

BAYLOR STUDENT GOVERNMENT ELECTORAL CODE

This Electoral Code shall apply to all elections and nominations that are to be held for the whole or any part of the Baylor Student Body where authorized by the Constitution of the Student Body or under any Senatorial statute. Where this Code shall apply, its provisions shall supersede those of any club or organization.

§ 1. SECTION I: THE ELECTORAL COMMISSION

1.1. Purpose

The purpose of the Electoral Commission shall be to administer and supervise all elections and nominations which, under the auspices of this Code, are to be held for the Baylor Student Body.

1.2. Composition

The Electoral Commission shall consist of the following members:

- 1.2.1. One (1) non-government representative to be appointed by the outgoing Student Body President, in accordance with the Baylor University Student Body Constitution under Article III, Section III, Par. 1. The outgoing Student Body President shall seek advice from all outgoing and incoming student body officers and the previous Electoral Commissioner, if he or she is graduating. The Electoral Commissioner shall have served on the previous commission. Should no previous member be available, it falls to the outgoing Student Body President to appoint a suitable candidate prior to the conclusion of the spring semester.
- 1.2.2. Eight (8) to twelve (12) non-government representatives to be appointed by the new Electoral Commission Chairperson.
- 1.2.3. The Electoral Commissioner shall choose, out of the commission, an Assistant Electoral Commissioner.

1.3. Eligibility

- 1.3.1. All Electoral Commission members shall be full-time students of Baylor University.
- 1.3.2. All Electoral Commission members shall have a minimum cumulative GPA requirement of 2.25 upon appointment.
- 1.3.3. No Electoral Commission member, including the Commissioner, may run for or hold any other Student Government office during the academic year that he or she is appointed to serve, regardless of resignation.
- 1.3.4. No member of the Electoral Commission, having once resigned or been removed, may be re-appointed during a given school year.

1.4. Jurisdiction

The Electoral Commission shall be an administrative body of the Baylor University Student Government. It shall be given an Electoral Code with the necessary rules and by-laws, which may not be in conflict with the Baylor University Student Body

Constitution. The Student Senate shall have the authority to propose, approve, and change this Code with a two-thirds majority vote.

1.4.1. The Electoral Commission must enforce this Code.

1.5. Duties

The duties of the Electoral Commission shall be to assume all responsibilities necessary for the expeditious and efficient administration of student elections. These duties include:

- 1) Having original jurisdiction in all cases involving the observance and execution of this Electoral Code.
- 2) Working with Student Government to publicize the election and voting procedures.
- 3) Penalizing those who violate this Electoral Code.
- 4) Checking campaign expenditures.
- 5) Posting a preliminary ballot 48 hours (2 days) before an election outside the Student Government offices.
- 6) Performing any other duties concerning the administration of the election process consistent with the Baylor University Student Body Constitution, this Electoral Code, the Baylor University Student Handbook, and all enforceable statutes.
- 7) Coordinate chapel speeches for Student Body Officer candidates.

1.6. Regulations

- 1.6.1. The term of office for the Electoral Commissioner shall be from June 1 to the following May 31.
- 1.6.2. Five (5) members shall constitute a quorum of the Commission.
- 1.6.3. All questions before the Commission shall be decided by a majority vote. For all questions, the Electoral Commissioner shall only vote to break a tie.
- 1.6.4. The Electoral Commissioner shall be the sole spokesman for the Electoral Commission.
- 1.6.5. No member of the Electoral Commission, including having once resigned or been removed may endorse a candidate for the duration of their appointed term. Endorsing shall be defined as: (1) expressing support (actively or passively) for a particular candidate or their platform, or (2) providing campaign-related advice to a candidate or a member of the candidate's campaign team. Any commission member in breach of this clause shall be required to meet with the Department of Judicial Affairs, where an appropriate remedy will be fashioned.

1.7. Removal

- 1.7.1. A member may be involuntarily removed from the commission as provided for in Article II, Section 6 of the Baylor University Student Body Constitution.
- 1.7.2. The Electoral Commission shall have the power to remove a fellow member of the commission for good and sufficient cause by a vote of two-thirds (2/3) of all commission members, excluding the Electoral Commissioner. The

person in question shall have the right to be notified, to be heard, and to respond to the charges and account for his or her actions. A commission member may not be removed by the Electoral Commission if that individual's removal compromises the requirements specified in §1.2.2 of this Electoral Code.

§ 2. SECTION II: CANDIDATE FILING

2.1. Eligibility

- 2.1.1. All candidates must adhere to the qualifications set forth in the Baylor University Student Body Constitution, this Code, the Baylor University Student Handbook, and all enforceable statutes. Grade point averages will not be averaged up.
- 2.1.2. All candidates shall release their judicial and educational records to the advisers of Student Government, who, upon receiving the candidate's judicial and educational records, will determine if the candidate meets those constitutional requirements related to such confidential records (Article III.II.1.A,C,D,E, and F for Student Body Officers, Article III.II.2 for Class Officers, Article II.IV for Senators). When the Electoral Commission receives confirmation that the candidate is eligible according to the above requirements, the commission will then determine overall eligibility of the candidate. If a candidate feels that he or she is inappropriately determined ineligible, he or she will first meet with the Electoral Commissioner to determine the disqualifying criteria. If the candidate then wishes to appeal due to judicial records, he or she will appeal to the Vice President for Student Life. The decision of the Vice President of Student Life is final. If the candidate believes that an area of eligibility requirements has been misinterpreted, he or she will go through the standard process of attaining a hearing with the Student Court (Article IV.III) If the Court rules that the candidate must be reviewed for eligibility under a revised interpretation of requirements, the above process will begin again. A candidate may only appeal one time.
- 2.1.3. No student may at any time hold more than one office or run for more than one position in any given election.
- 2.1.4. During the Fall semester, elections shall be held for the following positions: Freshman Class Officers and Freshman Class Senators.
- 2.1.5. During the Spring semester at Diadeloso, elections shall be held for all elected Student Government positions, except for those to be held by Freshmen as provided for in § 2.1.3 of this code.

2.2. Procedure

- 2.2.1. Persons desiring to be a candidate for Student Body Officer, Class Officer, or Senator must file a candidacy form with the Electoral Commission at the Student Government Office before the deadline set by the Commission. Filing shall officially begin on Monday at 8 a.m., two weeks before the mandatory candidate meeting. The filing deadline shall be on Friday at 5 p.m., the week before the mandatory candidate meeting. If a candidate fails to file before this deadline, the candidate's name will not appear on the

ballot, but it will appear on any subsequent runoff ballot if the candidate should be in a runoff election.

- 2.2.2. Persons desiring to be a candidate for one of the aforementioned positions must pay a \$10 filing fee which shall be utilized for the administration of the election. This fee must be paid in the Cashier's Office prior to turning in the candidacy form. The receipt from this fee must be included with the candidacy form.
 - 2.2.3. With the exception of first semester students or first semester transfer students, all candidates must present an unofficial academic transcript (must contain the candidate's name) from BearWeb when they turn in their candidacy form.
 - 2.2.4. Once the filing deadline has passed, a candidate may not switch the position for which he or she applied.
 - 2.2.5. A candidate may use a commonly known nickname, but it must be accompanied by their legal name on the ballot. A name is the designation whereby one is distinctly and commonly known in the community, and likewise a nickname is a variation of a name by which the person is commonly known throughout the University.
 - 2.2.6. Any candidate wishing to withdraw may do so by turning in a written request via e-mail to the electoral commissioner no later than 48 hours before the election.
 - 2.2.7. Once the filing deadline has been set by the Electoral Commission Chairperson, it may not be changed.
- 2.3. Campaign Expenditures
- 2.3.1. Campaign expenses shall be limited as set forth following: Student Body Officers: \$300; Class Officers: \$125; all other candidates: \$75.
 - 2.3.2. Campaign materials shall be limited in the following fashion:
 - 1) Signs (billboards, banners, etc.)
 - a. Student Body Officers: 256 sq. ft. visible surface area (equivalent to four (4) double-sided sheets of 4'x8' plywood, or eight (8) single-sided sheets of 4'x8' plywood);
 - b. Class Officers: 100 sq. ft. visible surface area;
 - c. All other candidates: 75 sq. ft. visible surface area.
 - 2) Paper (flyer, handouts, etc.)
 - a. All candidates: One 8.5"x11" sheet of paper per bulletin board.
 - 3) Buttons/Stickers/Pins/Business Cards
 - a. Student Body Officers: Combined 1200 total;
 - b. Class Officers: Combined 800 total;
 - c. All other candidates: Combined 650 total.
 - 4) T-Shirts
 - a. Student Body Officers: 50 total;
 - b. Class Officers: 20 total;
 - c. All other candidates: 12 total.
 - 5) Electronic Materials

- a. All electronic election materials (Facebook sites, social networking sites, other Web sites, e-mail, etc.), shall also be under the jurisdiction and regulation of the Electoral commission and shall be counted towards total campaign expenses if applicable.
 - 2.3.3. Candidates in a runoff election or new election will be allowed additional expenses not to exceed 25% of the maximum expenses in the applicable category listed above.
 - 2.3.4. All materials used in a candidate's campaign, whether donated or purchased at wholesale prices, shall be based on current, reasonable market prices, unless those items can be discounted under § 2.3.6. These prices may be determined by the Electoral Commission and will be charged toward the candidate's expense limitation.
 - 2.3.5. Sales tax shall not count toward a candidate's campaign expenses.
 - 2.3.6. Each candidate is required to turn in a certified itemized final expense report, which will be provided to all candidates by the Electoral Commission along with all necessary filing forms, by 5 p.m. two (2) days before the election. All expenditures must be shown in the expense account. The itemized expense account shall include attached receipts from those items purchased and a list of those items donated and previously used. All candidates must turn in the certified expense form even if no money was spent. Failure to turn in the itemized expense report shall result in removal from the ballot.
 - 2.3.7. Campaign items used from a previous campaign may be depreciated at a discount rate of 10% from the original purchase price. To depreciate a previous campaign item or material, the candidate must be able to prove the item's previous usage and original cost (through the previous year's itemized expense report, original receipts, photographic documentation, etc.). The Electoral Commission may exercise its discretion in discounting previously used campaign items.
- 2.4. Write-in Candidates
- A write-in candidate is defined as a student whose name does not appear on the ballot, did not attend the candidate's meeting, or did not pay the filing fee.
- 2.4.1. Candidates conducting a write-in campaign are still subject to the rules and procedures outlined in this code. Yet, if they are elected, they must meet the requirements of office as defined by § 2.1.1 of this code. Write-in candidates must receive at least fifteen (15) votes to assume any elected office.

§ 3. SECTION III: CAMPAIGN PERIOD

3.1. Campaign Meetings

3.1.1. General Interest Meeting

The Electoral Commission will hold a general interest meeting no later than seven (7) school days before filing begins to introduce candidates to elected positions. The Electoral Commission will work with the Student Government Communications Director and the Senate Public Relations Committee to publicize the meeting. The meeting will be led by the Student Body President

and the Student Body Internal Vice President. In the event that the Student Body President and/or Internal Vice President are unable to attend or are pursuing other elected office, they shall appoint an appropriate representative to speak on their behalf.

3.1.2. Mandatory Candidate Meeting

All candidates will be required to attend a candidate meeting which will occur no less than seven (7) calendar days after the filing period has closed. The Electoral Commission must post the time, date, and place of the meeting on the candidacy application. Attendance will be taken at the meeting.

3.1.2.1. Any candidate unable to attend this meeting must submit a written excuse via Baylor e-mail to the Electoral Commissioner prior to the meeting. If the candidate cannot personally attend the meeting, he or she must send someone in his or her place, however, the representative may not be another candidate. Any candidate that fails to attend the meeting or fails to turn in a written excuse is automatically ineligible to run for office. Sudden emergencies are excusable.

3.1.2.2. It is strongly recommended that candidates have their campaign manager and campaign workers present at the meeting, as candidates are personally responsible and subject to penalization for any violation by campaign workers on the candidate's behalf.

3.1.2.3. The general candidate meeting must follow this order and content:

- 1) Attendance of candidates shall be taken.
- 2) Current announcements and updated information regarding the election and Electoral Code shall be given.
- 3) A general overview of the contents of the Electoral Code shall be presented at this time, along with a map of valid outdoor campaigning areas.
- 4) Attendance of the candidates shall be taken again at this time and all shall be dismissed.
- 5) Questions shall be answered by the Electoral Commission.

3.2. General Guidelines

3.2.1. There shall be no campaigning that will mar the dignity of Baylor University or its campus.

3.2.2. There shall be no campaigning that shall disturb classes in session, regardless of the instructor's consent. This includes announcements made before, during, and after a class.

3.2.3. There shall be no campaigning within areas on the Baylor campus designated as "quiet areas" or in areas designated as "computer labs." A quiet area shall be defined as any physical space where the majority of its occupants are there to engage in an activity that requires reduced noise levels.

3.2.4. All speech shall be allowed except statements that directly attack the character of another candidate or statements that falsely represent another candidate's platform or position. The Electoral Commission will use a

preponderance of evidence standard to determine what constitutes a false representation. Statements over the value, benefit, or harm of a platform cannot be considered a false representation of a platform.

- 3.2.5. There are no time restrictions on organizing a platform and purchasing materials.
- 3.2.6. Sixty (60) calendar days prior to the election, a candidate may secure campaign workers. A list of campaign workers must be turned in to the Electoral Commission 48 hours prior to the start of full-scale campaigning. Only (and all) individuals included explicitly on this campaign workers list shall be given the designation of ‘campaign worker’. No individual who is not included on the campaign workers list may serve in an administrative role on a candidate’s campaign, including but not limited to the following activities: assisting a candidate in making, setting up, or taking down signs; posting campaign flyers; speaking officially on behalf of a candidate’s campaign in front of a student organization; controlling the content of an official Facebook campaign page or other campaign social media outlet; or representing a candidate in front of the Electoral Commission or the Student Court for a campaign-related case. Non-campaign workers shall not be restricted from non-administrative campaigning such as making a public statement on their own behalf (verbal, electronic, or otherwise) in support of a candidate, wearing T-shirts or other campaign materials, etc.
- 3.2.7. Coalition Campaigning: No candidates, or their campaign workers, may campaign jointly on the same handout, button, flyer, poster, Web page, etc., or with similar designs or platforms.
 - 3.2.7.1. Candidates for senatorial positions and class officer positions can be campaign workers for, and campaign for, a student body officer candidate as long as they are not campaigning for themselves at the same time and location (location will include both physical and online media).
 - 3.2.7.1.1. Candidates cannot use their campaign funds for another candidate.
- 3.2.8. All campaign materials must be approved by the Electoral Commission prior to distribution. This includes electronic campaign materials.
- 3.2.9. The act of intentionally removing, covering, mutilating, or destroying campaign materials is strictly prohibited. Candidates or campaign workers who violate this rule shall be held accountable before the Electoral Commission. If a student who is not a candidate, nor a campaign worker, violates this rule, the Electoral Commission shall bring the incident before the Dean for Student Judicial Affairs for appropriate disciplinary action.
- 3.2.10. Full Scale Campaigning for Student Body Officer Candidates
 - 3.2.10.1. At 8 a.m., ten (10) school days prior to the election, Full Scale Campaigning shall begin. This includes speeches, billboards, banners, flyers, handouts, campaign buttons, Lariat advertisements, election Web pages, off campus door-to-door campaigning and “handouts”, which is defined as any material transferred from person to person (this may include flyers and campaign buttons).

Any and all other means of campaigning must be approved by the Electoral Commission.

- 3.2.11. Full Scale Campaigning for all other candidates
 - 3.2.11.1. At 8 a.m., five (5) school days prior to the election, Full Scale Campaigning shall begin on campus.
 - 3.2.12. No candidate or campaign team member may use the Student Government Office, resources, or privilege for their re-election campaign, or for the campaign of any other candidate.

These limits include but are not limited to:

 - 1) Use of the Student Government paper and printer.
 - 2) The Student Government website for endorsements.
 - 3) Student Government press releases or letterhead.

Use of the Student Government computer and phones for communication is not included in these limits.
- 3.3. On-Campus Residence Campaigning
- 3.3.1. Campaign materials placed on the inside of residence halls must abide by the building policies established by Campus Living & Learning, which candidates are responsible for knowing.
 - 3.3.2. Only one (1) flyer is allowed per residence hall or academic building bulletin board, per Campus Living & Learning and Student Activities policy. Each individual flyer must be approved and stamped by Student Activities before posting. All flyers should be 8.5"x11" in size.
 - 3.3.3. No print publicity (handbills, flyers, business cards, etc.) may be distributed hand-to-hand or left unattended in open areas by a candidate, except on bulletin boards or other locations expressly approved in this Code.
 - 3.3.4. Campaign materials may be placed on residents' doors only when permission is received from at least one of the inhabitants.
 - 3.3.5. Any individual, whether a candidate or not, may place campaign material within the confines of his/her own room or on his/her own door but cannot be forced to do so. Campaign materials may not be placed under doors.
 - 3.3.6. Candidates and their campaign workers may actively campaign in dining halls, lobbies, and living quarters.
 - 3.3.7. Campaign materials may not be distributed by means of door-to-door campaigning in the on-campus residential halls. Campaign materials include handwritten messages, flyers, etc. Door-to-door campaigning is defined as: the process of either passing campaign materials or verbally campaigning room-to-room in the on-campus residential halls. Additionally, a candidate or campaign worker cannot enter a room without the resident's permission, even when a door is open, for campaign related purposes.
- 3.4. On- and Off-Campus Campaigning
- 3.4.1. Campaign materials placed outside must be made of cloth, wood, plastic, or laminated paper. Any other material must be approved by the Electoral Commission. All posts put in the ground may be no larger than 2"x4" pieces of lumber. No post-hold diggers may be used to put posts in the ground.

- 3.4.2. The following applies to both on and off campus:
- 1) No campaign materials may be placed on war memorial light posts, telephone poles, statues, monuments, sidewalks, steps, bike racks, trees, chain link fences, bushes, or the fountains.
 - 2) There shall be no marking/chalking on the buildings, sidewalks, or other campus property.
 - 3) No campaign materials shall be distributed through the university's mailbox system, unless addressed to specific persons and sent through the U.S. mail with postage.
 - 4) No campaign materials may be placed on automobiles unless permission is granted by the owner of the vehicle and the Electoral Commission.
 - 5) No unsolicited mass electronic communication of any form shall be sent for the purpose of campaigning. The Electoral Commission reserves the right to define unsolicited mass electronic communication, but the definition shall include e-mail and messaging services.
 - 6) Campaigning through the medium of internet-based technology shall be restricted to standards set forth by this Electoral Code and Baylor University.
- 3.4.3. No public address system may be used for campaign purposes except for Chapel Forum speeches and/or authorized meetings held by the Electoral Commission.
- 3.4.3.1. For Chapel Forum speeches, the outgoing Student Body President shall introduce the candidates and provide an overview of the offices they are seeking. In the event that the outgoing Student Body President is seeking elected office, the Electoral Commissioner will assume the responsibility.
- 3.4.3.2. For Chapel presentations, only the individual candidate shall be allowed to speak during their time allotment, except in the case of a candidate's inability to attend due to class or illness, in which case the candidate may select a student representative to speak on his or her behalf. This student representative shall not be seeking elected office within Student Government.
- 3.4.3.3. Chapel speeches shall be limited to two (2) minutes each. Once the two (2) minute time limit has been reached, the Electoral Commissioner shall instruct the Chapel audio technician to turn off the candidate's microphone.
- 3.4.4. Each candidate will be held personally responsible for making certain that all campaign materials are removed from the campus and public display within 48 hours of the closing of the main poll, with the exception of candidates in a run-off race. Failure to do so will result in disciplinary action being taken by the Department of Judicial Affairs.
- 3.4.5. Electronic Campaigning. Use of campaign Web pages, social networking sites, and e-mail/messaging shall be limited in the following manner.
- 1) No electronic campaigning shall be permitted before full scale campaigning begins.

- 2) Electronic campaign materials must be deleted or removed from public view within 24 hours following the election.
- 3) Electronic campaigning shall only be permitted on Web pages, social networking pages, and email lists directly affiliated with an individual candidate's campaign.
- 4) The Electoral Commission reserves the right to define further limitations on electronic campaigning for a specified voting period, pending a majority vote by Student Senate taken during Special Orders prior to the mandatory candidate meeting.

§ 4. SECTION IV: VOTING

4.1. Voting Details

- 4.1.1. Electronic voting shall be open from 8 a.m. to 5 p.m. CST.
- 4.1.2. For elections held in the spring semester, electronic voting shall occur from 8 a.m. to 5 p.m. on Diadeloso and the day prior to Diadeloso, respectively.
- 4.1.3. The Student Government Webmaster and Electoral Commission shall compose and post the official ballot. Candidates must be given the opportunity to check that his or her name appears as requested. Names on the ballot shall appear in a random order.

4.2. Voting Process

- 4.2.1. A student may vote upon proper certification of being a student at Baylor University. Students will vote for candidates and be classified by intended graduation date.
- 4.2.2. No one will vote more than once, vote in the place of another, or use any sort of unofficial ballot in the election.
- 4.2.3. The method of voting shall be electronic voting via the Baylor Student Government website as designated by the Vice President for Information and Technology, and shall be disclosed to all candidates.
- 4.2.4. No influence or coercion shall be placed on students in the process of voting.

4.3. Returns

- 4.3.1. Returns of all elections shall be electronically tabulated by Baylor ITS personnel within 3 hours of the closing of the polls. Immediately following the final counting of the returns, the Electoral Commission Chairperson, the Associate Electoral Commissioner and the Director of Student Activities shall sign a certificate of election containing the results of the election. This list shall be released publicly. All certificates shall be kept on file in the Student Government Office.
- 4.3.2. The Electoral Commission, Webmaster, and those specifically appointed by the Electoral Commission Chairperson shall have access to the voting results after the polls have closed in order to compile and organize the election results. No announcement shall be made until all the Electoral Commission members are satisfied with the counting of the votes. The Director of

Student Activities or an Advisor of Student Government is required to be present, and satisfied with the counting of the votes.

- 4.3.3. The Electoral Commission must hear and decide on all violations and complete all unfinished business determined to be of importance to the execution of a fair and expeditious election before the election results are announced. The Electoral Commission may announce partial election returns, so long as the announcement does not compromise a potential run-off, recount, or new election. This limitation does not apply to races that warrant a run-off election.

§ 5. SECTION V: VIOLATIONS

5.1. Reporting Violations

- 5.1.1. Any student who wishes to report an alleged violation of the Electoral Code must do so by filing a written account of the occurrence of the alleged violation to Electoral Commission Chairperson within one (1) class day of the occurrence of the alleged violation or before the closing of the election polls on election day, whichever comes first.
- 5.1.2. All complaints must be accompanied by the signature of the complaining party to assure the accused of the right to be confronted with their accusers, and they shall also receive written notice of the allegations.
- 5.1.3. Both the complaining party and the accused have the right to have counsel present during all official proceedings. Such counsel is limited to Baylor students in good standing as defined by their respective school.

5.2. Hearings

- 5.2.1. All complaints shall be heard by a quorum of the Electoral Commission.

5.2.2. Attendees

The following is a guideline for who may attend a hearing:

- 1) All members of the Electoral Commission.
- 2) The complaining party.
- 3) The candidate accused of a violation.
- 4) Members of the candidate's campaign who may be associated with the alleged violation.
- 5) Witnesses as indicated by a list submitted in writing to both parties and the Electoral Commission no later than 24 hours prior to the hearing.
- 6) Counsel for both the complaining party and the accused as defined in § 5.1.3.
- 7) Student Government Advisors.
- 8) Attorney General.

5.2.3. Candidate's rights afforded by due process:

- 1) Right to a notice in writing (via e-mail) and telephone of all complaints 24 hours prior to the hearing.
- 2) Right to appear in person at the hearing or not appear with the assurance that failure to attend shall not be construed as an indication of responsibility for the alleged violation.

- 3) Right to call witnesses and present witnesses on his or her behalf, provided the witness has first-hand knowledge of the violation in question.
 - 4) The accused candidate may choose to admit or deny responsibility for the alleged violation.
- 5.2.4. Candidates must maintain availability from 8 p.m. until midnight from the start of the campaign period until the election results are certified in order that the Electoral Commission may promptly schedule hearings for all complaints.
- 5.2.5. The Electoral Commission shall use a preponderance of the evidence as a standard of proof in determining whether or not the accused candidate has committed a violation. A preponderance of the evidence presented at a hearing means such evidence as has more convincing force and produces in the minds of the members of the Electoral Commission the belief that the alleged violation more likely occurred than not.
- 5.3. Penalties
- 5.3.1. Any breach of the Electoral Code or additional rules, which the Electoral Commission deems necessary, may subject the candidate to sanctions. The Electoral Commission will reserve the right to use its discretion in the interpretation of this Code.
- 5.3.2. The Electoral Commission, after hearing a violation, shall select the remedy or sanction appropriate to the violation. The Electoral Commission shall give due consideration to the severity of the infraction, the intent of the violator, and any previously upheld violations committed by the candidate and/or their campaign team. These remedies or sanctions may include but are not limited to: 1) limitation of expenses; 2) issuance of a cease and desist order enjoining the actions constituting the violations to remain in effect for the duration of the campaign period; 3) disqualification of the candidate, pursuant to the guidelines outlined in Section 5.3.4 of this Code; or 4) fashioning an appropriate remedy.
- 5.3.3. All sanctions imposed by the Electoral Commission must be complied with within 24 hours of the decision, even if under appeal. Sanctions may only be lifted under a specific injunction (issued by the Student Court) or if the decision by the Electoral Commission is overturned.
- 5.3.4. Disqualification shall only be considered appropriate for the following infractions: physically assaulting another candidate or student; intentionally attempting to remove, cover, mutilate, or destroy an opponent's campaign materials; or knowingly damaging or destroying Baylor property in the process of campaigning. There are two formal exceptions to this rule outlined in Sections 5.3.6.1 and 5.3.6.2 of this Code.
- 5.3.5. Removal from the ballot (short of disqualification) shall only be considered appropriate for infractions that represent a failure to correctly file all necessary paperwork for the elections as outlined in this Code, or a failure to meet the eligibility requirements of the office for which the candidate is running.

- 5.3.6. Failure of a candidate to comply with the ruling of the Electoral Commission will result in an additional violation hearing with the possibility of additional sanctions.
 - 5.3.6.1. If and only if the Electoral Commission rules that the candidate has complied with no aspect of the sanctions in question once the 24-hour compliance period has passed (i.e., there is no concrete evidence that the candidate has made any effort to comply with the sanctions in question), the ruling shall result in automatic disqualification, which shall be considered a formal exception to the guidelines outlined in Section 5.3.4 of this Code.
 - 5.3.6.2. If the Electoral Commission rules that the candidate has failed to comply with some, but not all, of the sanctions in question (e.g., leaving flyers up due to accidental oversight) within the 24-hour compliance period, the candidate shall be given a Compliance Failure List explicitly designating which specific campaign activities constitute compliance failure. This Compliance Failure List shall include the nature of the activity and the location (if applicable). The candidate shall then be given one final opportunity to correct the compliance failure by noon the business day following this hearing. The candidate shall report directly to the Electoral Commissioner within this prescribed time period and provide sufficient evidence that the specified problems have been corrected. Failure to correct all compliance failures as explicitly defined in the Commission's ruling shall result in automatic disqualification, which shall be considered a formal exception to the guidelines outlined in Section 5.3.4 of this Code. A candidate shall not be disqualified for failing to comply with the original sanction if the compliance failure in question is not explicitly provided to him or her on the Compliance Failure List following the second hearing. The candidate shall still be held accountable for complying with any additional sanctions the Electoral Commission deems appropriate during the second hearing as outlined in Section 5.3.2 of this Code, in addition to complying with previous sanctions as described.
 - 5.3.7. All candidates are responsible at all times for their conduct during the campaign to the Vice President of Student Life.
- 5.4. Appeals
- 5.4.1. The Student Court shall have appellate jurisdiction in all decisions made by the Electoral Commission. The Electoral Commission shall post all decisions on the window of the Student Government Office, and contact all involved persons. Any appeal to the Student Court must be made within 24 hours, class days only, of the posting of the decision.
 - 5.4.2. Any candidate who is disqualified may make further appeals to the Vice President for Student Life, who has the power to reverse the decision of the Student Court. The decision of the Vice President for Student Life is final.

- 5.4.3. The Electoral Commission shall be afforded the same appellate rights as those afforded to candidates.
- 5.5. Contested Elections
 - 5.5.1. Any candidate may contest the election results within one class day of posting by notifying the Electoral Commission Chairperson via e-mail.
 - 5.5.2. The Electoral Commission, when confronted with a contested election, may order appropriate remedial measures be taken, including but not limited to, a recount or a new election if, in the opinion of the Electoral Commission and the Vice President for Student Life, it is the only course of action which will result in a fair outcome. The procedure of the new election shall be established by the Electoral Commission.

§ 6. SECTION VI: LEGALITIES

- 6.1. The Electoral Commission must abide by all rules and regulations related to campus organizations as set by the Baylor University Student Handbook.
 - 6.1.1. The Electoral Commission shall not be allowed to call a meeting between 12 a.m. and 6 a.m.
 - 6.1.2. Any action taken by or ordered by the Electoral Commission must come under these guidelines.
- 6.2. Supremacy Clause: All previous Electoral Codes are hereby repealed. Provisions of other legislation in conflict with this Code are specifically repealed.
 - 6.2.1. No member of the Student Court, including having once resigned or been removed, may endorse a candidate for the duration of their appointed term. Endorsing shall be defined as: (1) expressing support (actively or passively) for a particular candidate or a member of the candidate's campaign team. Any Student Court Justice in breach of this clause shall be required to meet with the Department of Judicial Affairs, where an appropriate remedy will be fashioned. Violating this clause shall be considered good and sufficient cause to warrant impeachment.

§ 7. SECTION VII: POST-ELECTION VACANCIES IN STUDENT GOVERNMENT

Any and all vacancies or anticipated vacancies occurring in Student Government, other than those created by the normal expiration of a term of office, shall be filled according to the Baylor University Student Body Constitution under Art. II, Sec. VIII and Art. III, Sec. VI.

