

TITLE II – ELECTION CODE

ARTICLE I – The Election Marshal

1. The Election Marshal shall be the elected Senator appointed by the President of the Student Government Association as Chair of the Public Relations and Elections Committee.
2. Authority in all questions of electoral procedure and result tabulation shall rest with the Election Marshal. The Election Marshal shall interpret the Election Code and the Student Government Association Constitution as they may apply to election matters with the approval of the President and Advisor of the Student Government Association. Election Marshal decisions deemed to display evident partiality, disregard for bylaws, or other semblances of malfeasance shall be subject to review by the Executive Board.
3. Prior to the public announcement of the election results, the Election Marshal shall submit the results to the President of the Student Government Association and the Dean of Students for verification.
4. If the Election Marshal finds it necessary to step down from his or her position or if the Election Marshal is participating in the election, the President shall appoint a temporary Election Marshal to conduct the election.
5. When all qualifications for elections are closed, and after the eligibility of all prospective candidates has been confirmed by the Dean of Students, the Election Marshal shall call a meeting of all eligible candidates. At this meeting, the Election Marshal shall review the Election Code with the candidates.
6. The Election Marshal shall have the power to enforce the rules and regulations set by the Administration of Mercer University in regards to campaign materials and their distribution.
7. Candidate profiles shall be posted no less than 72 hours before the election.
8. For the purpose of this Election Code, students are classified according to their expected date of graduation as recorded by the office of the Registrar.
9. All students running for office will be classified according to their expected year of graduation “as recorded by the Office of the Registrar.
10. Students not classified as undergraduate students by at least one college or school at Mercer University’s Macon campus shall not be eligible to run for a Senator position. Fifth-year seniors, as classified by the Office of the Registrar, who have not formally received a bachelor’s degree shall only be eligible to run for Senator-at-Large.

ARTICLE II – QUALIFICATIONS

1. Qualifying shall be defined as signing the academic and conduct records release on the date and within the time set for qualifications,” receiving confirmation of eligibility from the Dean of Students, and attending the qualifications meeting (unless prior qualification is arranged at the discretion of the Election Marshal and the President of the Student Government Association).
2. No person shall run for more than one office at a time in the Student Government Association.
3. Names of candidates shall appear on the ballot in alphabetical order.
4. In the case of extreme extenuating circumstances, a candidate may qualify for elections up to 24 hours after the conclusion of the qualifications meeting, at the discretion of the Election Marshal and Student Government Association President, and after verification of eligibility from the Dean of Students.”
5. A person may withdraw from one race to enter another no later than the closing of qualifications. A person may withdraw completely from the election at any time prior to the day of elections.
6. After qualifications have been closed, the Election Marshal shall submit a list of all persons qualified to run for Student Government Association to the Dean of Students. Confirmation of eligibility for all candidates running must be established before the qualifications meeting may proceed.
7. All students running for office must be eligible and are planning on attending Mercer University for the term elected.
8. All students running for office will be classified according to their expected year of graduation.
9. Students placed on university probation as a result of any academic or conduct code violation are ineligible to seek or hold office.
10. In compliance with the preceding provision, all students seeking candidacy must agree to the following statement:
 - i. “I permit the Office of the Vice President for Student Affairs permission to verify my GPA, academic and conduct records for purposes of verifying that I am eligible to run, and if elected, hold office, for each semester I serve on SGA.”

ARTICLE III – Election Dates

1. Qualifications for Fall Elections for Freshmen Senators will be held during the second Wednesday of the annual school year.
2. Fall Elections will last for a period of two consecutive days on the second Thursday and Friday after the date of qualification.
3. Qualifications for the General Presidential Elections will be held in the spring, after the first week of March, on a Wednesday with a date subject to the discretion of the Election Marshal.
 - i. Presidential and Vice Presidential candidates must run on a joint ticket.
4. General Presidential Elections will last for a period of two consecutive days beginning with the second Thursday immediately following the date of qualification.
5. Qualifications for the General Senatorial Election will occur on the Wednesday following the conclusion of the voting period of the General Presidential Election.
6. General Senatorial Elections will last for a period of two consecutive days beginning with the second Thursday immediately following the date of qualification.
7. In the case of a run-off election, the runoff shall be held on the Monday following the Friday on which the General Election was held.
8. If unforeseen circumstances necessitate shifting the date prescribed for an election, the Election Marshal shall, with the consent of the President and Advisor of Student Government Association, determine the date of the election.
9. The polls shall be opened from 9 a.m. on the first day of voting until 5 p.m. of the last day of voting.
10. Winners shall be determined by plurality.

ARTICLE IV – Special Elections

1. Special Elections to fill vacated senatorial seats shall be held at the discretion of the Election Marshal and the President of the Student Government Association.
2. All dates and times of any Special Election shall be subject to the discretion of the Election Marshal and the President of the Student Government Association.
3. All qualification and election procedures outlined above shall apply to Special Elections.
4. Winners shall be determined by plurality.

ARTICLE V – Referendum

1. A referendum is a general vote by the entire undergraduate electorate of Mercer University's student body. Referendums will be used to amend the Constitution of the Student Government Association or to approve or reject any piece of legislation proposed before the student body.
2. A referendum will be held upon a two-thirds vote of approval by Senate. The dates and duration of referendums shall be submitted for approval during this vote.
3. Referendums will be conducted through the online voting application. Paper ballots will only be accepted from students who are unable to vote online.
4. Referendums require a two-thirds vote of approval of those voting in the referendum.

ARTICLE VI – Poll Working

1. All elected and appointed members of the Student Government Association shall serve as poll workers for all elections. However, candidates involved in a campaign are excluded from working at the polls.
2. Poll workers shall only allow a voter to use a paper ballot if they are unable to vote properly at the online ballot kiosks.
3. Poll workers shall ensure that voters using paper ballots write their Mercer ID number on the back of the ballot. Only students who present a valid Mercer ID card at the polling location shall be permitted to vote.
4. Poll workers may not in any way endorse or degrade any candidate, ticket, or issue on the ballot.

ARTICLE VII – Campaign Rules

1. Campaigning shall include, but not be limited to: public addresses of any group or organization by candidate(s) or spokesperson(s) for a candidate, signs, banners, campaign literature, any and all forms of social media advertisement, or any tangible promotional items used in an effort to seek someone's vote.
2. All campaigning materials shall abide the following size and quantity regulations:
 - i. Senatorial candidates shall be allowed either four posters and one banner, or eight posters. A poster is defined as any free-standing poster no larger than 22" × 28". For senatorial candidates, a banner may measure up to 2' × 4'.
 - ii. Presidential candidates shall be allowed either four posters and two

banners, or eight posters and one banner. A poster is defined as any free-standing poster no larger than 22" × 28". For presidential candidates, a banner may measure up to 5' × 8'.

iii. There is no restriction on the number of handbills and cards that may be distributed. A handbill is defined as one-fourth of an 8½" × 11" piece of paper. A card is defined as a 2" × 3½" business card-style handout.

iv. Candidates shall post their signs or banners in methods and in areas previously approved by the Office of Campus Life and the Office of Housing and Residence Life. Banners must be hung by the Physical Plant.

3. Posting, distributing, or circulating campaign material on campus or in campus facilities must comply with applicable university policy and regulations:

i. All signs and banners on campus with the exception of residential halls must be approved by the Office of Campus Life prior to posting.

ii. All signs in academic buildings must be approved by the building coordinator and the Office of Campus Life.

iii. All signs in Residence Halls must be approved by the Office of Housing and Residence Life.

4. Candidates shall not violate the following rules stated by the Office of Housing and Residence Life:

i. Candidates are prohibited from chalking on areas where rain cannot reach (Ex. Connell Student Center Breezeway) and on bricks (Ex. Jesse Mercer Plaza).

ii. Candidates are prohibited from posting flyers or posters on glass materials unless they have sought and gained approval from the Office of Campus Life to do so.

iii. All campaign items on glass materials must be posted with approved adhesive products.

iv. All campaign posters and banners are to have approval stamp marks from the Office of Campus Life.

5. Candidates shall not violate the following rules stated by the Office of Housing and Residence Life:

i. Candidates shall campaign in residence halls between 5:00 p.m. and 10:00 p.m. only.

ii. When candidates campaign in residence hall that they do not live in, they must have an escort who is a resident of the building in which they campaign.

iii. No candidate shall post flyers or signs on the walls of residence halls.

iv. No candidate shall post flyers on the residents' doors or slide handbills under the doors without resident's permission.

v. All residents shall have the right to post "No Campaigning" signs on their doors, and candidates shall not put any flyers on such doors, slide handbills under the doors, or knock on the doors.

vi. Campaign violations in residence halls will forfeit candidates' rights to campaign in such buildings.

6. No candidate shall deface school property during the voting period.
7. No candidate may begin campaigning prior to the conclusion of the Qualifications Meeting.
8. Candidates not involved in a run-off must have their signs removed (including tape) no later than 5 p.m. of the day after the election results have been posted. Candidates involved in a run-off must have their signs removed (including tape) no later than 5 p.m. of the day following the run-off.
9. A candidate caught littering with the intent to campaign shall be penalized. Littering with the intent to campaign shall be defined as the deliberate distribution of campaign materials with the intent to attract attention.
10. No campaigning material of any candidate may be removed by another candidate.
11. A list of campaign committee members shall be submitted to the Election Marshal on the day of qualifications.
12. These rules shall apply to candidates and their campaign committee members. Candidates are responsible for ensuring that any and all members of their campaign committee adhere to the campaign rules outlined in this Article.
13. On the Election Day(s), no candidate shall campaign within an area surrounding the polling place(s), as set by the election Marshal at the onset of the election. All campaigning materials must be removed from the vicinity of the polling place(s) by 9:00 a.m. on the first voting day. Candidates may continue to display campaign materials not located in the vicinity of the polling place, pursuant to Title II, Article VII, Section 8.

14. No candidate or campaign committee members shall explicitly solicit individual votes in his or her favor for the duration of the voting period, such as using mobile voting kiosks that include, but are not limited to, laptops, cellular phones, and tablet PCs.
15. All candidates are free to use all methods of social media to campaign.
16. All candidates must sign and adhere to the tenets of the Positive Campaign Pledge as follows:
 - i. “As a candidate for a position on the Student Government Association, I will uphold the moral standards of Mercer University. I will only campaign in a positive way for myself and/or any other candidate. By doing so, I will be in accordance with Mercer University’s judicial policy and all of the campaign regulations found in Article VIII of Title II of the Student Government Association’s Bylaws. I will maintain the high standards of respect exemplified by the Student Government Association of Mercer University throughout my campaign.”

ARTICLE VIII – Campaign Violations

1. Failure to adhere to the campaign rules constitutes a campaign violation as outlined in Article VII of the Election Code.
2. Any member of the student body may report a violation of the Election Code. A written account of the alleged violation must be submitted to the Election Marshal within 24 hours of discovery of the alleged violation. The account must state the rule violated, the time and location of the violation, and the candidate(s) accused of the violation. The Election Marshal may at anytime discuss the allegation with the Student Government Association Advisor, the Student Government Association President and the Student Government Association Vice President.
3. Upon receiving an account of a violation(s), the process shall be as follows:
 - i. The Election Marshal and the Public Relation & Election Committee, if needed, will gather all available evidence regarding the allegation(s). If there is no substantive evidence then the allegation(s) will be dismissed, and the accusing party will be notified.
 - ii. If there is evidence that warrants further discussion, the Election Marshal shall bring the allegation(s) and relevant evidence to a meeting with no less than 4 unbiased members of the Student Government Association that have been previously appointed at the discretion of Election Marshal. These four unbiased members will serve as a panel. Any and all allegation(s) and evidence shall be presented by the Election Marshal to the panel. All information presented during this meeting shall remain private and

confidential. These members shall decide if the allegations require advisement to the accused party, warning(s), or if it is deemed necessary for a hearing.

iii. If it is determined that a hearing shall be held, the President shall preside over any hearing regarding any Election Code allegation(s), and these hearings shall consist of: (1) the notification the accused party of the allegation(s) brought against them, (2) a defense from the accused party in regard to the allegation(s), and (3) adjudication by the panel on whether sanctions should be imposed, and, if so, which sanctions are necessary.

iv. To preserve the integrity of the hearing process, all parties involved have the right to request the removal of those with demonstrable bias from any hearing. Parties making accusations of bias shall bear the burden of proving such bias, and the final decision regarding the appropriateness of exclusionary requests shall be made by the Election Marshal, President, Vice President, at least one unbiased member of the panel, and if feasible, the advisor.

v. During the course of any hearing regarding allegations of Election Code violations, the panel shall determine if the allegations are substantiated. If so, the panel shall decide whether or not the substantiated violations warrant any penalties including but not limited to complete disqualification from the election. If penalties are not warranted or if the allegations are unsubstantiated, then the allegation(s) will be dismissed, and the accusing party will be notified.

vi. Any penalties imposed on any candidate due to an Election Code violation shall be determined during the course of that particular hearing, and after the adjournment of that hearing, may be altered only with the unanimous consent of the panel.

vii. After adjournment of any hearing, no party may be tried again for any adjourned hearing's allegation(s).

viii. The Election Marshal must notify, in writing, the respective candidates of any penalties within twelve hours of the adjournment of the hearing.

ix. All candidates involved in any election shall be subject to this process.

4. Any violations of the Student Code of Conduct shall be submitted to the Judicial Council of Mercer University for appropriate sanctions.
5. Any candidate disqualified for violations of the Election Code shall not be permitted to seek office again within the Same SGA administration.

6. Any student who is suspected of attempting to unfairly influence or alter the progress or outcome of Senatorial Elections may be disqualified and is subject to disciplinary action as deemed necessary by the Judicial Council of Mercer University in accordance with the Student Code of Conduct.

ARTICLE IX – Voting Procedures

1. All incoming freshman students may vote for Freshman Senators.
2. All undergraduate students may vote for President, Vice-President, and Senator-at-Large. Each student shall vote for the senatorial positions of the class to which he or she is rising into. Each class is defined as the class in which the student is expected to graduate.
3. Paper absentee ballots will not be issued. Any registered undergraduate student wishing to cast an absentee ballot must do so on the online voting portal.

ARTICLE X – Tabulation Procedures

1. Upon the closing of the polls, the Election Marshal shall lock the ballot box and personally carry it to the tabulation center in the Office of Student Affairs.
2. The ballots shall be counted by the Election Marshal. The President of the Student Government Association shall be present at all tabulations.
3. After final tabulation, the results will be signed by the Election Marshal, the President of the Student Government Association (or designee for Election Marshal) and the Advisor of the Student Government Association (or designee for the Election Marshal) for validation.
4. If no ticket for the offices of President and Vice-President receives a majority of the vote in that race, discounting blank ballots, there shall be a runoff election between the two tickets receiving the most votes.
5. In the Senatorial Elections, the five candidates with the most votes shall be elected. In the event of a tie for the class presidency, leading Senator-at-Large position, or the fifth seat in any Senate seat race, the votes shall be counted again. In the event of a tie, a runoff election shall result between the candidates that tied for these positions.
6. Improperly marked ballots shall be disqualified. Students who cast both paper and online ballots will have both ballots discounted and shall be subject to disciplinary action according to the Student Code of Conduct.
7. In the event of an error in tabulation, a recall vote will take place.
8. After the conclusion of voting and certification of results, all election results data shall be made public, no more than twenty-four hours after the conclusion of the election.

ARTICLE XI – Campaign Expenditure

1. There shall be a \$900 spending limit on campaign expenditures for each Presidential/Vice-Presidential ticket. Donations, in money or any other form, shall be included in this maximum.
2. There shall be a \$250 spending limit on campaign expenditures for all senatorial candidates. Donations, in money or any other form, shall be included in this maximum.
3. All financial reports must be submitted to the Election Marshal on the first day of elections with appropriate documentation. This includes, but is not limited to, receipts.
4. Violations of this article will result in the immediate disqualification of the candidate.