**Lone Star College-Kingwood Student**

**Government Association**

**Election Code**

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**Article I: General Provisions**

**Section 1:** **Purpose**

 **Clause 1:** This Election Code is hereby adopted by the Executive Board to fulfill the Constitutional responsibility of the Executive Board in **Article X, Section 10.02, Clause 1** to “prescribe manners of holding elections”.

**Section 2:** **Accountability of the Election Code**

 **Clause 1:** Every person who files for an office elected under the authority of the Student Government Constitution shall have access to a copy of this document at the time of filing.

 **Clause 2:** All candidates and their staff and volunteers shall be responsible for knowing its contents. Any questions concerning this document shall be addressed directly to the Election Commission, Chapter Advisor, or Student Government President.

**Article II: The Election Commission**

**Section I:** **Responsibilities**

 **Clause 1:** The Election Commission is responsible for the administration of the Student Government Association elections, as well as the administration of additional events at the discretion of the Election Commission that aim to promote the elections, inform the student body about elections, provide the candidates with information, allow candidates an opportunity to promote themselves, or otherwise contribute to a fair, efficient, and publicized election.

 **Clause 2:** The Election Commission must act impartially to any candidates or parties participating in a Student Government Association Election.

 **Clause 3:** The Election Commission must act in accordance with the Student Government Election Code, and the Student Government Constitution.

 **Clause 4:** The Election Commission must ensure to the best of its ability that all information provided by its members regarding the Student Government Association Elections is correct.

 **Clause 5:** If a constitutional amendment to be voted on by the General Membership has been provided by the Student Government Association Executive Board to the Election Commission, the Election Commission has the responsibility to ensure that the constitutional amendment is placed on the ballot correctly.

 **Clause 6:** The Election Commission must attempt to respond to any questions posed to the Commission through the designated and public e-mail address in a timely manner, defined as within four (4) days of the message being received.

**Section 2:** **Appointment**

 **Clause 1:** The Election Commission must be composed of a Chief Election Commissioner and at least two (2) Election Commissioners.

 **Clause 2:** All Election Commissioners must be appointed by the Student Government Association Vice President and confirmed by a two-thirds vote of the Student Government Association Executive Board.

 **Clause 3:** Members of the Election Commission must be students in good academic standing as stated in the Student Government Constitution in **Article II, Section 2.01, Clause 2.**

 **Clause 4:** The official term of each Election Commissioner begins at the time of confirmation by the Senate and ends after each spring semester.

 **Clause 5:** If there are any remaining vacant positions on the Election Commission at the time of six (6) weeks before an election, the Student Government Association Advisor will be authorized to fill any unassigned positions without the consent of the Executive board.

**Clause 6:** The Student Government Association Vice President will appoint replacements to the Commission if necessary, in the event of same-term vacancies. The replacement may begin performing duties as Commissioner as soon as they are appointed but must be confirmed by a two-thirds vote of the Executive Board to remain in the position.

 **Clause 7:** If the confirmation vote for a replacement to fill a vacancy on the Election Commission fails, the Vice President must appoint a new candidate to the position, subjective to the terms stated in [**Clause 6**.](#CLAUSE6)

**Section 3:** **Email**

 **Clause 1:** Election Commissioners must respond to emails within two business days.

**Section 4:** **Election Records**

 **Clause 1:** The Election Commission must prepare and submit to the Student Government Association Director of Records a collection of documents, correspondences, and other materials related to the elections so that the Student Government Association can keep records of all activities.

 **Clause 2:** The journal must include:

1. All completed forms and documents related to the election process.
2. All complaints, responses to complaints, and available correspondence regarding complaints.
3. Official election results and any available statistics or demographic information accompanying those results.
4. All available correspondence with the Vice President or the Appeals committee.
5. Any information from the appeals committee regarding the election.
6. Any information regarding future election commissions with remarks and suggestions related to the election.
7. Any materials requested by the SGA Advisor or Vice President to be placed in the journal.

**Section 5:** **Individual Duties of Commissioners**

 **Clause 1:** The Chief Election Commissioner must ensure that all duties of Election Commission are carried out as detailed in [**Article 2, Section 1**](#ARTICLE2SECTION1) of this election code.

 Clause 2: The Chief Election Commissioner may delegate both tasks and authority to the Associate Election Commissioners as necessary.

 Clause 3: The Chief Election Commissioner must designate one Associate Election Commissioner as specifically responsible for working with the Director of Communications for the marketing of the Student Government Association Elections. Minimum marketing requirements include:

1. Advertisement of all candidate dates and deadlines to the LSC webpage, all social media outlets, and on campus signage.
2. Recruitment materials that encourage all enrolled students to join the election.
3. An updated copy of the candidate application.

 Clause 5: The Election Commissioner may provide an impartial voter guide so long as each candidate is given an equal opportunity to be included in the guide.

 Clause 6: ***The SGA Advisor holds the right to make any corrections to any plans or actions of the election commission.***

 **Clause 7:** It is the responsibility of all commissioners to maintain confidentiality in respect to student records, eligibility, dismissal and all appeals matters.

**Section 6:** **Removal from Office**

 **Clause 1:** The Executive Board may remove any member of the Election Commission from office with a two-thirds vote.

 **Clause 2:** The Student Government Association Vice President may temporarily suspend, in accordance with [**Article V**](#Article5Violations)**,** any member of the Commission from his or her duties until the next Executive Board meeting.

 **Clause 3:** If the Student Government Association Vice President suspends the Chief Election Commissioner, the Vice President may allow a designated Association Election Commissioner to assume this position without the approval of the Executive Board.

 **Clause 4:** In the case of the suspension of an Association Election Commissioner or the suspension of the entirety of the Election Commission, these vacancies will be filled through the process detailed in [**Article 2, Section 2**](#ARTICLE2SETION2) of this Election Code.

**Section 7: Oath of Office**

 **Clause 1:** The Student Government Association Vice President must administer the following oath to each member of the Commission before the commencement of each member’s respective duties: **“I, (name), do solemnly affirm that I will faithfully execute the duties and responsibilities entrusted to me by virtue of my office, and will to the best of my ability, preserve, protect and enforce the Constitution and Election Code of the Student Government Association at Lone Star College-Kingwood.”**

**Article III: Candidates and Parties**

**Section 1: Responsibilities of a Candidate**

 **Clause 1:** All Candidates are held accountable to the provisions of this code, Student Government Association Constitution, and all other Lone Star College-Kingwood and System policies.

 **Clause 2:** Candidates will be held responsible for any activities by their supporters that are in violation of the provisions of this code if evidence supports that a candidate had actual or constructive knowledge of illicit activities and/or authorized or acquiesced in such activities.

 **Clause 3:** Candidates who are members of a party are held individually accountable for the provisions of this code, although parties as a whole may be penalized for violation of this code.

 **Clause 4:** All Candidates must attend a candidate orientation to be held no later than one (1) week after the filing deadline. At the time of filing, each candidate will be informed of the time and location of the orientation. The Chief Election Commissioner and the Student Government Advisor shall be responsible for the organization and execution of this orientation.

 **Clause 5:** Failure to attend the Candidate orientation will result in the disqualification of the candidate, unless the absence is requested by the candidate and approved by the Commission and/or the chapter advisor.

 **Clause 6:** The official method of communication between the Election Commission and candidates is by way of e-mail. It is the responsibility of the candidate to provide the Election Commission with valid and accessible e-mail address, and other contact information such as a valid phone number if available. Any information missed due to the lack of reading or any otherwise unstated reason is the sole responsibility of the candidate and not the Election Commission.

**Section 2:** **Qualifications of a Party**

 **Clause 1:** A party is defined as “an affiliation of candidates who group together to organize campaigning for an election.”

 **Clause 2:** Parties are not required to have a Presidential/Vice-Presidential pairing.

 **Clause 3:** Candidates shall not be listed on more than one party ticket.

**Section 3: Registering for Candidacy**

 **Clause 1:** A student may register as a candidate by registering his/her intention for candidacy by completing registration with the Election Commission during the filing period set by the Chief Election Commissioner.

 **Clause 2:** The registration period for candidacy must be at least ten (10) business days.

 **Clause 3:** In the General Election, each candidate must register for one position only. All subsequent registrations must be considered void unless the second application amends the first application before the filing deadline.

 **Clause 4:** Available positions for filing include: President, Vice President, Director of Records, Parliamentarian, Operations Director, Communications Director, or Senator.

 **Clause 5:** The Chief Election Commissioner is required to publicly announce the total number of candidates who have filed for candidacy, the total number of parties, and/or the total number of candidates for each position after the filing period.

 **Clause 6:** The Chief Election Commissioner may not disclose the names of any candidate(s) or party(s) before the filing deadline.

**Section 4:** **Restrictions on Parties**

 **Clause 1:** The use of parties is not allowed in any election held by the Student Government Association and will disqualify students who qualify for or identify as a party.

**Article IV: Campaigning**

**Section 1: Definition of Campaigning**

 **Clause 1:** Campaigning is defined as the direct or indirect solicitation of votes initiated by a candidate or campaign staff member.

 **Clause 2:** “Direct solicitation of votes” is defined as an attempt to obtain votes through personal communication.

 **Clause 3:** “Indirect solicitation of votes” is defined as an attempt to obtain votes through materials that can be seen or heard by potential voters.

 **Clause 4:** In the case of ambiguity related to whether or not an activity constitutes “campaigning,” the decision is at the discretion of the Election Commission. This decision must be consistent across all candidates and campaigns.

 **Clause 5:** A “campaign staff member” is any individual aiding a candidate or party in any matter related to the election.

 **Clause 6:** Campaigning does not include any actions taken by candidates or parties to organize before the close of the filing deadline.

**Section 2:** **Prohibitions on Campaigning**

 **Clause 1:** All on-campus campaigning must occur in accordance with LSC policies, including those of the departments. LSC Administration reserves the right to prohibit campaigning if it causes disruption in business activities.

 **Clause 2:** No campaigning may use personal property without the consent of the owner.

 **Clause 3:** No campaigning may interfere with a physical polling location or the online voting system.

 **Clause 4:** No candidate or party staff member may assist a voter in the online voting system, except as authorized by the Election Commission.

 **Clause 5:** No campaigning may occur within the building where an official physical polling location is for the entirety of the election days.

 **Clause 6:** No campaigning may occur before the start of the official campaigning period as dictated by the Election Commission.

 **Clause 7:** The Election Commission may not place the start of the campaigning period before the end of the candidate-filing period.

**Section 3:** **Campaign Materials and Endorsements**

**Clause 1:** All physical or online campaign materials must be accompanied by the name of the individual(s), candidate(s), or party(s) responsible for funding, producing, and distributing the material(s).

**Clause 2:** All physical or online campaign materials must be in accordance with the Student Government Association governing and all LSC policies.

 **Clause 3:** Candidates or parties with campaign materials found to be in violation of [Article IV, Section 3, Clauses 1](#ARTICLE4SECTION3CLAUSE1) or [2](#ARTICLE4SECTION3CLAUSE2) are subject to penalties following a formal complaint.

 **Clause 4:** Candidates or parties that are found to have presented a false claim of endorsement by any individual, organization, or business, are subject to penalties following a formal complaint.

**Section 4:** **Campaign Ethics**

 **Clause 1:** Election Commissioners are prohibited from campaigning or verbalizing support for a particular candidate or party.

 **Clause 2:** Candidates must act in accordance with the Student Government Association governing documents and the policies of LSC.

 **Clause 3:** No candidate or campaign staff member may interfere with the campaign materials of an opposing candidate or party.

 **Clause 4:** No candidate or campaign staff member may make any threats of physical or emotional abuse of an opposing candidate or party.

 **Clause 5:** No candidate or campaign staff member may offer a gift to a member of the Election Commission or the Vice President.

 **Clause 6:** No candidate or campaign staff member may request proof that an individual voted for a candidate or party that they claim to have voted for.

 **Clause 7:** No bullying of any kind will be tolerated. This includes but is not limited to cyberbullying, participating in hearsay gossip about a candidate, or spreading false information.

**Article V: Violations**

**Section 1: Complaints and Reporting**

 **Clause 1:** Any Lone Star College System student, faculty, or staff member may file a complaint.

 **Clause 2:** An official complaint must first be filed with the Student Government Association Vice President. The Vice President will then investigate said complaint. The Vice President must submit written documentation of review to the Election Commission no more than three (3) days after the Vice President receives the complaint.

 **Clause 3:** The Vice President shall make a decision pertaining to the merit of the complaint, and provide substantive reasoning based on the Election Code, Student Government Association Constitution, and any other institutional policies.

 **Clause 4:** The Vice President shall decide within one (1) class day whether a complaint has merit. The Vice President must also receive written agreement from the Chief Election Commissioner before being able to proceed. If the complaint is deemed legitimate, then the Vice President may penalize the candidate(s)/individuals according to the penalties proscribed in the Election Code.

 **Clause 5:** Candidate(s)/individuals may appeal their penalty or its severity before the appeals committee. The committee, after receiving appeals, may review the appeal and choose not to hear the appeal, and may deny the appeal

 **Clause 6:** If an appeal is denied by the appeals committee, the Vice President’s ruling on the violation is final and the penalty shall be immediately enforced.

 **Clause 7:** If the appeals committee chooses to hear an appeal, it must rule on the appeal within 2 business days of hearing the appeal.

 **Clause 8:** If the appeals committee chooses to hear an appeal, the committee may decide that enforcement of the penalties contained in the appeal be suspended until a final ruling is made on the case.

**Section 2:** **Classifications of Penalties**

 **Clause 1:** The appeals committee shall have the discretion to consider the severity of each violation in their final ruling of penalty.

 **Clause 2:** Class A violations include, but are not limited to: any violation of the disciplinary policies of LSC and/or local, state, and/or federal laws; Election Fraud; falsified campaign documents, identity theft.

 **Clause 3:** The penalty for a class A Violation is the disqualification of the candidate(s) from the election and an automatic referral to the Dean of Student Development.

 **Clause 4:** Class B Violations include, but are not limited to: deliberately defacing, altering, or destroying the campaign material of another candidate without that candidate’s explicit written permission; the obstruction of the Election Commission in the discharge of their official duties.

 **Clause 5:** The penalty for a Class B Violation is a temporary suspension of campaigning. The Vice President shall have the discretion in administering a fair and proportional suspension. The Vice President may be appealed by the SGA Advisor.

 **Clause 6:** Class C Violations include but are not limited to: pre-campaigning; failure to submit required campaign documents to the Election Commission.

 **Clause 7:** The penalty for a Class C Violation is a written warning from the Vice President at the first occurrence, and a 24-hour suspension of campaigning for every subsequent occurrence.

 **Clause 8:** Party staff members and volunteers are subject to the same violations and penalties as candidates. The Vice President and SGA Advisor have jurisdiction to decide whether or not it is necessary to penalize the party for a violation of its staff/volunteer members.

**Section 3:** **Election Fraud**

 **Clause 1:** “Election Fraud” is defined as the unauthorized tempering, altering, or abuse of the voting process.