properly applied and been approved shall be known as an unregistered ticket.
20. **Ticket Building:** the act of seeking out students to join a ticket, organize and prepare for a campaign, excluding any type of campaign material or acts designed to solicit votes.
21. **Campaign Manager:** a required position for a ticket or officer candidate to be approved. The role must be filled by a student who is not an officer candidate.
22. **Campaign (Campaigning, Campaign Material):** any statement, literature, object, or activity in support of or against a candidate, constitution, amendment, referendum, or other issue appearing on the ballot.

23. **Innovative Campaigning (Innovative Spending):** any type of campaigning not provided for in this Code or the Manual.
24. **Expenditures:** any disbursement of money or tangible assets made by a candidate.
25. **Spoiler:** any person who contributes time, effort, or services for the purpose of supporting or furthering a candidacy, where that candidate does not have personal knowledge of and does not accept the time, effort, and services rendered.
26. **Agent:** any person who contributes time, effort, or services for the purpose of supporting or furthering a candidacy, where that candidate has personal knowledge of and accepts the time, effort, and services rendered. Ticket members are always considered agents of the ticket, whether registered or not.
27. **Press Organization:** Any UTD group with the primary purpose of creating a newspaper, magazine, radio, or other information service. This includes, but is not limited to, the UTD Mercury, Radio UTD, and A Modest Proposal.
28. **Listserve:** a generic term for any LISTSERV, email-based mailing list, forum, bulletin board, networking group (such as Facebook or MySpace), mailing group (such as Yahoo! or Google Groups), or other electronic mass distribution method.
29. **Flyer:** A type of campaign material no larger than 12x14 inches, non-laminated, in color or black and white.
30. **Poster:** Any type of campaign material larger than 12x14 inches.
31. **Sign:** Any piece of campaign material placed on a stake in the ground.
32. **Election Manual:** a procedure manual for various components of the election.
33. **Race:** the seat or office for which candidates of categories defined in Article I (Student Senate) Subarticle A Section 1 (Composition) of the SG Constitution.
34. **Election Code:** Article VI of these bylaws. The purpose of the Election Code is to provide clear, fair, and enforceable rules to govern Student Government (SG) Elections.
35. **Working Hours of the Election:** the hours during which candidates, agents, and the EB are expected to be available. These hours are 7AM to 12AM during an election cycle. Having class will be considered a valid exception.
36. **Unexcused Absence:** those absences not excused in advance by the President or Vice President.

## ARTICLE II DUTIES AND RESPONSIBILITIES OF THE SENATE

### *Section 1. Duties of Senators*

Senators shall have the power and responsibility to:

- (1) Attend all meetings of the Senate.
- (2) Serve on at least one of the Senate standing committees.
- (3) Serve at least three (3) hours on Senate related activities as designated by the Executive Committee per week.
- (4) Assist in Senate supported projects such as opinion surveys, elections, fund raising, Freshman Orientation, Commencement, parties, special events, and any other special project specified in the Constitution, Bylaws, and Standing Rules.
  - (a) Each Senator shall be required to participate in at least two senate related projects each semester.

## **ARTICLE III DUTIES AND RESPONSIBILITIES OF OFFICERS**

### ***Section 1. President of the Student Association***

The President of the Student Association shall have the power and responsibility to:

- (1) Maintain twenty (20) office hours per week. Time used to attend meetings of university committees may be applied toward the required hours.
- (2) Schedule all Senate meetings and provide notice of the time, date, and place of such meetings to the members of the Senate.
- (3) Set the agenda for all Senate meetings. Senators may include items on the agenda upon one week prior notification to the President.
- (4) When appropriate, authorize expenditure of up to fifty dollars of Senate funds.
- (5) Manage the day-to-day operation of the Senate offices.
- (6) Serve as liaison to local municipalities or recommend a Senator liaison who shall be subject to confirmation by a 2/3 Senate vote.

### ***Section 2. Vice President of the Student Association***

The Vice President of the Student Association shall have the power and responsibility to:

- (1) Maintain twenty (20) office hours per week. Time used to attend meetings of university committees shall be applied toward the required hours.
- (2) Organize and manage the Comet Discount Program during the summer semester.
- (3) Organize and supervise the student representatives on University-Wide Committees.

### ***Section 3. Secretary of the Senate***

The Secretary of the Senate shall have the power and responsibility to:

- (1) Maintain the minutes of all Senate meetings and Executive Committee meetings.
- (2) Maintain attendance records for all senators and issue written warnings for senators after two unexcused meeting absences.
- (3) Collect from the chairperson of each committee the minutes of committee meetings.
- (4) Issue notices of dismissal after a senator has reached three unexcused absences.
- (5) Submit the minutes of each Senate meeting to the President within four (4) class days of the conclusion of each regularly scheduled Senate meeting. Copies of these minutes shall also be forwarded to the President and Advisor.
- (6) Maintain written record of all senators voting history until one semester after a senator has left office.

### ***Section 4. Academic Affairs Chair of the Senate***

The Academic Affairs Chair of the Senate shall have the power and responsibility to:

- (1) Oversee Senate efforts to improve university academics.
- (2) Call and preside over Academic Affairs Committee meetings.
- (3) Present Academic Affairs Committee report during the Senate meetings.

***Section 5. Student Affairs Chair of the Senate***

The Student Affairs Chair of the Senate shall have the power and responsibility to:

- (1) Call and preside over Student Affairs Committee meetings.
- (2) Present Student Affairs Committee report during the Senate meetings.
- (3) Oversee coordination of all Senate sponsored events.

***Section 6. Communications Chair of the Senate***

The Communications Chair of the Senate shall have the power and responsibility to:

- (1) Oversee all advertisements of Senate sponsored projects.
- (2) Work in conjunction with Senate committees to market all activities of the Senate.
- (3) Call and preside over Communications Committee meetings.
- (4) Present Communications Committee report during the Senate meetings.

***Section 7. Legislative Affairs Chair of the Senate***

The Legislative Affairs Chair of the Senate shall have the power and responsibility to:

- (1) Oversee Senate efforts to improve external communication.
- (2) Call and preside over Legislative Affairs Committee meetings.
- (3) Present Legislative Affairs Committee report during the Senate meetings.

***Section 8. Technology Chair of the Senate***

The Technology Chair of the Senate shall have the power and responsibility to:

- (1) Oversee Senate efforts to upgrade technology on campus.
- (2) Research and address issues of technology for the Senate.
- (3) Call and preside over Technology Committee meetings.
- (4) Present Technology Committee report during the Senate meetings.

***Section 9. Residential Student Affairs Chair of the Senate***

The Residential Student Affairs Chair of the Senate shall have the power and responsibility to:

- (1) Oversee the coordination of Residential Student Affairs Committee efforts to carry forth its duties.
- (2) Call and preside over Residential Student Affairs Committee meetings.
- (3) Present Residential Student Affairs Committee report during the Senate meetings.

***Section 10. Graduate and International Affairs Chair of the Senate***

The Graduate and International Affairs Chair of the Senate shall have the power and responsibility to:

- (1) Oversee efforts to address Graduate and International student concerns with the Senate and the administration.
- (2) Call and preside over the Graduate and International Affairs Committee meetings.
- (3) Present Graduate and International Affairs Committee report during the Senate meetings.

***Section 11. Treasurer of the Senate***

The Treasurer of the Student Senate shall:

- (1) Be an elected member of the Student Senate.
- (2) Provide monthly reports on financial status to the Student Senate.
- (3) Publish by January 1 and June 1 of each year a financial statement which includes amounts appropriated to each activity, total allocations to date, current balance to date, and other information the Student Senate may designate.
- (4) Fulfill other such duties as may be specified in the Bylaws and Standing Rules of the Student Senate of UTD.

## **ARTICLE IV DUTIES AND RESPONSIBILITIES OF SENATE COMMITTEES**

### ***Section 1. Record of Meetings***

All committees shall meet regularly and maintain a written record of each meeting. This record shall be communicated to the Senate prior to or during each meeting and will be kept on file in the Senate offices.

### ***Section 2. Senate Academic Affairs Committee***

The Senate Academic Affairs Committee shall have the power and responsibility to:

- (1) Work on all issues relevant to academic programs at UTD.
- (2) Work proactively to enhance the university's academic programs.

### ***Section 3. Senate Student Affairs Committee***

The Senate Student Affairs Committee shall have the power and responsibility to:

- (1) Organize and manage Senate sponsored events.
- (2) Work in conjunction with the Multicultural Center to address multicultural concerns.
- (3) Work proactively to improve the level of student life and student involvement on campus.

### ***Section 4. Senate Legislative Affairs Committee***

The Senate Legislative Affairs Committee shall have the power and responsibility to:

- (1) Organize and manage all Senate sponsored legislative activities.
- (2) Work proactively to stay aware of legislative initiatives.
- (3) Maintain communication with student liaison to local municipalities.

### ***Section 5. Senate Communications Committee***

The Senate Communications Committee shall have the power and responsibility to:

- (1) Market, in conjunction with the standing committees of the Senate, the activities of the individual committees and the Senate as a whole.
- (2) Work in conjunction with Technology Committee to keep the Senate Web Page information current.

### ***Section 6. Senate Technology Committee***

The Senate Technology Committee shall have the power and responsibility to:

- (1) Update and maintain all online Senate sites.
- (2) Work in conjunction with Communications Committee to keep the Senate Web

Page information current.

***Section 7. Senate Residential Student Affairs Committee***

The Senate Residential Student Affairs Committee shall have the power and responsibility to:

- (1) Work proactively to solve student concerns with the on-campus housing.

***Section 8. Senate Graduate and International Affairs Committee***

The Senate Graduate and International Affairs Committee of the Senate shall have the power and responsibility to:

- (1) Work on all issues relevant to Graduate and International students.
- (2) Work to improve areas over which Graduate and/or International students voice concern.
- (3) Work with the International Student Office to address concerns and issues of International Students.

***Section 9. Senate Elections Board***

The Senate Elections Board has the power and responsibility to:

- (1) Organize and manage all Senate elections.

## ARTICLE V CORRESPONDENCE

***Section 1. Maintenance of Records***

All correspondence of Senators and the officers of the Senate acting in their official capacity as members of the Student Senate shall be submitted to the SG Office Administrative Assistant and maintained on file in the Senate offices.

## ARTICLE VI STUDENT SENATE ELECTION CODE

***Section 1. Qualifications for Obtaining and Holding Office***

- (1) President and Vice President
  - (a) Must be enrolled for a minimum of nine (9) hours at the undergraduate level or six (6) hours at the graduate level during regular school sessions at UTD. Must be a registered student at UTD during the summer session.
  - (b) Must hold a cumulative grade point average of 2.75 or higher.
  - (c) Must have attended and completed courses at UTD during the regular semester (fall or spring) immediately prior to the semester in which the election will be held.
  - (d) Must have served on the Senate for a full term or the previous semester to be eligible to be a candidate for President or Vice President.
- (2) Senators
  - (a) Must be enrolled at UTD for a minimum of nine (9) hours at the undergraduate level or six (6) hours at the graduate level.

- (b) Must hold a cumulative grade point average of 2.75 or higher.
- (c) Must be a regularly enrolled student in the school from which he/she was elected.

***Section 2. Candidates' Rights and Responsibilities***

- (1) Filing for Office
  - (a) Before candidates may begin campaigning, they must file for office in the Student Senate office.
    - (i) Filing consists of signing a form prepared by the Elections Board which states the person's intention to run for office, specifies the particular office and seat which the candidate is seeking, states the candidate's school and contains a statement in which the person agrees to abide by these campaign rules and decisions of the Elections Board.
    - (ii) Candidates may file for only one position.
  - (b) Each senatorial candidate must post a \$50.00 bond and each officer candidate must post a \$75.00 bond to be held as security for compliance with this code. The bond is returned to the candidate on the first class day following certification if there is no violation of campaign conduct.
  - (c) Any Elections Board member who runs for office must resign from the Elections Board before the first day of filing, otherwise, that person is not eligible to run for office.
- (2) Campaign Conduct
  - (a) This election code is designed to ensure fair elections. Any candidate found to be deliberately in violation of this code shall be subject to sanctions by the Elections Board. Sanctions may include but are not limited to: monetary sanctions, temporary or permanent suspension from campaigning, and, in some cases, removal from the race.
  - (b) All candidates and their agents will refrain from making deceptive or misleading statements during their candidacy. Candidates and their agents will also refrain from any act reasonably calculated to be libelous or to compromise the rights of any student, faculty member, or student organization.
  - (c) Candidates are responsible for the campaign conduct of their agents.
    - (d) All campaign material must be submitted to the Student Government office, which shall keep a copy of all campaign materials on file for the entirety of the election cycle and make it available to any student upon request.
  - (e) Any submitted campaign material shall not be considered a cost of the campaign.
  - (f) All campaign material must receive the approval of the SG advisor or EB Chair.
  - (g) All campaign material must advertise this approval in an appropriately discrete way, such as the initials of the SG advisor or EB Chair. If this advertisement is for some reason deemed impossible by the SG advisor or EB Chair, the applying candidate may submit a Form of Approval for

Campaign Material to be held on file in the SG office. These forms shall be made available in the SG office.

- (h) No candidate or agent shall remove, obscure or damage any campaign material of another candidate.
  - (i) No campaign material or activity may impede either pedestrian or vehicular traffic.
  - (j) All campaign material must be removed within three (3) class days of election certification by the candidate and/or the candidate's agents.
- (3) Campaign Regulations
- (a) Candidates and their agents may not use sound-amplifying equipment on campus without written permission from the Office of Student Development.
  - (b) Campaign material may not be attached to
    - (i) a shrub or plant;
    - (ii) a tree, except by string to its trunk;
    - (iii) a permanent sign installed for another purpose;
    - (iv) a fence or chain on its supporting structure;
    - (v) a brick, concrete, or masonry structure; or
    - (vi) statuary, monument, or similar structure.
  - (c) Campaign material may not be posted
    - (i) on or adjacent to a fire hydrant;
    - (ii) on or between a curb and a sidewalk; or
    - (iii) in a University building not specified by the Elections Board.
  - (d) Use of chalk shall be reserved for use by Student Government to advertise the elections in an unbiased manner.
- (4) Endorsement Policy
- (a) Each campus organization may endorse a party or separate candidates under the condition that no more than one candidate endorsed can be running for a single seat or office.
  - (b) To endorse a candidate, an organization must be currently registered with the Center for Student Involvement and an endorsement form must be signed by the highest ranking officer of that organization and filed with the SG office.
    - (i) Any organization receiving support through the student fee process may not endorse any candidate or party, or contribute any support to any campaign during the election. This includes but is not limited to Student Government (SG), Student Union Activities Advisory Board (SUAAB), Student Organization Forum (SOF), and Meteor Theatre.
    - (ii) Press organizations are specifically exempted from this clause or any other clauses restricting endorsements.
    - (iii) Press organizations, including the UTD Mercury, Radio UTD, and A Modest Proposal, may issue endorsements in opinion form without filing the necessary paperwork.
  - (c) No candidate shall claim the endorsement of any person, group or organization without the express written consent of said person, group or organization, and an endorsement form correctly filed.

- (d) Only officers of endorsing organizations may use their listserves in support of candidates. Candidates are prohibited from directly using these listserves.
- (5) Campaign Spending Limits
  - (a) Officer candidates are limited to \$500.00 per candidate in campaign expenditures.
  - (b) Senatorial candidates are limited to \$150.00 per candidate in campaign expenditures.
  - (c) In the event of a run-off election, candidates in that race are allowed 20% of the amount allowed for a regular election.
- (6) Financial Disclosure
  - (a) Each candidate for any Student Government office or seat must keep accurate and up-to-date records of all campaign expenses and must provide the following details for each expense:
    - (i) Description of the item and its use during the election.
    - (ii) Where the item was purchased or obtained. If the item was donated, list contributor's name and contact information.
    - (iii) Cost of the item.
  - (b) Financial records are to be submitted by each candidate to the Elections Board within two (2) business days of the conclusion of voting. Additionally, each ticket's campaign manager must submit aggregate ticket expenses. Failure to provide receipts documenting spending is grounds for bond forfeiture. Failure to submit a valid Financial Disclosure form is grounds for expulsion from the race.
  - (c) The Elections Board shall provide standardized forms for the purposes of this code by the filing deadline.
  - (d) Financial Disclosure forms shall show expenditures contributed to both party and personal expenses and shall show a clear delineation between the two. Party expenses are those that benefit the ticket or other ticket members, while personal expenses are those that benefit only one candidate.
  - (e) Contributions to any candidate's campaign must be disclosed and valued at fair market value, as determined by the Elections Board.
    - (i) All donations must be accounted for on the Financial Disclosure Form.
    - (ii) Items donated must be rented from the donor at a reasonable market value. A candidate or party is not responsible for the cost of the item purchased, but must rent its use. In addition any modifications to an item or structure made that promote a candidate or party must be indicated on the Financial Disclosure Form.
  - (f) Each candidate's financial records shall be available for public inspection.
- (7) Ticket Composition
  - (a) Any group of candidates seeking to campaign jointly must register with the SG office by submitting a Ticket Registration Form.
  - (b) Unregistered tickets which do campaign jointly will be subject to a \$10.00 fine per candidate associated with the unregistered ticket. If a

ticket remains unregistered after this fine, additional penalties may be levied at the discretion of the Elections Board.

- (c) Tickets which register before the end of filing shall have their candidate affiliations listed on the ballot.
- (d) Tickets must register a campaign manager who shall be responsible for the accurate and timely submission of financial disclosure forms for that ticket. The campaign manager is a required position for all tickets. The campaign manager must be a student not seeking election to an officer position.
- (e) Ticket members are agents of the ticket. Tickets and/or individual ticket members may be penalized if ticket officials, members and/or agents violate this election code. The culpability of individuals and applicable penalties for violations shall be determined by the Elections Board.
- (f) Tickets do not require officer candidates in order to appear on the ballot. Officer candidates are not required to be members of a ticket, but any independent officer candidate must have a campaign manager.
- (g) The Elections Board reserves the right to ban ticket names for a variety of reasons including, but not limited to, names being offensive, infamous, inappropriate, or otherwise not in the spirit of the election.
- (h) No campaigning shall be allowed before a candidate or ticket has officially filed to run for that position with the SG office. However, ticket building is allowed before this time.
- (i) Ticket building may not be used to solicit votes and should be limited to activities designed to organize and mobilize one's campaign.
- (j) Ticket building may not include mass e-mailing or solicitation of support at meetings of student organizations, or any other form of campaigning.
- (k) The Elections Board has final jurisdiction over the definition of ticket building.

### ***Section 3. Election Provisions***

- (1) Voter rights and Procedures:
  - (a) Voting must be done by a student as defined in Article I.
  - (b) Voting shall be held by paper or online ballot. Absentee voting by paper ballot is strictly prohibited.
  - (c) Voting procedure shall be set by the Elections Board prior to the start of voting.
  - (d) Voters have the right to secret ballot in all elections.
  - (e) Voters may abstain from any or all portions of a ballot.
  - (f) Once voting begins, the ballot may not be changed for any reason.
  - (g) Cast ballots shall be judged according to the standard of voter intent.
  - (g) Voters may write in a candidate for any election, excepting run-off elections.
  - (h) Voters may request up to two additional ballots. Before distributing an additional ballot, an election booth worker must destroy the previous ballot. Ballots may not be removed from the voting area by anyone other than election booth workers or SG staff.

- (i) Voters may request the assistance of an election booth worker in reading and/or marking a ballot, as well as in placing the ballot in the ballot box.
  - (j) Voters have the right to have an interpreter's assistance. SG will not be expected to provide any interpreters.
  - (k) To be allowed to vote, a prospective voter must not have voted before in the election and
    - (i) must provide his or her Comet Card or government-issued ID that matches a name in the registrar's list or
    - (ii) provide his or her Comet Card to be verified at the Comet Center as a registered student.
- (2) Write-in procedures:
- (a) To be elected, any write-in candidate must:
    - (i) meet the requirements to seek and obtain office listed in the SG Constitution and Bylaws.
    - (ii) submit any documents necessary to file for and hold office, as determined by the SG office.
    - (iii) not have filed for any other office in the election cycle.
    - (iv) submit to this Code and to rulings and decisions made by the Elections Board.
    - (v) receive at least five votes or receive between one and five votes and submit to the SG office before certification of the race the names, signatures, and contact information of at least fifteen constituents. In addition, any write-in candidate in a contested race must receive enough votes to meet the margin of victory requirements in subsection (4).
  - (b) Write-in candidates may only campaign by "word-of-mouth," which allows for verbal campaigning, but not via any written or printed materials.
- (3) In order for a candidate to be elected, he or she must win by at least five votes in an uncontested race, by at least 50% plus one vote of the total votes cast in a two person race, by at least 40% of the total votes cast in a three or more person general race, or in an at-large race by being one of the top n vote-winners where n is the number of seats in the race, and may also be subject to the recount and runoff procedures in Sections 4 and 5.
- (4) Candidates may be present during vote-counting.
- (5) To take office, a candidate must accept his or her seat within three class days after the certification of the election.
- (6) The election must be certified by the Elections Board by the end of the third class day following the closing of the polls unless lengthened by a three-day period in extraordinary circumstances as decided by a two-thirds majority of the Elections Board.
- (7) In only truly exceptional circumstances, the Elections Board may, by a unanimous vote, void an election for one or all races in an election cycle and hold a new election as soon as it is reasonable but not strictly bound by the dates required by this Code. By a separate unanimous vote of the Elections Board, additional time may be granted for filing for the new elections. Decisions based on this

subsection should be based primarily on fairness and on the enfranchisement of voters, and should not be made lightly.

***Section 4. Recount Procedures***

- (1) A recount shall be required if the margin of victory in any given race is less than one percent. The Elections Board, candidates, campaign managers and Student Government officers and staff shall be allowed to attend the recount.
- (2) In the event of a recount in a two-person race, one vote (50% plus one vote) is the necessary margin of victory. In a three or more candidate general election, the top two vote-getters overall proceed to the runoff if required by Section 5 (Runoff Procedures).
- (3) If a runoff is required, there must be a recount.
- (4) The Elections Board has full discretion over the means of recount and in extraordinary circumstances can call for a recount with a simple majority vote even without the above described conditions.

***Section 5. Runoff Procedures***

- (1) In a two candidate race, a run-off shall be necessary if neither candidate receives 50% plus one vote of the total ballots cast for that position.
- (2) In a three candidate or major candidate race, a run-off shall:
  - (a) be necessary if the candidate with the most votes lacks 40% or more of the total votes cast for the position or the margin of victory is less than 1% of the total votes cast for the position.
  - (b) if required, be between only the top two vote-earners for the position.
- (3) In a run-off election, voters may not write in candidates.
- (4) Run-off spending limits are defined in Section 2(5) of this code.
- (5) This Code may not be amended between a general election and a run-off election.
- (6) The winner of a run-off election shall be the candidate who receives at least 50% plus one vote of the total votes cast in the run-off election.
- (7) If the margin of victory in a run-off election is less than 1% of the total votes cast in the run-off election, a recount shall be held under the guidelines in Section 4 of this Code.
- (8) If, after a recount, no candidate has received at least 50% plus one vote of the total votes cast in the run-off election, the winner will be elected by a simple majority vote in the Senate.

***Section 6. Elections Board Composition***

- (1) The Elections Board shall be responsible for the fair administration of Student Government Elections. Additionally, it shall serve as an arbiter in disputes involving tickets and/or individual candidates.
- (2) The Chair of the Elections Board shall be a current member of Student Government not affiliated with any candidate or party. The Chair shall have no vote, except in case of a tie due to an abstention. The Chair shall be appointed by a majority of the Executive Committee and confirmed by a majority of the Student Government Senate.

- (3) The Elections Board shall be made up of a representative appointed from each school by each Dean by the start of filing. A majority vote by the Senate shall be necessary to approve this appointment.
  - (a) The term of office shall be for one election cycle.
  - (b) No member of the Elections Board shall be an officer or officer candidate of any student-fee supported body, whether elected or appointed, except SG.
- (4) Members of the Elections Board shall only be permitted to resign for the following reasons:
  - (a) Sincere belief of the member that he or she can no longer be unbiased and fair.
  - (b) Illness.
  - (c) Family emergency.
  - (d) Other reasons as approved by the Chair on a case-by-case basis.
- (5) Any member of the Elections Board may be removed for just cause by the Executive Committee should a member of Student Government make such an appeal. Members may only be removed for the following reasons:
  - (a) The member is no longer a student.
  - (b) There is evidence the member has shown blatant bias in favor of or in opposition to a party or a candidate.
  - (c) The member has not been fulfilling the duties of the office.
  - (d) The student has engaged in gross misconduct unbecoming of the Elections Board or has failed to uphold the values of the University.
- (6) Any legislation intending to alter the Election Code shall be submitted to the Elections Board chair at least one week prior to consideration by the Senate. The Elections Board or, if the Elections Board is not assembled, the Elections Board Chair, shall submit a recommendation on the proposed legislation to the Senate within one week of receipt.
- (7) The Elections Board shall appoint a Secretary from its membership who shall be responsible for recording the minutes of its meetings and hearings, and keeping records of all opinions, rulings, and filings required of candidates under this Code.
  - (a) The Secretary shall provide a written copy of all decisions concerning individual candidates to the candidates involved and to the highest officer of Student Government not running in the election.
  - (b) The Secretary shall file a copy of all minutes with the Chair of the Judicial Board and the highest officer of Student Government not running in the election within 48 hours of the decision. Failure to do so may result in revocation of duties by the Elections Board Chair.
  - (c) Records of rulings and other documents from an election may be retained by the Elections Board for the purpose of advisement of future boards, and for the resolution of any problems that might arise in the long-term campus electoral process.
- (8) The Elections Board shall have jurisdiction over all polling locations on the days of elections governed by this Code. All polling locations must abide by the Election Code.
- (9) Results of any election under this Code shall be announced in accordance with

Section 3 of this code.

- (10) The Elections Board may assess and execute the remedies and sanctions provided in this Code if it finds violation of either provisions of this Code or Elections Board rulings.
- (11) The Elections Board shall certify the fairness of each campaign with its election processes and results in a report to the Senate, and make the report available to the public before the next Senate meeting.
- (12) All promotional material regarding the election issued by Student Government shall be approved by the Elections Board Chair to ensure objectivity and fairness.

***Section 7. Elections Board Jurisdiction***

- (1) In pursuit of its duties, the Elections Board may impose sanctions on violators of any aspect of this Code or the rulings of the Elections Board. The Elections Board has original jurisdiction of the Student Government Election Code. The Judicial Board shall review appeals regarding issues of fact in all cases or controversies arising under this Code in which the Elections Board has issued a final decision. Upon review, the Judicial Board may uphold the sanctions imposed by the Elections Board.
- (2) The Elections Board shall have the authority to issue an advisory opinion about any matter concerning the election process not covered in this Code or the SG Constitution.
  - (a) An advisory opinion shall be binding on the election for the duration of the election cycle in which it is issued.
  - (b) The Elections Board shall not be required to hold a hearing in connection with the issuance of an advisory opinion.
  - (c) An advisory opinion may be amended after issuance, provided that no substantial injury or hardship to the student body or election process results from such action.
  - (d) All advisory opinions, except those regarding innovative campaigning methods not described in this Code or the Election Manual, must be issued before the filing period is concluded.
- (3) In carrying out the duties of the office, the Elections Board shall conduct proceedings and hearings necessary to fulfill those duties. In executing those duties they shall have the authority:
  - (a) to issue written notice to require candidates and agents and to request students to appear and give testimony, as well as produce necessary records; and
  - (b) to inspect the financial reports of any candidate and make these records available for public scrutiny upon request.
- (4) Any organization selecting officers or hosting a referendum by participating in the student body elections governed by the Elections Board shall defer jurisdiction of election procedures to the Judicial Board, subject to Senate approval.
- (5) Certain administrative issues, such as a candidate's failure to attend mandatory meetings or hearings, may be handled without requiring the complaint procedures outlined in Section 8.

**Section 8. Elections Board Hearings**

- (1) Members of the Elections Board are prohibited from filing complaints. If a member shall discover violations of the Code or Precedents, that member shall be obligated to stop the violation. Should the illegal actions persist, the Elections Board shall, in writing, inform all affected parties of the violations.
- (2) Any student may file a complaint with the Elections Board. All complaints must be filed in the Student Government office under the name of the student filing the complaint. The Elections Board shall act on all complaints within one business day after receiving the complaint by either dismissing the complaint or calling a hearing under the provisions of this Section.
- (3) Candidates have a duty to negotiate in good faith when disputes arise and must attempt to reach a settlement consistent with this code and Elections Board decisions prior to filing a complaint. The party filing the complaint must provide a document to the Elections Board describing the steps that were taken to resolve the dispute.
- (4) The Elections Board may dismiss a complaint if:
  - (a) the complaint was not filed within twenty-four (24) hours after learning of the injury;
  - (b) the Elections Board lacks jurisdiction over the subject or party in the dispute as defined in Section 7;
  - (c) the complaint fails to state a cause of action for which relief may be granted;
  - (d) the complainant has not and likely will not suffer injury or damage;
  - (e) the complaint is frivolous;
  - (f) the complaint is filed after the votes have been counted.
- (5) If a complaint is not dismissed, a hearing must be held. The Elections Board shall inform, in writing, the complaining party and all individuals or groups named in the complaint of the time and place of the hearing, but verification of contact is not required to hold a hearing. A copy of the complaint shall also be sent to all parties involved.
- (6) The hearing shall be held as soon as possible within the established working hours of the election, but no sooner than six working hours after the first attempt at notification.
- (7) At the time notice of a hearing is issued, the Elections Board, by majority vote, may issue temporary limitations or restraints if it determines that such action is necessary to prevent undue or adverse effects on any individual or entity. Any restriction, once issued, will remain in effect until a decision of the Elections Board is announced after the hearing or until rescinded by majority vote of the Elections Board.
- (8) All Elections Board hearings and proceedings must be open to the public. The deliberations of the Elections Board shall be closed, though the Board shall have the discretion to invite students to these meetings to clear points of fact.
- (9) Each involved party shall be present at the hearing and may be accompanied by one other student who may counsel and/or represent the party before the Elections Board.

- (10) For any hearing, a quorum of sitting Elections Board members must be in attendance with the Chair of the Elections Board presiding. In the absence of the Chair, the responsibility to preside shall fall to an Elections Board member designated by the Chair.
- (11) The Elections Board shall determine the format for the hearing, but must require that both the complaining and responding parties appear physically before the board to discuss the issues through a complaint, answer, rebuttal, and rejoinder format. The purpose of the hearing is to gather the information necessary to make a decision, order, or ruling that will resolve an election dispute. To effectuate this purpose, the following rules should prevail at all hearings:
  - (a) Complaining parties shall be allowed no more than two witnesses; however, Elections Board may call witnesses in accordance with Section 7 of this Code. If witnesses are unable to appear at the hearing, signed affidavits may be submitted to the Elections Board Chair for the purpose of testifying by proxy.
  - (b) The Elections Board must approve both the absence of a candidate as well as that candidate's chosen representative.
  - (c) All questions and discussion by the parties in dispute shall be directed to the Elections Board.
  - (d) There shall be no direct or cross-examination of any party or witness by complaining or responding parties during hearings.
  - (e) Reasonable time limits may be set by the Elections Board, provided they give fair and equal treatment to both sides.
  - (f) The complaining party shall bear the burden of proof, and he or she must show evidence of actual, not merely potential loss. The Elections Board shall determine what constitutes a loss in its rulings.
- (12) Decisions, orders, and rulings of the Elections Board must be concurred to by a majority of the Elections Board present and shall be announced as soon as possible after the hearing.
  - (a) Such decisions may be announced orally or in writing.
  - (b) The Elections Board shall issue a written opinion of the ruling within twenty-four (24) hours of announcement of the decision.
  - (c) The written opinion must set forth the findings of fact by the Elections Board and the conclusions of law in support of the decision.
  - (d) Written opinions shall set a precedent for a time period of three election cycles for Elections Board rulings, and shall guide the Elections Board in its proceedings.
  - (e) Upon consideration of prior written opinions, the Board may negate the decision, but must provide written documentation of reasons for doing so.
- (13) If the decision of the Elections Board is appealed to the Judicial Board, the Elections Board must immediately submit its ruling to that body.

### ***Section 9. Remedies and Sanctions***

- (1) The Elections Board shall select the remedy or sanction most appropriate to both the type and severity of the infraction, as well as the state of mind or intent of the violator as determined by the Elections Board. Possible remedies and sanctions

- include, but are not limited to, fines, suspension of campaigning privileges, and disqualification from the election.
- (2) The Elections Board has the authority to fine a candidate, but the total amount of fines against a candidate in an election cycle may not exceed \$100, and any such fines do not affect spending limits.
  - (3) If fines are not paid by the time Financial Disclosure forms are due, it shall be considered adequate grounds for removal from the race.
  - (4) If, after a hearing, the Elections Board finds that provisions of this Code were violated by a candidate, or a candidate's agents, the Elections Board may restrict the candidate or the candidate's agents from engaging in some or all campaign activities for some or all of the remainder of the campaign. If an order is issued covering only part of the remaining campaign period, it shall take effect immediately.
  - (5) In the event the officials of a ticket have committed repeated or egregious violations of this Code or the prior decisions, opinions, orders, or rulings of the Elections Board, the entire ticket may be disqualified; however, the following procedures shall be in effect:
    - (a) The Elections Board has the right to grant immunity to a candidate or a group of candidates who, in good faith, come to the board with a complaint about violations their ticket has committed or conspired to commit in violation of this Code. These candidates shall not be disqualified with the rest of their ticket, should it be removed from the election.
    - (b) Ticket disqualification may only occur with the unanimous vote of the Elections Board, and an appeal shall automatically be filed with the Judicial Board on the behalf of the disqualified ticket. The only exception to the unanimous requirement is for a ticket convicted of engaging in voter fraud, in which case a simple majority shall disqualify the ticket.
    - (c) Any party adversely affected by a decision of the Elections Board may file an appeal with the Judicial Board after the adverse decision is announced.

### ***Section 10. Filing/Election Dates***

- (1) Spring Elections
  - (a) Filing shall begin on the Monday three (3) school weeks prior to the beginning of the elections and shall conclude at 12:00 p.m. three (3) school days prior to the beginning of the scheduled election. The week of spring break shall not count as a school week.
  - (b) A campaign orientation meeting will be held before the end of filing to answer any questions and review the Election Code with candidates or potential candidates.
  - (c) Student Government elections shall be held by the third week of March on three consecutive days, except in unusual circumstances as determined by a majority vote of the Elections Board.
- (2) Late filing shall not be allowed.
- (3) A mandatory meeting for all candidates shall be held at noon on the last day of filing. If a candidate has class or another obligation, he or she shall schedule a

- meeting with the SG advisor before the mandatory meeting.
- (4) Filing packets containing the Election Code, election dates, important information, forms and necessary waivers shall be distributed to students who file for office. Violations of rules in the packet fall under the jurisdiction of the Elections Board, and violators may be subject to sanctions.

***Section 11. Changes to Election Code***

No part of the election code may be changed or altered from the beginning of the filing period until the election results have been determined.

**ARTICLE VII  
REMOVAL FROM OFFICE**

***Section 1. Senate***

Any Senator who accumulates three (3) unexcused absences from regularly scheduled Senate meetings or committee meetings automatically shall be removed from office.

***Section 2. Recall Elections***

Any elected representative of the Student Association will be subject to a recall election upon presentation of a petition bearing a number of signatures equal to or greater than fifteen (15) percent of the representative's constituency.

**ARTICLE VIII  
SUCCESSION**

In the case of a vacancy in the office of the Vice President, a new Vice President shall be elected from the current membership of the Senate.

1. The process of electing a new Vice President shall span two Senate meetings.
  - (a) At the first senate meeting nominations will be made to fill the vacancy.
  - (b) At the second meeting elections to fill the office shall take place.
  - (c) A candidate must receive a simple majority vote to take office.
  - (d) In the event that a candidate does not receive a simple majority, there shall be a runoff election between the top two candidates.

**ARTICLE IX  
AMENDMENT AND RATIFICATION**

***Section 1. Procedures***

These Bylaws may be amended at any regular meeting of the Student Senate upon approval of two-thirds (2/3) of the entire membership of the Senate provided amendment has been submitted in writing at the previous regularly scheduled meeting of the Senate.

**ARTICLE X**  
**APPROVAL OF BYLAWS**

***Section 1. Adoption***

These Bylaws shall become adopted upon a two-thirds (2/3) approval of the entire membership of the Senate and will supersede any previous Bylaws or Guidelines of the Senate.

***Section 2. Effective Date***

In accordance with Series 50203 of the *Rules and Regulations* of the Board of Regents, The University of Texas System, changes to these Bylaws shall not become effective until transmitted to the Vice President for Student Affairs and all administrative and regental approvals have been obtained.