

# Election Regulations Policy

## **600.0 Preamble**

- 600.1 The following policy was created to ensure just and fair Election for the University at Albany Student Association. This policy is there to serve these ends and should be followed strictly by those running and participating in the electoral process.

## **601.0 Responsibility**

- 601.1 All Student Association elections will be run by the Elections Commissioner. (S)he will be responsible for the enforcement of all the stipulations arising under this policy.

## **602.0 Elections Commissioner**

- 602.1 Duties and Powers of the Elections Commissioner:

- 602.1.1 The Elections Commissioner shall be responsible for deciding and resolving any and all disputes arising out of this policy. Any decision may be appealed to the Student Association Supreme Court.
- 602.1.2 The Commissioner shall ensure just and proper Student Association Elections.
- 602.1.3 The Commissioner shall determine the eligibility of all possible candidates. All candidates shall be full time undergraduate students in good academic standing.
- 602.1.4 The Commissioner shall be responsible for the tabulation of all ballots.
- 602.1.5 The Commissioner shall be responsible for holding at least one meeting for all Area Coordinators/Poll Watchers to be included in the election in order to execute proper planning and ensure that knowledge of all procedures is complete. The meeting shall be held at least 24 hours before the election.
- 602.1.6 The Commissioner shall hold a candidates meeting for all the candidates at the close of the nomination period, to be certain that the candidates have been instructed on the contents of this Act and to ensure that the candidates are aware of the election dates and times. Any candidate not to submit a nomination form by the deadline shall not be placed on the ballot.
- 602.1.6.1 Any nominee who is not in attendance at this meeting without a valid excuse deemed by the elections commissioner will not be considered for candidacy.
- 602.1.7 The Elections Commissioner is responsible for promotion of all elections; all election dates and deadlines must be actively promoted at least 2 weeks prior to the filing deadline. Active promotion includes, but is not

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By Joshua Sussman  
Student Association Senate Chairman

limited to, postering on the academic podium, lecture centers, and all quads.

602.1.8 The Elections Commissioner shall be responsible for acquiring Residential Life/University policies on specific quads and distributing said policies to the respective candidates during the candidate's meeting.

602.1.9 The Commissioner shall be responsible for the printing, preparation, distribution, collection, and tabulation of all ballots.

602.1.10 The Commissioner shall appoint, with the cooperation of the President an amount of Area Coordinators (s)he deems necessary to run the election

#### 602.2 Maintenance of Records

602.2.1 The Elections Commissioner shall maintain, for the semester after the election, all ballots, nomination forms, voter lists, reports, complaints, and tabulation sheets, as well as other written material used in the election.

602.2.2 This material may be examined by any member of Student Association, in the presence of the Commissioner or his/her designee.

#### 602.3 Student Identification

602.3.1 The Area Coordinators shall be responsible for compiling a list of the candidates' student identification numbers. This list shall be submitted to the Student Association Director of Operations and/or Student Association Legal Services Attorney for verification that the candidates are not on academic probation.

#### 602.4 Election Officials

602.4.1 There shall be at least two Area Coordinators for the campus polling area. The Area Coordinators shall be present at the polling area during their designated time while the polling area is open.

602.4.2 The Area Coordinators shall be responsible for assisting the Elections Commissioner in overseeing the polling area and shall report any alleged improprieties.

602.4.3 Each Area Coordinator is responsible for knowledge of and the enforcement of all Student Association Election Laws.

602.4.4 No election official shall be eligible to run for a position in any election they are overseeing.

### **603.0 Candidacy**

#### 603.1 Declining Candidacy

603.1.1 Any nominated candidate may decline in writing to run at least two business days prior to the beginning of the elections and will have his/her name removed from the ballot.

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## 603.2 Eligibility

603.2.1 The Election Commissioner will check residence lists and other materials necessary to determine nominee eligibility.

603.2.1.1 No candidate may seek any Student Association office if (s)he is currently on academic or judicial probation. Candidates for President and Vice President must have a cumulative GPA above a 2.5 at the time self nomination forms are due to be considered eligible for office. Any candidate found to be ineligible due to academic or judicial reasons may appeal to the Elections Commissioner. Proof of not being on academic probation may be presented by the individual candidate through appropriate means determined by the Elections Commissioner.

603.2.1.2 All nominees found to be ineligible by the Elections Commissioner will be contacted by the Elections Commissioner immediately and asked to show cause why their names should be placed among the lists of candidates for office. If it is impossible, due to reason beyond the control of the Elections Commissioner, the Elections Commissioner will notify each candidate of his presumed ineligibility by means of written notification by email, or by telephone or in person if email unavailable no later than three days before the beginning of voting.

603.2.1.3 No person may receive candidacy for an office for which he/she will be ineligible to hold, or run for more than one of the following positions in the same election.

603.2.1.3.1 President

603.2.1.3.2 Vice-President

603.2.1.3.3 Student Association Senate Living Area Seat

603.2.1.3.4 Student Association Senate At-Large Seat

603.2.1.4 Eligibility for nomination to any Student Association office will be limited to activity fee paying students who intend to serve for the duration of their term, and have no foreseeable obligations which may conflict with or supersede their availability of performance of their duties.

## 604.0 Campaign

604.1 Elections will be run on a "3-strikes-you're out" policy. All candidates with strikes issued against them must be notified of the offense, as well the remedy taken either via email or in person with documentation by the Elections Commissioner. If a candidate incurs 3 strikes, he or she will be removed from the candidate pool and will subsequently be removed from the ballot.

604.2 The following are prohibited campaigning tactics to be adhered to by candidates:

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- 604.2.1 Posting violation (according to University posting policy, Residential Life posting policy, advertising policy, etc.), including but not limited to, posting on glass, posting in academic buildings, posting in LC's, campaigning on classroom chalkboards, etc. = 1 strike
- 604.2.2 Double posting on pillars = 1 strike per occurrence
  - 604.2.2.1 Posters and handouts:
    - 604.2.2.1.1 Only the candidate or his/her designee may produce and post posters on the candidate's behalf.
- 604.2.3 Residence hall policy violation, University violation, etc. = 1 strike
- 604.2.4 Sliding campaign materials under doorways = 1 strike
- 604.2.5 Campaign endorsements by professors = 1 strike
- 604.2.6 Posting campaign posters before the candidates meeting = 1 strike
- 604.2.7 Campaigning in the SA office = 1 strike
- 604.2.8 Campaigning in a computer lab or library = 1 strike
- 604.2.9 Bringing the polling area to a voter = 2 strikes
- 604.2.10 Campaigning beyond electioneering boundary = 2 strikes
- 604.2.11 Mass or random phone messaging = 2 strikes
- 604.2.12 Posting over another candidate's flyer = 2 strikes
- 604.2.13 Using SA equipment for campaigning purposes, including but not limited to, SA phones, SA photo copy machines, SA computers, Student group equipment etc. = 2 strikes
- 604.2.14 Campaign sabotage with malicious intent, i.e. framing another candidate, false accusations, anything at the discretion of the elections commissioner = 3 strikes and immediate removal from the ballot
- 604.2.15 Bribery = 3 strikes and immediate removal from the ballot
- 604.3 Both campaigning and electioneering include, but are not limited to, handing out written materials, hanging posters, speaking to perspective voters with intent of being elected to an SA office, etc.
- 604.4 Both campaigning materials and election materials include but are not limited to, any materials bearing a candidate's image and/or a candidate's name.
- 604.5 All candidates are responsible for the actions taken on behalf of his/her campaign.
- 604.6 All reported infractions will be investigated on an individual, case-by-case basis by the elections commissioner.

- 604.7 If you feel you have been treated unfairly during your campaign, you must file with the elections commissioner before the results have been posted.

## **605.0 Election Procedure**

### **605.1 Ballots**

- 605.1.1 Only official ballots are valid.
- 605.1.2 Only official ballots will include the following: the name of the specific election, the maximum number of votes allowed to be cast for the position, the names of the candidates in random order, as well as information for the proper completion of the ballot, and the statement "this ballot shall be void if removed from the polling area"
- 605.1.3 All ballots will be prepared by the Elections Commissioner with a Rules and Operations member present (This person being a member of SA Senate)
- 605.1.4 The ballots will provide necessary and sufficient space for write-ins for each position.
- 605.1.5 Ballots will be printed no more than two business days prior to the elections. The Elections Commissioner or an Area Coordinator will be present when the ballots are printed. Upon completion, all ballots will be placed in a locked cabinet.
- 605.1.6 All ballots will be brought to the polls by a member of the Election Staff no sooner than one hour before the polls are scheduled to open each day of elections.
- 605.1.7 All unused and cast ballots will be collected by the elections commissioner when the polls close and stored by her in a locked cabinet until the next day of voting or until the election is over. Cast ballots from each voting place will be kept separated.
- 605.1.8 At the end of the last day of elections, the Elections Commissioner will destroy or make void any unusable and remaining ballots, except ten that will be marked void and used for tabulation purposes.
- 605.1.9 An online system of voting may be implemented at the request of the Elections Commissioner and the approval of the Senate. Only a Senate approved system of voting may be utilized for student association elections.

### **605.2 Polling Area**

- 605.2.1 In regular Student Association elections, voting will take place for two consecutive days in the following polling areas:
- 605.2.1.1 All voting students vote in the west lounge (SA lounge) of the Campus Center. The polling area shall be defined as the West Lounge. The boundaries of the main lobby shall be the main

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Student Association Senate Chairman

entrance way after the bathrooms and the side boundary shall be the doorway leading to the Information desk, The area in which Copies plus is located shall also be considered part of the polling area. This is the only required polling area.

605.2.1.2 The resident halls of the University at Albany, including Indian Quad, Colonial Quad, State Quad, Dutch Quad, Alumni Quad, Empire Commons and Freedom Quad. An electioneering boundary will be setup by the Elections Commissioner.

605.2.1.3 The Elections Commissioner is not required to use all qualified polling areas, except the west lounge, but is not limited to one area. All polling areas must be approved by the Elections Commissioner.

605.2.2 The Elections Commissioner shall clearly put signs at all entrances to the polling areas that say "You are now entering the polling area of a Student Association Election. There shall be no electioneering beyond this point."

605.2.3 The polling places will be overseen by the Elections Commissioner with the assistance of the Area Coordinators. They shall be available during the election times.

605.2.4 The Elections Commissioner and the Area Coordinators will be responsible for insuring that each polling area has each of the following:

605.2.4.1 A copy of the Elections Regulation Act and specific guidelines for that official to follow

605.2.4.2 Residence lists

605.2.5 If an online elections system is being used, the polling area shall be considered anything electronic with online capabilities. This includes but is not limited to computers, cell phones, Blackberries, Palm Pilots. The polling area shall not be brought to the voters.

### 605.3 Voting Procedures

605.3.1 Each voter must present:

605.3.1.1 Valid photo identification (i.e. SUNYCard)

605.3.2 All voters will sign their names.

605.3.3 All voters have the right to vote privately.

605.3.4 Voters possessing a disability leaving them unable to carry out the physical act of voting, either from a voting booth or on a paper ballot, may request a poll watcher to assist them in the voting process. The request may be granted at the discretion of the Area Coordinator or the Elections Commissioner, (if the coordinator is unavailable) under the sole premise that the elections table will not be left unoccupied at any time.

605.3.5 Write-in votes shall be allowed but no candidate shall be considered elected until the Elections Commissioner determines whether the candidate is eligible for that office as stipulated in this act.

605.3.6 The Elections Commissioner has the right to use a voting swipe system, as provided by Student Life, as an alternative to the signature method for voter ID purposes.

#### **606.0 Post-Elections**

606.1 Tabulation of the votes

606.1.1 The Elections Commissioner and as many Area Coordinators as needed shall be present and involved in all vote tabulations.

606.1.2 All ballots shall be counted three times.

606.1.3 Records- An official list of electoral results will be made and signed by the elections commissioner and co-signed by at least two area coordinators. Copies of this list shall be sent to the President, Vice-President, Marketing Director, SA Senate Chair, and the elections commissioner and kept in a permanent file by the Director of Operations. This process may not be executed until 48 hours have passed since the closing of the election.

#### **607.0 Elections Invalidation**

607.1 Any irregularity in the election procedure must be brought to the attention of the Elections Commissioner by 4:55pm two (2) business days after the elections have ended. Any irregularity received after this time will not be accepted.

607.2 The Elections Commissioner must rule on invalidation within three Student Association business days of the closing of the polls. This decision may be appealed to the Student Association Supreme Court. The case must be brought to the Elections Commissioner first.

607.3 All irregularities shall be reported in writing to the Elections Commissioner by the Area Coordinators, or persons requesting invalidation.

607.4 All appeals must be initialed with the Supreme Court within three Student Association business days of the Elections Commissioner's ruling.

607.5 There shall be no swearing in of any person where the election is under adjudication with the Supreme Court or awaiting the ruling of the Election Commissioner.

#### **608.0 Availability**

608.1 These regulations will be well publicized

608.1.1 Available in the Student Association Office

608.1.2 Available at all polling places

#### **609.0 Run-Off Elections**

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By Joshua Sussman  
Student Association Senate Chairman

#### 609.1 Tie Votes

609.1.1 In the case of tie votes where not all candidates involved can be elected the Election Commissioner will hold run-off elections within ten days of the posting of the results.

609.1.2 Only those involved in a tie vote will appear on the ballot.

609.1.3 Any person involved in a tie vote may decline to run in the run-off elections at least twenty hours before the beginning of the election.

609.1.4 Write-in votes will not be accepted in run-off elections.

#### 609.2 Conditions

609.2.1 Run-off elections will be held if no candidate (for executive positions) receives a majority of the votes cast.

609.2.2 The two people with the highest number of votes will be the candidates in the run-off election.

609.2.3 Write-in votes will not be accepted in this election.

#### 610.0 Referenda

610.1 All referenda must be placed on the ballot by a two-thirds vote of the Senate or by petition of at least 15% of the fee-paying students of the University at Albany. The Senate shall refer to By-Law 515.0, and 517.0 in setting up a referendum.

610.2 All referenda will be conducted according to the procedure for regular elections. (606.0 Election Procedure)

610.3 Referenda can only be voted on in regular Student Association elections.