



Baylor University  
Student Government  
Electoral Code

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## TITLE I THE ELECTORAL CODE

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### 1.1. Application

1.1.1. The Electoral Code shall apply to all elections, voting, nominations and appointments within Baylor University Student Government.

1.1.2. The Electoral Code shall be the governing document of the Electoral Commission.

1.1.3. The Electoral Code shall be the governing document for all elections held by the Baylor University Student Government.

## **1.2. Authority**

1.2.1. The Electoral Code shall not conflict with the Baylor University Student Constitution.

1.2.2. The authority of the Electoral Code is provided by Article IV of the Baylor University Student Body Constitution, and all other portions relevant under the Baylor University Student Body Constitution.

1.2.3. This Code shall be created and amended by the Baylor University Student Senate with two-thirds affirmative vote and approval of the Baylor University Student Body President.

1.2.4. Any alterations to this code shall be adopted at the time the alterations are considered enacted legislation.

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## TITLE II THE ELECTORAL COMMISSION

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### **2.1. Purpose**

2.1.1. The Electoral Commission is established under the Baylor University Student Body Constitution to oversee all elections within Baylor University Student Government; and to perform all duties outlined within the Baylor University Student Body Constitution.

### **2.2. Composition**

2.2.1. The Electoral Commission shall be comprised of one Electoral Commissioner, four Electoral Commission Members, one Elections Marshal, and any other positions deemed necessary and expedient by the Baylor University Student Court.

2.2.2. All Electoral Commission members shall serve a term of one year beginning at the time of their appointment and ending at the commencement of the Baylor University fiscal year.

### **2.3. Eligibility**

2.3.1. All members of the Electoral Commission shall meet the qualifications for membership in Student Government set forth in Article I of the Baylor University Student Body Constitution.

2.3.2. All members of the Electoral Commission shall meet the qualifications for membership within the Baylor University Student Government Judicial Branch set forth in Article IV of the Baylor University Student Body Constitution.

2.3.2.1. Members of the Electoral Commission shall either pay reduced dues not to exceed 50% of the dues set by the Student Government Operating Budget or shall be relieved from paying dues. This decision shall be subject to the discretion of the Student Body President.

2.3.3. No member of the Electoral Commission may serve or seek election for another office within Baylor University Student Government at any time during their term.

## **2.4. Jurisdiction**

2.4.1. The Electoral Commission has original jurisdiction over all actions resulting from matters of voting and elections conducted by the Student Body.

2.4.2. The Electoral Commission has the ability to issue decisions regarding all matters of voting and elections conducted by the Baylor University Student Body.

2.4.3. The Electoral Commission has the ability to interpret the Electoral Code in order to make a decision in matters of voting and election by the Student Body.

2.4.4. The Electoral Commission shall hold any additional jurisdiction provided as a lower judicial body within the Baylor University Student Government's Judicial Branch.

## **2.5. Duties**

2.5.1. The Electoral Commission shall publicize all Student Government Elections to the Baylor University Student Body with the assistance of the Department of Student Activities.

2.5.2. The Electoral Commission shall hold hearings involving matters brought to them under their jurisdiction.

2.5.3. The Electoral Commission shall create an election calendar at least five weeks before the election is to be held.

2.5.4. The Electoral Commission shall approve campaign materials that are submitted by Candidates and that are in accordance with this Electoral Code and Baylor University Policy.

2.5.5. The Electoral Commission members shall be available to hear cases under their jurisdiction within 24 hours of the cases being filed.

2.5.6. The Electoral Commission shall create a preliminary ballot 96 hours prior to the start of all Baylor University Student Body voting.

2.5.7. The Electoral Commission shall penalize candidates found to have failed to adhere to this Electoral Code.

2.5.8. The Electoral Commission shall perform all other duties concerning the administration of Baylor University Student Body voting provided under the Baylor University Student Body Constitution.

2.5.9. The Electoral Commission, with the assistance of the Electoral Commission's Faculty Advisor, shall verify voting results and petition signatures under their jurisdiction.

2.5.10. The Electoral Commission shall abide by: The Baylor University Student Body Constitution, The Baylor University Student Court Rules of Original Jurisdiction, and all writs of mandamus issued by the Baylor University Student Court in accordance with the Baylor University Student Body Constitution.

2.5.11. Members of the Electoral Commission shall not provide assistance to a candidate or a campaign worker.

2.5.12. Infractions of these duties shall result in disciplinary procedures found within this Electoral Code or the impeachment of the Electoral Commission member by procedures found in Article II of the Baylor University Student Body Constitution.

## **2.6. The Electoral Commissioner**

2.6.1. The Electoral Commissioner shall be the spokesperson for the Electoral Commission.

2.6.2. The Electoral Commissioner shall preside over all hearings filed before the Electoral Commission and administer proceedings in a manner deemed proper and in accordance with: The Baylor University Student Body Constitution, The Electoral Code, The Baylor University Student Court Rules of Original Jurisdiction, and any writs of mandamus issued by the Baylor University Student Court.

2.6.3. The Electoral Commissioner shall organize the meetings of the Electoral Commission and all events administered by the Electoral Commission.

2.6.4. The Electoral Commissioner shall sign off on voting results after they have been verified.

2.6.5. The Electoral Commissioner shall not vote on decisions of the Electoral Commission, except in the event of a tie.

2.6.6. The Electoral Commissioner shall select the remaining members of the Electoral Commission and appoint vacancies arising in the Electoral Commission, not including the Elections Marshal.

2.6.7. The Electoral Commissioner shall be subject to impeachment and removal by the Senate in accordance with Article II of the Student Body Constitution.

2.6.8. The resignation or vacancy of the Electoral Commissioner shall be delivered to the Student Court Chief Justice and shall be effective upon receipt and recognition. The Assistant Electoral Commissioner shall act as interim Electoral Commissioner until a new Electoral Commissioner is chosen.

## **2.7. The Assistant Electoral Commissioner**

2.7.1 The Assistant Electoral Commissioner shall be appointed by the Electoral Commissioner from within the total membership of the Electoral Commission.

2.7.2. The Assistant Electoral Commissioner shall act as Vice Chairperson of all Electoral Commission hearings and all events administered by the Electoral Commission.

2.7.3. The Assistant Electoral Commissioner shall serve as the acting Electoral Commissioner in the absence of the Electoral Commissioner.

2.7.4. The Assistant Electoral Commissioner shall sign off on voting results after they have been verified.

2.7.5. The Assistant Electoral Commissioner shall be subject to a suspension of their duties by a unanimous vote of the Baylor University Student Court.

2.7.6. The Assistant Electoral Commissioner shall be subject to impeachment and removal by the Baylor University Student Senate in accordance with Article II of the Student Body Constitution.

## **2.8. The Elections Marshal**

2.8.1. An Elections Marshal may be appointed by the Baylor University Student Court.

2.8.2. The Elections Marshal shall monitor the activity of candidates and campaign workers during the campaign period of all Student Government elections in order to ensure Candidate compliance with the Electoral Code and Baylor University Student Body Constitution.

2.8.2.1. In preparation for the Student Senate elections, the Elections Marshal shall collect confirmation from each candidate who filed to run for a seat representing a specified Student Population.

2.8.2.2. Adequate proof of constituency (e.g. verification by Baylor faculty, staff, or administration) in any of the stated categories shall be determined by the Elections Marshal.

2.8.2.3. The Elections Marshal shall remind all candidates *twice* before campaigning begins of their need to provide adequate proof of constituency.

2.8.2.4. Failure to provide adequate proof of constituency before campaigning begins shall result in the candidate's removal from all ballots.

2.8.3. The Elections Marshal shall ensure the compliance of candidates and their campaign staff during the campaign period by compiling evidence of infractions and submitting formal complaints to be heard before the Electoral Commission.

2.8.4. The Elections Marshal shall bring forward all discovered infractions.

2.8.5. The Elections Marshal shall not be permitted to preside over actions before the Electoral Commission nor may they discuss the hearings before

the Electoral Commission with members of the Electoral Commission or the Baylor University Student Court.

2.8.6. All actions submitted by the Elections Marshal are confidential and are only to be disclosed to the Candidate and the Electoral Commission prior to the Electoral Commission decision.

2.8.6.1. If the accused party requests the identity of the accuser, then the Marshal shall inform the accuser that the request has been made, and the accuser can either revoke their accusation or agree to reveal their identity.

2.8.7. The Elections Marshal shall review all financial disclosures submitted by any candidates with pending complaints to ensure their compliance with the Electoral Code and the Baylor University Student Body Constitution.

2.8.8. The Elections Marshal shall not be permitted to appeal a decision of the Electoral Commission.

2.8.9. The Elections Marshal shall not file claims against candidates in matters that are presently submitted to the Electoral Commission, or in matters that have previously been decided by the Electoral Commission.

2.8.10. If deemed in violation of their duties as Election Marshal, the Baylor Student Court may suspend them of their duties with a two-thirds vote of the justices and approval of the Student Court Advisor.

2.8.11. The Elections Marshal shall be subject to impeachment and removal from office by the Baylor University Student Senate in accordance with Article II of the Student Body Constitution.

2.8.12. A vacancy or suspension of the Elections Marshal shall be filled by a student appointed by the Baylor University Student Court.

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## TITLE III CANDIDATES

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### **3.1. Eligibility**

3.1.1. All candidates must be qualified for the office in which they are campaigning at the time they intend to take office, which includes qualifications set by the Baylor University Student Body Constitution and Baylor Administration.

3.1.2. The Electoral Commission may rule on discrepancies of qualification that are not subject to Student Activities brought forward by the Election Marshal. A candidate may submit an appeal of the Electoral Commission's decision regarding their eligibility to the Baylor University Student Court.

3.1.3. Candidates shall release their judicial and educational records to the



Student Government Advisors for approval of the candidate's eligibility. The Student Government Advisors' decision regarding a candidate's eligibility is appealable only to the Vice President for Student Life.

3.1.4. Student Classification shall be determined by the definition provided within the Baylor University Student Body Constitution and decided by the Electoral Commission.

3.1.5. Students may campaign for a maximum of two offices subject to the following rules.

3.1.5.1. Students may campaign for two student senate that they qualify for.

3.1.5.1.1. A clarifying document that outlines qualifications for Senate seat categories will be updated yearly by Student Activities and received by the Internal Vice President to be posted on the Student Government website.

3.1.5.2. Students may campaign for one seat in the Student Senate and a Student Body Officer position.

### **3.2. Candidate Filing**

3.2.1. Candidates for Student Body Officer, Class Officer, or Student Senator must file a candidacy form with the Electoral Commission at the Student Government Office before the deadline set by the Commission.

3.2.2. The candidate-filing deadline shall occur at 5 pm on the Friday prior to the Mandatory Candidate Meeting. Filing must occur within the two weeks prior to the mandatory candidate meeting.

3.2.3. Senate candidates running for seats in two Senate seat categories shall provide on their filing form a ranking of the seats they are campaigning for. After the filing deadline has passed candidates may not change the position(s) that they are running for without a decision of the Electoral Commission.

3.2.4. A candidate may use a commonly known nickname when filing. The name is subject to review by the Electoral Commission and shall appear with the candidate's legal name on the ballot.

3.2.5. A candidate may remove himself or herself from the ballot by submitting a request to the Electoral Commission 24 hours prior to the election.

3.2.6. Filing deadlines may not be changed after the Electoral Commission has set them.

### **3.3. Campaign Expenditures**

3.3.1. Campaign expenses are limited to the following:

3.3.1.1. Student Body Officers are limited to spending \$500.

3.3.1.2. Class Officers are limited to spending \$175.

- 3.3.1.3. Student Senators are limited to spending \$125.
- 3.3.2. Signs, billboards, and banners of all candidates must conform to the requirements established by Baylor University Student Activities.
- 3.3.3. Paper, including flyers and handouts, must conform to the requirements established by Baylor University Student Activities which are as follows:
  - 3.3.3.1. Any images or logos used in printed materials should be original artwork, purchased through an approved service, or used with express permission for those purposes.
  - 3.3.3.2. Flyers should be no smaller than 8 1/2" X 11" and no larger than 11" X 17"
  - 3.3.3.3. 8 1/2 x 11 or 11" X 17": 75 poster limit for non-residential campus facilities.
  - 3.3.3.4. 8 1/2" X 11" or 11" X 17": 173 poster limit for Campus Living & Learning facilities.
  - 3.3.3.5. Flyers and posters may be posted on public bulletin boards in campus buildings. Flyers and posters may not be posted on furniture, walls, windows, doors, parking facilities, bathroom stalls, classroom spaces, or other campus locations
  - 3.3.3.6. In posting flyers and poster in residence halls when flyers/posters are approved and stamped through the Department of Student Activities student organizations may bring up to 173 copies to the Campus Living & Learning office (located in Penland Hall) at least seven to ten days prior to the event. Residence hall staff will post on each floor, wing, or building. No posting is allowed by persons other than residence hall staff. All flyers that are posted in violation of these procedures will be removed and disposed.
- 3.3.4. Candidates must seek approval from Student Activities before placing signs on campus bulletin boards.
- 3.3.5. Candidates are limited to one sign per bulletin board.
- 3.3.6. Buttons, Stickers, Pins, and Business Cards may be distributed and must conform to the following candidate limitations:
  - 3.3.6.1. Student Body Officers are limited to a combined total of 2000.
  - 3.3.6.2. Class Officers are limited to a combined total of 1000.
  - 3.3.6.3. Student Senators are limited to a combined total of 750.
- 3.3.7. T-Shirts may be distributed and must conform to the following candidate limitations:
  - 3.3.7.1. Student Body Officers are limited to 50 total.
  - 3.3.7.2. Class Officers are limited to 40 total.
  - 3.3.7.3. Student Senators are limited to 30 total.
- 3.3.8. Expense reports for all materials, including any electronic materials, must be itemized and submitted to the Elections Marshal and all materials used will be counted towards the total of the candidate's campaign expenses.

3.3.8.1. An expense report shall be filed even if the campaign has no expenses.

3.3.9. Candidates participating in a runoff election will be allowed to spend an additional 25% of their total allotted candidate expenses. Candidates participating in a runoff will continue to be subject to campaign material limitations.

3.3.10. Candidates shall submit a bill of sale for materials or if not possible assign value of materials at the wholesale value or the material's market price. The Electoral Commission may assign an appropriate value to a material if a candidate fails to do so, or does so inaccurately.

3.3.11. Initial Expense reports are due from the candidates three class days prior to the start of the election. Candidates may amend the expense report up until 5 pm on the class day before the election is to be held. Failure to submit an expense report by the deadline, or submitting an expense report shown to be false, will result in a hearing and should the candidate be found in violation, removal from the ballot.

3.3.12. Materials not purchased shall be handled in the following way:

3.3.12.1. Donated items or recycled campaign materials may be assigned value that reflects 80% of the materials price.

3.3.12.2. Campaign flyers and handouts of standard size that have been printed using personal printers shall be valued at the price of a paper printed using campus printers.

3.3.12.3. The Electoral Commission may revalue the price of these items if cause is present.

### **3.4. Write-in Candidates**

3.4.1. A write-in candidate is defined as any individual who does not attend the mandatory candidate meeting, does not meet the filing requirements, does not turn in campaign worker list, or does not turn in an expense report.

3.4.2. Write-in candidates shall be subject to all other restrictions in this document including expense limits.

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## TITLE IV CAMPAIGNING

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### **4.1. Definitions**

4.1.1. "Campaigning" is the act of directly soliciting votes from members of the Baylor University Student Body.

4.1.2. A "Campaign" is any process undertaken by an individual or group of individuals that involves campaigning.

4.1.3. “Candidates” are any persons seeking election in the next election cycle, whom have filed with the Electoral Commission and have paid the filing fee, or persons planning on seeking election in the next election cycle prior to their filing.

4.1.4. “Campaign Workers” are any persons expressly directed by the candidate, or by another campaign worker of that candidate, to campaign for said candidate.

4.1.5. “Endorsement” is the act of support being provided by one individual to a candidate or group of candidates or a campaign or group of campaigns without the expressed direction of the candidate.

4.1.5.1. The sole act of accepting an endorsement is not expressed direction.

4.1.6. “Ticket” is the ballot procedure of grouping a candidate in order to be voted on concurrently.

4.1.7. “Joint Campaigning” is the act of multiple candidates who are running for the same category of office (Class Officers, Senators, and Student Body Officers) campaigning together in an effort to elect the other individual or appearing jointly on the same campaign materials.

4.1.8. “Chartered Organization” is an organization that appears as an active organization on Baylor University’s Connect portal.

## **4.2. General Interest Meetings**

4.2.1. The Electoral Commission shall hold a Spring Election Cycle General Interest Meeting no later than seven class days before filing begins.

4.2.2. The Electoral Commission shall hold a Fall Election Cycle General Interest Meeting no later than five class days before filing begins.

4.2.3. The Student Body President or a representative appointed by the Student Body President shall chair these general interest meetings.

## **4.3. Mandatory Candidate Meeting**

4.3.1. Candidates are required to attend one of the mandatory candidate meetings.

4.3.2. These meetings shall occur no more than seven class days after the filing period has closed and 24 hours before the start of any campaigning.

4.3.3. Time, location, and date shall be placed on the candidate filing application.

4.3.4. A candidate must attend a mandatory candidate meeting or send a representative in their place. The representative may not be another candidate.

4.3.4.1 Emergency situations shall exempt the candidate from fulfilling their obligation to attend the mandatory candidate meetings. An emergency shall include but is not limited to: serious illness, accident, or death/serious illness in the family. Documentation showing an

emergency occurred shall be provided to the Electoral Commission in a timely manner.

4.3.5. Attendance shall be taken at the beginning and end of any mandatory candidate meetings.

4.3.6. At the mandatory candidate meetings, the Electoral Commission shall provide candidates with this Electoral Code, a map of permitted campaigning areas, a list of regulations set by Student Activities, and will take questions from the candidates.

#### **4.4. General Campaign Guidelines and Regulations**

4.4.1. Campaigning shall not mar the dignity of Baylor University or its campus.

4.4.2. Campaigning may not disturb classes in session. This regulation applies even if an instructor permits campaigning.

4.4.2.1. Passive campaigning, such as wearing a button on a backpack or t-shirt, shall be permitted in classrooms.

4.4.2.2. Active campaigning, including but not limited to oratory campaigning or distributing campaign materials, shall not be permitted in classrooms.

4.4.3. Active campaigning shall not occur in areas designated as “quiet areas” or “computer labs.” Any area that seeks to reduce noise levels falls under this regulation.

4.4.4. Candidates are not permitted to attack the character of another candidate, or falsely represent another candidate’s platform to voters. 4.4.5. Candidates are responsible for all actions of those defined as “campaign workers” within their campaign.

4.4.6. All “tickets” or “joint campaigning” is prohibited. Candidates may not share campaign funds.

4.4.7. Any bribery or encouragement of voting through rewards of monetary or other value is prohibited in all circumstances.

#### **4.5. Approval of Campaign Materials**

4.5.1. Candidates shall conform to all standards set by Student Activities when distributing campaign materials.

4.5.2. Candidates shall not use materials copyright protected and belonging to Baylor University.

4.5.3. Candidates may submit materials to the Electoral Commission for approval prior to releasing them to the public if they are unsure of the materials status.

4.5.4. Candidates are expected to know the requirements set forth by Baylor University Student Activities and other requirements of Baylor University.

4.5.5. Ignorance of material requirements shall not be considered an excuse for a candidate’s violation.

4.5.6. The location of a candidate's social media materials must be submitted to the Electoral Commission prior to its use.

4.5.7. Violations of regulations regarding campaign materials are subject to decision and sanction by the Electoral Commission.

#### **4.6. Violations**

4.6.1. Any person violating the policies regarding copyright materials of Baylor University, or the policies of Baylor University Student Activities will be subject to sanction by the Electoral Commission.

4.6.2. The act of destroying, removing, damaging, or covering campaign materials by a candidate or campaign worker is prohibited. Persons found responsible by the Electoral Commission will be disqualified and referred to Judicial Affairs for further review.

#### **4.7. Full Scale Campaigning**

4.7.1. Student Body Officers may begin campaigning at 8 am, ten class days prior to the start of their election.

4.7.2. All other candidates may begin campaigning at 8 am, five class days prior to the start of their election.

4.7.3. No candidate or campaign worker may use the Student Government Office or resources of Student Government in their campaign. This includes, but is not limited to, letterhead, Student Government media pages, and the Student Government printer.

4.7.3.1. The Electoral Commissioner shall be the sole arbitrator in the determination of the campaign dates. After which point the information will be simultaneously released to the student body at large.

#### **4.8. On-Campus Campaigning**

4.8.1. All campaign materials placed in Baylor University residence halls or Baylor University buildings must conform to all building policies established by Baylor University.

4.8.2. Student Activities or Campus Living & Learning must approve all materials displayed within Baylor residence halls and Baylor buildings.

4.8.3. Candidates are responsible for conforming to all Baylor University Student Activities and Campus Living & Learning policies. Failure to abide by these policies will result in a hearing before the Electoral Commission.

4.8.4. Materials placed outside must be made of water-resistant material and not be expected to create litter when exposed to the outdoors.

4.8.5. Students must abide by signage placement limitations when determining where to place campaign materials. A map outlining these locations can be found at the end of this Code. Materials may not be placed on:

4.8.5.1. War memorial posts;

- 4.8.5.2. Statues, fountains, or monuments;
- 4.8.5.3. Sidewalks, fences, or steps;
- 4.8.5.4. This shall include statements written in chalk.
- 4.8.6. Materials may not be sent through the Baylor University mailbox system, unless addressed and postmarked to an individual person.
- 4.8.7. Materials may not be placed on automobiles.
- 4.8.8. Violations of the above regulations are subject to review by the Electoral Commission.
- 4.8.9. Student Body Officer candidates may address chapel classes through approved video without violating this Electoral Code.

#### **4.9. Electronic Campaigning**

- 4.9.1. No electronic campaigning or materials may be used prior to the start of the full-scale campaigning period.
  - 4.9.1.1. Facebook groups, GroupMe posts, and any other types of group messaging service shall be classified as electronic campaigning and are subject to the guidelines set forth under § 4.9. of this Electoral code.
- 4.9.2. Any candidate's social media account used for campaigning, whether created with the intent to be a personal account or not, will be considered a campaign page and subject to regulations set forth in § 4.9 of this Electoral code.
  - 4.9.2.1. Candidates may leave a picture(s) posted on social media after the conclusion of the election cycle as long as it does not contain any campaign material and the caption has been edited in order to remove any mention of the campaign.
- 4.9.3. No use of University systems.
  - 4.9.3.1. University systems shall be solely defined and interpreted to mean Canvas, Blackboard or an equivalent academic system.

#### **4.10. Endorsements**

- 4.10.1. Candidates may accept endorsements from chartered student organizations on Baylor University's campus.
- 4.10.2. Candidates shall be prohibited from accepting endorsements from any non-Baylor entities or persons such as but not limited to organizations or businesses in the community.
- 4.10.3. An endorsement shall not be classified as accepted until it has been acknowledged by the candidate.

#### **4.11. Campaign Workers**

- 4.11.1. Campaign workers must be Baylor University Students.
- 4.11.2. Candidates must submit a list of all campaign workers to the Electoral Commission 24 hours prior to the start of campaigning.
- 4.11.3. Only campaign workers may engage in campaigning.

4.11.3.1. This shall not prohibit non-campaign workers from making public displays of support for a candidate, with the exception of candidates running for the same category.

4.11.4. Candidates may add additional campaign workers up until 24 hours prior to the start of elections.

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## TITLE V VOTING

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### **5.1. Voting Procedure**

5.1.1. Voting in the Spring general election shall begin at 8 am and end at 5 pm CST on Thursday and Friday three weeks before the final day of classes.

5.1.2. Voting in the Fall general election shall begin at 8 am and end at 5 pm prior to the sixth Friday of the fall semester.

### **5.2. Voting Process**

5.2.1. A student may vote after certifying they are a student at Baylor University.

5.2.1.1. A student shall only be able to vote for the Student Senate categories in which they qualify.

5.2.2. A student shall only vote once shall vote using the approved voting platform.

5.2.3. Candidates and campaign workers may not use voting booths or provided their personal electronic devices as a means for others to vote.

5.2.4. Ballots for Student Government elections and referendums shall be offered in languages frequently spoken by members of Baylor University student body as advised by the Baylor Office of Multicultural Affairs, Baylor Center for Global Engagement, and other campus departments, organizations, and resources.

### **5.3. Results**

5.3.1. Election results will be tabulated by Baylor University Student Activities personnel following the closing of the polls.

5.3.2. When satisfied with the counting of the ballots, the Electoral Commissioner, Assistant Electoral Commissioner, and the Director of Student Activates will sign a certificate of election after reviewing the results tabulated by Baylor University Student Activities. The results will be released publicly.

5.3.3. No election results will be announced until the certificate of election is signed.



5.3.4. In the event a candidate receives both a Student Senate seat and another position they shall be given the other position and the candidate receiving the next most votes in the Student Senate election will take that candidates spot.

5.3.4.1. If a candidate running for two Senate seat categories receives enough votes to win a seat in both categories, the candidate shall be given the seat ranked first on their filing form.

5.3.5. In Student Senate elections, the top candidate(s) shall receive seats for each respective category.

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## TITLE VI VIOLATIONS

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### **6.1. Reporting Violations**

6.1.1. Candidates are responsible for reporting violations of the Electoral Code to the Electoral Commission.

6.1.2. Reports of violations that occur prior to the start of Election day(s) shall be submitted in writing prior to the start of election day(s). Reports of violations that occur on election day(s) shall be submitted in writing within 24 hours of the end of the election. All reports shall be signed by the complaining party.

6.1.3. The Electoral Commission shall provide all parties with a copy of the written complaint.

6.1.4. Both the complaining party and the accused party have the right to appoint other students as counsel in the proceedings before the Electoral Commission.

6.1.5. The Electoral Commission shall not be allowed to disqualify any individual from serving as counsel unless that individual is currently seeking election.

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## TITLE VII HEARINGS

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### **7.1. Hearings**

7.1.1. Complaints filled with the Electoral Commission with merit shall receive a hearing. Cases deemed to not demonstrate merit may be denied by the Electoral Commission, this decision may be appealed to the Student Court.

7.1.2. The Electoral Commission must have quorum of three members to hold a hearing. The Electoral Commissioner or the Assistant Electoral Commissioner must be presiding for a hearing to take place.

7.1.3. The accusing party and the accused shall be provided with the same rights afforded to a student during a hearing under Article IV of the Student Body Constitution and the Student Court Rules of Original Procedure subject to reasonable changes given the emergency nature of such hearings.

7.1.4. All claims before the Electoral Commission shall be considered judicial emergencies and a hearing will be held within 24 hours after notification is sent to both parties.

7.1.5. In the case of all hearings before the Electoral Commission, the standard preponderance of the evidence shall be used when determining responsibility.

7.1.6. The Electoral Commission shall provide all parties with a copy of the written complaint.

7.1.7. All decisions of the Electoral Commission must be made in a written opinion and sent to all parties to the complaint.

7.1.7.1. All written opinions issued by the Electoral Commission shall be posted at the Student Government Offices for the remainder of the election cycle as well as to the Student Government website for four years.

## **7.2. Administrative Hearings**

7.2.1. An administrative hearing shall be held in all cases that involve failure to file on time, failure to attend the mandatory candidate meeting, and failure to submit a valid expense report.

7.2.1.1. Administrative hearings shall be held to determine if the candidate did in fact violate the code and if so if there is an exception that may be applicable.

7.2.2. The candidate accused of committing one of the infractions listed in 7.2.1. of this Electoral Code shall be afforded the opportunity to participate in the hearing and provide a defense subject to the guidelines outlined in the Student Court Rules of Original Procedure and the Baylor University Student Body Constitution.

## **7.3. Full Hearings**

7.3.1. A full hearing shall be held in all other instances not specifically named in 7.2.1. of this code such as, but not limited to, candidate v candidate and Electoral Marshal v candidate.

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## TITLE VIII PENALTIES

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## **8.1. Guidelines for Penalties**

- 8.1.1. No candidate shall be penalized in any way without a hearing and official decision of the Electoral Commission.
- 8.1.2. The Electoral Commission may penalize any candidate for violations of the Electoral Code; including all actions violating the Electoral Code performed by a candidate's staff.
- 8.1.3. At the conclusion of the hearing, the Electoral Commission shall enter closed session and determine first if a candidate is responsible for the violations listed in the claim.
- 8.1.4. If a candidate is deemed not responsible, they shall receive no penalty.
- 8.1.5. If a candidate is deemed responsible, they shall receive a penalty appropriate to remedy the violation.
- 8.1.6. Penalties include, but are not limited to:
  - 8.1.6.1. Limitation of expenses.
  - 8.1.6.2. Issuance of a cease and desist order enjoining the actions constituting the violations to remain in effect for a time period deemed appropriate by the commission.
  - 8.1.6.3. Limitation of campaigning time.
  - 8.1.6.4. Removal from the ballot.
  - 8.1.6.5. Disqualification.
  - 8.1.6.6. The Electoral Commission may also determine an appropriate remedy not listed here.

## **8.2. Authority of the Decisions**

- 8.2.1. Candidates must comply with decisions of the Electoral Commission immediately or face further sanctions and further review by Judicial Affairs. This rule shall apply unless the Baylor University Student Court issues an order affecting a candidate's compliance with a decision of the Electoral Commission.
- 8.2.2. Candidates who are disqualified or removed from the ballot by the Electoral Commission shall have that sanction withheld until the Student Court rules on any appeal made by the candidate.

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## TITLE IX APPEALS

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### **9.1. Process for Appealing the Electoral Commissions Decisions**

- 9.1.1. The Student Court holds appellate jurisdiction over all decisions made by the Electoral Commission.

9.1.2. A petition for review must be filed with the Student Court along with briefs conforming to its guidelines set forth in the Student Court Rules of Appellate Procedure.

9.1.3. The Electoral Commission may submit briefs defending their decision. The Electoral Commissioner or the Assistant Electoral Commissioner shall represent the Electoral Commission before the Baylor Student Court in appeals of Administrative Decisions.

9.1.4. When a candidate wishes to appeal a decision in a candidate vs. candidate or election marshal vs. candidate case the parties that shall be named on the appeal shall be the same parties that were initially named in the hearing before the electoral commission.

9.1.5. A candidate may contest the results of any election within one class day of the signing of the election certification. The Electoral Commission shall rule on the question of a contested election; the Baylor University Student Court will perform any further review.

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## TITLE X LEGALITIES

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### **10.1. Timing**

10.1.1. This Electoral Code and all changes contained herein shall become effective on March 22, 2022.

### **10.2. Supremacy**

10.2.1. Upon its effective date, this code shall become the authoritative Electoral Code, and all other Electoral codes shall be expressly repealed as well as provisions of other legislation in conflict with this Electoral Code.

10.2.2. Upon the effective date of this code, any and all precedent, pertaining to the Electoral Commission and the Electoral Code, set forth by previous Electoral Commissions, Baylor University Student Court cases, and Electoral Codes shall be nullified and be deemed invalid.

## **ELECTORAL MAP AS REFERENCED IN 4.8.5.**

