

# ELECTION CODE

## CHAPTER 6: Articles 31 to 35—Election Code

### XXXI. Purpose

Section 1: The purpose of this code is to allow all students equal opportunity to present their views and qualifications to the student body for election to GSBA office.

Section 2: The provisions of this code shall apply to all students running for GSBA office for the promotion and execution of a fair election.

### XXXII. Election Commissioners

- A. There shall be appointed by the outgoing Executive Council via application/interview process, one (1) Elections Commissioner to be appointed in November and one (1) in March in conjunction with GSBA Staff selections, each for a term of two semesters.
- B. The two Commissioners shall serve a staggered term with the November appointed commissioner serving as chair of the election commission for any election falling within the following fall semester, while the March appointed commissioner serves as vice-chair of the Commission for the fall semester. Upon the start of the spring semester, the vice-chair shall assume the role of Election Commission Chair and the newly appointed commissioner shall fill the vacant vice-chair position.
- C. The Commissioners must have and maintain a minimum of a 2.3 cumulative grade point average as well as good academic standing with the University.
- D. The Commissioners must be in good disciplinary standing with the University as interpreted by the Student Life office.
- E. The Commissioners shall submit a written report to the Student Senate after each GSBA election, detailing the results of the election.
- F. The Commissioners shall be held responsible to the Dean of Students (herein referred to as the "Dean") for the enforcement of the Election Code.
- G. The Dean shall evaluate each Commissioner and the election process following each election based upon their performance. The Dean alone shall have the authority to remove either Commissioner from their position for not carrying out the responsibilities enumerated in the Election Code.
- H. The Commissioners shall each maintain at least five office hours per week for five weeks prior to the campaign period, ten office hours the week prior to any election and 20 office hours the week of any election. Both commissioners must be present for vote tabulation and declaration of winners.

#### Section 2: Responsibilities

- A. The Commissioners shall be responsible for enforcement of the Election Code.
- B. The Commissioners shall be responsible for conducting the Fall General Election, the Spring General Election, and any special elections occurring in either the Spring or Fall as called by the GSBA president.
- C. The Commissioners shall create ballots for all electable positions. In the fall election positions on the ballot shall include: Non-Traditional Senator, International Senator, Freshmen Senators, On-Campus and Off-Campus Senators, and Freshmen Class President and Vice President. In the spring election, concurrently with the sophomore, junior, and senior class positions, their counterpart Senate positions will be placed on the ballot. Every effort must be made by the Commissioner to ensure that these positions are only voted on by their appropriate constituencies.

### XXXIII. Preparation for Election

#### Section 1: Scheduling

- A. Elections for the Fall General Election shall be held no later than five (5) weeks after the start of the fall semester.
- B. Elections for the Spring General Election shall be held no later than ten (10) weeks after the start of the spring semester.
- C. The schedule for all special elections shall be determined by the GSBA president.

#### Section 2: Publicity

- A. The Commissioners shall notify campus media and publicize to the best of its ability the offices to be filled in the Fall and Spring General Elections no later than one (1) week prior to the date for distribution of filing packets.
- B. In the event that a special election is called, the Commissioners shall be responsible for publicizing to the best of its ability the date and time of the election. Those students bringing forth an initiative petition shall be responsible for notifying the student body as to the nature of the petition, and the Senate shall likewise be responsible for notifying the student body as to the nature of any referendum.

C. The Commissioners shall produce and distribute a voter information pamphlet including the name, picture, and platform (when provided by the candidate) of each person running for fall and spring election. Failure of a candidate to submit a platform will result in that person's campaign position being omitted from the pamphlet. Distribution of the voter information pamphlet shall take place in a manner which makes them accessible to the entire student body.

### Section 3: Candidates' Registration

- A. All members of the GSBA, as defined in the GSBA Constitution, Article I, Section 2, shall be eligible as candidates for all GSBA elected positions, as approved by the Registrar's Office.
- i. All candidates must fulfill the following conditions:
    - a. The candidate must be a full-time student.
    - b. The candidate must have a minimum 2.3 cumulative GPA and be in good academic standing with the University.
    - c. The candidate must be in good disciplinary standing with the University as interpreted by the Student Life Office.
  - ii. Questions regarding candidate eligibility shall be determined solely by the Commission.

### Section 4: Nomination Procedures

- A. Filing for Fall and Spring Elections must last at least one (1) academic week.
- B. Petitions are due no later than the Friday before campaigning begins and must be handed in to the Election Commission office via the GSBA office no later than 4:30 PM. Remaining documents in the election packet, excluding expenditure forms, are due with petitions. Late petitions will not be accepted.
- C. Petitions may only be signed by eligible GSBA members, as defined in the GSBA Constitution, Article I, Section 2.
- D. An eligible GSBA member may sign any petition for any elected office, but may only vote for an elected office for which he or she is eligible to vote. Each eligible GSBA member may sign more than one petition for the same office.
- E. Petitions for Executive Officers shall bear one hundred (100) signatures from eligible GSBA members (Executive Officers being defined as the GSBA President, Vice President, Speaker of the Senate, and Treasurer. Candidates for GSBA President and Vice President shall file separate petitions). All other petitions shall bear fifty (50) signatures from eligible GSBA members.
- F. Expenditure forms are due in the Election Commissioners' office via GSBA by 4:30 PM on the day campaigning ends and must be submitted by all candidates regardless whether any money was spent. If no money was spent, the candidate must so indicate on said form. Late forms turned in within 4 hours of the deadline will forfeit the candidate's filing deposit at a rate of \$10 for each hour late as a penalty.
- Expenditure forms not turned before all of the filing deposit is expended (four (4) hours after the form is due) shall result in the disqualification of the offending candidate.
- G. A schedule of events pertinent to the particular election shall be provided with filing packets. Recipients of this schedule are required to observe all indicated dates and times, including but not limited to mandatory meetings. Failure to adhere to this may result in candidate disqualification and forfeiture of filing deposit at the Commissioners' discretion.
- H. The Commissioners shall notify all potential candidates of all dates pertinent to the particular election during a mandatory campaign meeting before campaigning begins.
- I. Failure of a candidate or his or her designated proxy to attend any mandatory meeting will result in disqualification of the offending candidate and forfeiture of the filing deposit.
- J. Students who have not met the qualifications of nomination within this section and have received votes in a regular election shall be considered write-in candidates, provided they are eligible to be candidates as defined in Section C. They shall be bound by all campaign rules pursuant to Article IV of this Code; however, they will not be required to attend any mandatory meetings or meet filing deadlines. Write-in candidates wishing to participate in campaign activities must pay a filing deposit before doing so per Article XXXIV, Section 3: B. No write-in candidate shall be listed on any ballot unless warranted based upon returns requiring a run-off election.
- K. In order to qualify for the run-off ballot, a write in candidate must complete an election-filing packet, pay a filing deposit, and obtain the appropriate number of signatures from eligible GSBA members as stipulated in Section 4, Subsection E of this Article within three days of the declaration of the run-off election
- L. All winners (including write-ins) of elections shall be notified by phone call, e-mail, or in person by the Commissioners. A write-in candidate who receives a majority vote in the general election shall take office contingent upon the completion of the filing packet and gathering the required number of signatures within three academic days of notification.

#### XXXIV. Campaigning

##### Section 1: Campaign Rules and Regulations

- A. All candidates shall adhere to the rules and regulations delineated in and by this Election Code, the University Ethos Statement, and Student Handbook for each election.
- B. The Commissioners shall have the authority to establish sanctions for violations of the campaign rules and regulations above and beyond what is outlined in this Election Code as the Commissioners deems necessary. These must be designated and clearly communicated to the candidates prior to the beginning of the campaign period.

##### Section 2: General Campaigning

- A. The general election campaign period shall last at least one (1) calendar week, beginning directly after the mandatory campaign meeting on the day deemed by the Commissioners as the beginning of the campaign and ending when the polls close on the final day of the election period.
- B. All campaigning, which is defined as any action consciously intended to sway votes towards or away from a candidate, shall be limited to the period specified. The Commissioners is the sole determinate of the campaigning period. Violations of campaigning period may result in candidate disqualification.
- C. Campaign materials on personal doorways in the residence halls are the property of the resident. Therefore, candidates may only place campaign materials on doors in the residence halls with permission of the resident. Furthermore, candidates will not be penalized for campaign material that remains on residents' doors after the campaign period is over.
- D. In addition to abiding by all other rules within the Election Code, Candidates running from the Gonzaga-In-Florence campus are prohibited from placing campaign signs on any public area of the Florence campus, but shall be allowed to post campaign material on personal/private property including living-quarter doors or on one's person.
- E. Campaigning includes, but is not limited to:
  - i. Door-to-door solicitation of votes
  - ii. Distribution of campaign materials to any party
  - iii. Posting flyers or hanging signs in public or private areas
  - iv. Actively soliciting public endorsements
  - v. All other activities designated by the Commissioners as campaigning as determined on a case-by-case basis.
- F. Messages generated by the candidate using telephone AUDIX or electronic mail systems (e-mail) may not be used for any form of elections campaigning unless submitted to a list-serve associated with a club, organization, or campus group that has given its explicit written consent from the club president to the candidate's campaign. Candidates shall be required to submit such approval to the Election Commissioners before the use of the list-serve in the form of a written and signed letter. E-mails will not be accepted. All other uses of e-mail and any use of the AUDIX system for campaigning shall be deemed as a violation of the Election Code. The Commissioners shall consider disqualification or other serious sanctions on a case-by-case basis for violations of this article.
- G. Campaign activities which disrupt any academic and/or scheduled University activity or violate any University policy shall be considered a violation of the Election Code and will result in serious sanctioning or candidate disqualification.
- H. Candidates are responsible for all publicity material with the candidates' name or any associated slogan or logo excluding materials posted on residence hall doors or on the premises of off-campus, privately owned or leased residences. This shall be defined as including but not limited to the following:
  - i. Handbills
  - ii. Fliers
  - iii. Indoor/Outdoor signs
  - iv. Buttons & Stickers
  - v. T-shirts or apparel
  - vi. Photographic art
  - vii. Lawn signs
  - viii. Materials designed to be worn, carried, or flown.
  - ix. All other items must be approved by the Commissioners prior to their usage.
- I. Materials not solicited by a candidate's campaign and/or created by an independent party not affiliated with the candidate's campaign designed to sway votes shall not be allowed and the Election Commissioners shall have the right to take action against any student or group engaged in such actions.
- J. The Commissioners shall investigate any incidences of suspected attempts by candidates to utilize Section 2: I to subvert the Election Code. Findings by the Commissioners of candidates engaging in such action shall result in candidate penalization or disqualification at the discretion of the Commissioners

- K. Candidates for office may carry out campaign activities together, but shall be listed separately by office on all ballots, except for the Student Body President and Vice President who shall be listed together as a ticket. Each time a candidate's name and/or logo appears on a public sign, it shall be considered as one of the ten allowable public signs for that candidate, except for the Student Body President and Vice President which shall count towards their total of 14 allowable public signs.
- L. All campaign related activities occurring off-campus shall be under the jurisdiction of the Commissioners. The Commissioners shall have the power to investigate candidate actions occurring off-campus which may sway an election as defined by the Commissioners and may take actions designed to punish a candidate for violations of this code or University Ethos policies.

### Section 3: Campaign Material

- A. Each candidate is allowed a maximum of ten (10) public signs total, including both five (5) indoor and five (5) outdoor except for the president/vice-president ticket which shall be allowed 14 total signs, including seven (7) indoor, and seven (7) outdoor.
- B. All candidates must submit an election filing deposit to the Commissioners before posting any public signs or carrying out any campaign activities. This deposit will be returned to the candidate after the election providing there are no violations and it is claimed within ten (10) academic days of the conclusion of elections. The filing deposit fee schedule is as follows:
  - i. President/vice-president ticket - \$60
  - ii. Executive position - \$30
  - iii. Senate position - \$30
  - iv. Initiative or Referendum Campaign - \$30
- C. No sign may be placed on glass surfaces, the Bookstore doors, or inside the GSBA offices. Further, no signs or campaign materials shall be allowed within Gonzaga University offices.
- D. Indoor public signs may not exceed the dimensions of four feet by four feet (4x4) and may be hung on the inside railing of the Jepson Center, and inside residence halls. Tape may not be used on painted surfaces and signs may not be hung from the ceiling of the Crosby Student Center. Indoor public signs may also be hung within other buildings, upon consulting the proper building authority and gaining written approval. Building authority shall be defined as the Dean or Asst. Dean of a school. This written permission must be provided to the Commission including a signature before any material is posted in said building. E-mails shall not constitute written consent.
- E. Outdoor public signs may be of any size. They may also be strung across light poles, trees, etc. but must not obstruct traffic or cross over a sidewalk or street. No signs may be placed on fire escapes or on the rails of Crosby for safety reasons. The exterior of Gonzaga University owned buildings shall be an approved area only if the sign has been approved by the building authority in writing as defined in Section 4, does not obstruct the view from the inside of the building through windows, and does not impede pedestrian traffic in any manner, nor block emergency exits.
- F. Candidates may post an unlimited number of campaign signs in non-public places only, such as residence hall doors as per Article XXXIII, Section 2: C.
- G. All other on-campus locations not specifically mentioned in this Election Code shall require the approval of the Commissioners before posting can occur.
- H. The Hemmingson Center Front Desk must approve all public signs. Signs must include a contact person and telephone number. In the event that a concern is expressed by the The Hemmingson Center Front Desk regarding an item of campaign material submitted for approval, the Commissioners may be consulted and can collaborate with the The Hemmingson Center Front Desk and the Candidate to make sure the concerns of both are addressed. Hemmingson will approve fliers to be posted around bulletin boards, cork boards, etc across campus. Fliers are to be no larger than an 8.5" x 11" piece of paper. Large posters will also be approved by Hemmingson to be hung on the back staircase of college hall on a first come first served basis."
- I. Nothing shall be placed on the outside of the Hemmingson center. Signs will only be allowed inside of Hemmingson Center if they are submitted in a digital form to the SIL office, where they will be formatted, printed, and handed over the Hemmingson staff to be hung up in the area above Starbucks.
- J. Candidates may distribute an unlimited number of campaign materials that are intended to be worn on clothing or backpacks (i.e. buttons, stickers, pins etc.) The candidate is responsible for this material in the event that it litters the campus.
- K. Any campaign material that destroys campus or private property will be considered in violation of these regulations, including litter at the discretion of the Commission.
- L. No GSBA, club, or University resources may be used for any campaign activities. This shall be defined as those materials and services a candidate did not pay for, or which are not available to the general student population. The Commissioners shall have the sole discretion to determine what is classified as a resource.
- M. Table tents, MSC mailbox stuffers, and chalking on University blackboards, buildings, sidewalks, or stairs shall not be allowed.
- N. Materials that contain profane, sexist, defamatory, libelous, or racist language or drawings, or any reference to alcohol or contraband is a violation of these regulations and will not be approved for posting.

- O. In addition to these stipulations, the University posting policies and rules shall apply to all candidates' campaign materials.
- P. All campaign materials must be removed within three (3) days of the conclusion of election. Failure to adhere to this deadline will result in the forfeiture of the candidate's filing deposit.

#### Section 4: Expenditures

- A. Student Senate candidates may spend no more than seventy five dollars (\$75) for all campaign -related activities including the solicitation of campaign contributions.
- B. Executive Officer or Class Officer candidates may spend no more than one hundred fifty dollars (\$150) for all campaign-related activities including the solicitation of campaign contributions, except for the combined ticket of the president and vice-president which may spend no more than two hundred dollars for all campaign-related activities (\$200).
- C. Initiative and referendum campaigns may spend no more than two hundred dollars (\$200) for all campaign -related activities including the solicitation of campaign contributions.
- D. Candidates may seek monetary donations from individuals, however the total of these donations shall not exceed the total expenditure limits for each of the three types of campaigns listed above.
- E. All candidates, initiative, and referendum campaigns shall be required to submit an itemized statement of all campaign expenditures, with receipts, to the Commissioners no later than the time that polls close for the given election period. This shall also include a statement by those candidates or campaigns which have not spent funds on a campaign. All campaigns are also required to list all donations including who the donation was received from, and what the total amount of the donation was.
- F. Previously owned or donated materials must be listed on the expenditure form with an estimated value. The Commissioners shall have the authority to determine if this value is accurate.
- G. The Elections Commissioners shall attempt to communicate with those candidates who have not turned in their expenditure forms when the polls close, through any means available. Late expenditure forms will forfeit part of the candidate's filing deposit at a rate of one-third (1/3) of the total deposit per hour (\$10 per hour for Senate and Executive/Class Officers except \$20 per hour for President/Vice President ticket) until all the funds have been depleted. Once the filing deposit is expended the candidate, the initiative, or the referendum shall have an additional hour to turn in the expenditure form. If the form is not turned in within four hours after the polls close, the candidate, or the initiative, or referendum will be disqualified.
- H. Candidates or initiative/referendum campaigns exceeding the above-mentioned budget limit shall be disqualified.

#### Section 5: Campaign Platforms

- A. Each candidate in the Fall and Spring Election shall submit to the Commissioners an electronic version of his or her platform (200 word maximum) as well as a typed copy of the platform. Platforms may be published in the Gonzaga Bulletin or any other interested publications. Platforms will be published as submitted, unless deemed by the Commission as not conforming to the stated guidelines governing campaign materials.
- B. Platforms must be turned in at a time designated by the Commissioners which shall be provided in writing to the candidates in the election packet. Platforms not turned in by this time will not be published.

#### Section 6: Violation of Campaign Rules and Regulations

- A. Except as otherwise noted in the Election Code, the Commissioners will adhere to the following violation schedule:
  - i. Upon the first violation of the above rules and regulations, ten dollars will be removed from the candidate's filing deposit.
  - ii. Upon the second violation, the full amount of the deposit will be forfeited.
  - iii. The third violation will result in candidate disqualification unless the Election Commissioners determine one of the following special circumstances apply:
    - a. The third violation occurred due to Commissioner error, or
    - b. The third violation occurred due to extenuating circumstances, defined as situations where candidates have no control and, thus, cannot avoid violating the elections code, as agreed to by the Commissioners.
- B. Based upon the circumstance mentioned in Article XXXIV, Section 6: 1, the Elections Commissioners have the right to determine a violation schedule appropriate to the election.
- C. Disqualification of a candidate may be considered by the Commissioners in all instances where this code is violated in a serious manner determined by the Commissioners.
- D. Write-in candidates must also adhere to the campaign rules and regulations as outlined in the Election Code for their position.

## Article XXXV. Election Procedure

### Section 1: Ballots

- A. All ballots shall contain the following information in addition to the names of official candidates:
  - i. The designation "GSBA Official Ballot"
  - ii. Date of election
  - iii. Title of office
  - iv. Constituency (class/residence/citizenship/age range)
  - v. Write-in line for each office (general election only)
  - vi. Specific voting instructions pertaining to the number of candidates to be selected and the manner of selection
- B. Each class shall have a ballot containing Executive Body candidates (Spring Elections only) and respective Class Officer and Student Senate candidates.
- C. The placement of names on the ballot shall be alphabetical by last name.

### Section 2: Polling Officials

- A. Polling officials are those persons who administratively assist the Commissioners at polling stations. All polling officials shall be members of the Commissioners or appointments approved by the Commissioners, and shall be required to sign an Election Polling Integrity Statement.
- B. No candidate, his or her proxy, or the sponsors of an initiative or referendum may serve as polling officials. Senate members having voted for a referendum shall be allowed to serve as polling officials so long as they did not sponsor said referendum.
- C. Polling officials are responsible for remaining at the polling station until a replacement has arrived.
- D. Polling officials must sign an Election Polling Integrity Statement.

### Section 3: Polling Procedures

- A. In order for a student to vote, the electronic poll must indicate the following:
  - i. The student must be registered for the term in which the current election is taking place.
  - ii. The student must not have previously voted.

### Section 4: Internet Voting

- A. A secure Internet voting system shall be established through Central Computing and Network Support Services.
- B. All matriculated students registered for the term in which the current election is taking place shall be made eligible to vote on the Internet.
- C. Students enrolled in the Gonzaga-In-Florence program shall be allowed to vote on the Internet for the Spring election unless the Commissioners deem otherwise. Advance notice of denial of online voting shall be required of the Commissioners as well as a written statement explaining the reasons for the denial.
- D. Internet results shall be obtained from Central Computing and Network Support Services by the Election Commissioners only.

### Section 5: Gonzaga-In-Florence, Study Abroad Polling Procedures

- A. Only matriculated Gonzaga students enrolled in the Gonzaga-In-Florence program or a study abroad program directly affiliated with Gonzaga University, as defined by a student being enrolled with the University while attending said program, and having paid their student activity fees, shall be eligible to vote in the Spring and Fall General Elections or other special elections.

### Section 6: Tabulation of Votes

- A. The tabulation of votes shall occur at a designated place and time and shall be open to all GSBA members pursuant to Article II of the GSBA Constitution. The only exception to this rule shall be if the Commissioners decide that an observer is being disruptive to the process and allowing that individual to remain would inhibit the vote tabulation process. In the event this occurs, the Commissioners may elect to expel the observer, banning the individual from the remainder of the tabulation process.
- B. The Dean, or a designee, must be present for vote tabulation.
- C. Vote tabulators shall be limited to the Election Commissioners and GSBA advisors or their designee.
- D. When a ballot has been filled out incorrectly by the voter, only the incorrect portion of the ballot shall be deemed invalid.

- E. Ballots which have been marked to reasonably indicate a particular candidate for a specific office shall be counted for that office. In the case of write-in candidates, the student's first and last name must be present to be counted as a vote. All GSBA write-in candidates must receive a minimum of ten (10) votes to be declared a winner for the position in which he or she is running.
- F. The Commissioners will establish guidelines prior to the tabulation process governing any methods of determining voter intent above and beyond what is established in the Election Code.

#### Section 7: Declaration of the Winner

- A. A candidate for an Executive Officer position (GSBA President-Vice President, Speaker of the Senate and Treasurer) shall be proclaimed the winner when he or she has received a Majority of the votes cast for that office.
- B. A candidate for a Class Officer position shall be proclaimed the winner when he or she has received a plurality of votes cast for that office.
- C. If no candidate for an Executive Officer has the required number of votes, there shall be a run-off election between the two (2) candidates receiving the most votes.
- D. Candidates for the Student Senate receiving a plurality of the votes shall be declared winners for the number of positions available (ex. For the four available Senator positions per each class, the top four candidates will be elected to the positions as decided by the elections process)
- E. Election results must be validated by the Dean or their designee prior to posting.
- F. Election results shall be posted outside the GSBA offices by 9:00 AM the day following the validation of the Dean or their designee at the latest.
- G. The Commissioners shall make available to the general public in all elections a complete list of the numerical results of the election, including percentages.

#### Section 8: Run-off Elections

- A. The campaign period for run-off elections will begin once the run-off is announced, as defined by the officially certified results being posted, and will end when the polls close for the given election.
- B. The campaign rules and regulations, as per Article XXXIV, shall continue to apply to the run-off campaign period.
- C. The run-off election will be held no later than one (1) week after the general election.
- D. A write-in candidate who has received enough votes in the general election shall be placed on the runoff ballot after submitting the requisite petitions bearing one hundred (100) signatures for Executive Officers within three academic days of the declaration of notification following the general election unless the position was unopposed.
- E. Candidates will receive a new expense limit equal to fifty percent (50%) of the original allotment for general elections, not to exceed the original allotment in general elections. If the combined ticket President and Vice-president spend zero dollars during the general election, zero dollars are added back during run-off. If they spend all two hundred (\$200), one hundred (\$100) is re-allocated for runoff. An expenditure report must be submitted to the Commission, regardless of expenditure, when the polls close. Other expenditure rules and regulations, as per Article XXXI, Section 4, must be followed.

#### Section 9: Grievances

- A. A grievance is defined as a formal complaint against the Election Commissioners dealing with the elections process itself. Examples of a grievable offense include inadequately monitored polling stations, improper vote tabulation procedures, etc.
- B. Grievances must be filed with the Judicial Board within two (2) academic days of the end of the conclusion of elections. This request must be made in writing and must include justification and action to be taken.
- C. The Judicial Board shall be required to hear a grievance as soon as possible, and no later than four (4) academic days after receiving a properly filed and justified grievance (as determined by the Judicial Board, in accordance with GSBA Bylaws, Article XXVII, Section 10).
- D. The Judicial Board shall have the power to demand a recount of votes if sufficient evidence is provided that votes were not counted according to Article XXXV, Section 6.
- E. The Judicial Board shall have the power to demand a special election if sufficient evidence is provided that the election was not conducted according to this Election Code. The GSBA President and Election Commissioners must then collaborate to determine the timeline for such an election.

- F. The Judicial Board shall also have the authority to address a grievance in the following manner:
  - i. Censure of an Election Commissioner for gross misconduct or a blatant disregard for the Election Code.
  - i. Reversal or modification of an Election Commissioner's order or decision.
  - ii. Declaration of a winner in an election where a re-vote or special election would not remedy the issue originally grieved.  
Ratification of the winner is contingent upon the majority vote of Senate, if seated.

#### Section 10: Complaints

- A. A complaint is defined as dealing primarily with candidate behavior and violations of the campaign rules and regulations outlined in Article XXXV of this Election Code. Complaints are typically filed against another candidate.
- B. Complaints must be filed with the Election Commissioners within two (2) academic days of the conclusion of the elections. The request must be made in writing and include justification and proposed action to be taken.
- C. The Election Commissioners shall be required to meet and render a decision regarding the complaint within two (2) academic days after receiving a properly filed complaint.
- D. The Election Commissioners shall have the authority to disqualify a candidate in accordance with the specifications in this Election Code or take actions designed to sanction a candidate within the guidelines of the Election Code at the discretion of the Commission.
- E. Appeals of the Election Commissioners' decisions must be filed with the Judicial Board within two (2) academic days of the rendering of the decision. Appeals will follow the following guidelines:
  - i. The Judicial Board shall hear the appeal as a case by the dissatisfied party against the originator of the complaint.
  - ii. The Judicial Board shall have the authority to determine whether the complaint is classified as complaint within the guidelines of this code.
  - iii. The Judicial Board, upon a finding of a difference in facts from the Election Commission, shall have the authority to remand the case to the Election Commission for reconsideration.
- F. The Judicial Board shall have the power to reverse decisions of the Election Commission in adherence with Article IX, Section 7 of the Constitution.
- G. In matters where the Election Commissioners have exercised their discretion, the determination of the Commissioners is not open to appeal unless it can be demonstrated beyond a reasonable doubt that the Commissioners violated Article IX, section 7 of the Constitution.

#### Section 11: Special Elections

- A. The President may call for a Constitutional election in accordance with Article X of the GSBA Constitution.
- B. Referendum petitions may be submitted to the President in accordance with Article XII of the GSBA Constitution.
- C. The President shall present this referendum petition to the Commissioners within two (2) academic days of receiving it.
- D. Ballots for all special elections shall contain the following information:
  - i. The designation "GSBA Special Election Official Ballot"
  - ii. Date of the election
  - iii. Specific voting instructions
- E. Polling procedures shall be carried out in accordance with Article XXXV Section 2 of this Election Code.
- F. Vote tabulation shall be carried out in accordance with Article XXXV, Section 6 of this Election Code.
- G. Election results shall be posted outside the GSBA offices for a period of seven (7) days.