



Election and Disputes  
Commission  
Student Government George  
Mason University

## **2019 Election Code**

Drafted by the Elections and Disputes Commission and approved by the 39<sup>th</sup> Student Senate. This document shall serve as the official rules of Student Government Elections for any elections held in the year 2019.

Submitted: January 28<sup>th</sup>, 2019

Approved: January 31<sup>st</sup>, 2019

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## 2019 George Mason Student Government Election Code

### 1. *Section 1: Purpose and General Provisions*

- 1.1. The sole purpose of the Election Code is to provide the mechanism necessary to elect student body officers pursuant to the Code for Student Governance and the Student Body Constitution of George Mason University. No portion of the Election Code shall be invalidated either solely or partially on the basis of this statement of purpose.
- 1.2. This document shall be the ruling authority regarding any election for any office within George Mason University's Student Government. It is subject to limitations set forth by federal laws.
- 1.3. All votes taken by the Election and Disputes Commission, documents, hearings, and other materials related to Student Government elections are considered public record. Every effort will be made by this Commission to update the Student Government website in a prompt manner. This is including all documentation, evidence, and audio recordings taken during the grievance process.
  - 1.3.1. Solely at the request of University Administration showing just cause, documents may be sealed to protect students, or as required by law to comply with police investigations. Should any material become sealed, this Commission will post a notification to the website reflecting that information.
- 1.4. No member of the Election and Disputes Commission shall endorse, campaign for, make a contribution to, or in any other manner support any candidate(s) or ticket (s) for any George Mason University Student Government elected office or any George Mason University Student Government Ballot Measure(s).
  - 1.4.1. Election and Disputes Commission Members reserve and retain all rights to voting in any George Mason University Student Government election.
- 1.5. Student Government is a neutral entity.
- 1.6. The Elections and Disputes Commission will produce a timeline before each election cycle and publish it on the Student Government website.
  - 1.6.1. The Bylaws document may also include information about potential dates and times for grievance hearings and other matters that require the attention of the whole Election and Disputes Commission.
- 1.7. All candidates who participate in elections are responsible for everything included in the Election Code and all university policies. Should university policies be violated, the candidate, and not the Commission or Student Government, is responsible for all transgressions.

### 2. *Section 2: Definitions*

- 2.1. These definitions are to be used solely for the purposes of interpreting this document, and should not be applied to any other document that may govern the election process.
- 2.2. GMUSG shall mean George Mason University Student Government.
- 2.3. SG Office shall mean the Student Government and Student Government Lead Team offices, Rooms 2306 and 2307A respectively, located within Student Involvement. have the primary purpose of furthering the candidate's likelihood of being elected.

- 2.4. Ballot shall mean the medium on which a vote is recorded, transmitted, or counted
- 2.5. Campaign material shall mean any supplies used by a candidate or candidate's staff that have the primary purpose of furthering the candidate's likelihood of being elected.
- 2.6. Campaigning shall mean any activity by a candidate that has a primary purpose of furthering the candidate's likelihood of being elected, or by an individual that has a primary purpose of furthering the defeat of or passage of a candidate.
- 2.7. Candidate shall refer to a person who meets the qualifications as outlined in the Student Body Constitution of George Mason University, The Code for Student Governance, and any other relevant governing documents. Candidate shall refer to a single individual as a Student Senate candidate or a group of two individuals running together as an Executive Ticket for Student Body President and Vice President. This term includes write - in candidates.
- 2.8. Commissioner shall refer to any duly appointed commissioner of the Election and Disputes Commission.
- 2.9. Constitution shall refer to the Student Body Constitution of George Mason University, unless specified otherwise.
- 2.10. Code shall refer to the Code for Student Governance, as adopted by the Student Senate, unless specified otherwise.
- 2.11. Defendant shall mean the person against whom any grievance or grievance is filed with the Election and Disputes Committee.
- 2.12. Petitioner shall mean the party that initiates a grievance hearing before th Election and Disputes Commission.
- 2.13. Destroying shall mean completely ruining or removing a form of physical advertisement.
- 2.14. Election and Disputes Commissions (EDC) shall mean the body that oversees everything related to elections, as outlined in the Student Body Constitution and the Code of Student Government.
- 2.15. Voting period shall mean the time period during which students can access the ballot to vote in GMUSG elections.
- 2.16. University Building shall mean any and all buildings owned by George Mason University on each George Mason University campus.

### 3. *Section 3: Code of Conduct*

- 3.1. Each candidate running for a position in Student Government shall be subjected to this Code of Ethics.
- 3.2. Definitions
  - 3.2.1. Slander shall mean the action of making a false spoken statement damaging to a person's reputation in a tangible way.
    - 3.2.1.1. Candidates shall not slander other campaigns or candidates, any student, faculty, or staff member at George Mason University, regardless of position. There shall be no slandering of student clubs, student activities, student events, or other bodies associated with the students and faculty/staff at George Mason University.
  - 3.2.2. Threat shall mean a statement of an intention to inflict pain, injury, damage, or other hostile action on someone in retribution for something done or not done.
    - 3.2.2.1. No threats shall be made against other campaigns, candidates, students, faculty, staff, or administrator. No threats shall be made against any student organization, club, or other entity.
    - 3.2.2.2. The medium in which incompliant threats can be made includes, but is not limited to, verbal, written, online, in - person, or in the form of email, text message, or other method of communication.
  - 3.2.3. Insubordinate shall mean defiant of authority; disobedient.
  - 3.2.4. Disruptive shall mean causing disruption. Disruption shall mean disturbance or problems that interrupt an event, activity, or process.
  - 3.2.5. Disrespectful shall mean showing a lack of respect or courtesy; impolite.
- 3.3. During grievance hearings, the EDC reserves the right to remove any person(s) and/or parties involved in a grievance hearing, or those viewing from the gallery, for exhibiting behavior, which the EDC deems insubordinate, disrespectful, or disruptive during to other University judicial bodies, depending on the severity of the offense during a hearings.
  - 3.3.1. Any person(s) and/or party during a hearing who acts insubordinate, disrespectful, or disruptive towards the Elections and Disputes Commission, a person and/or party involved in a dispute, a member of the gallery, or faculty/staff present, will immediately be removed from the hearing.
  - 3.3.2. Any person(s) and/or parties who are removed during a hearing for exhibiting behavior that violates Section 3.5 and/or its subsections shall forfeit all remaining speaking time to the opposing party.
  - 3.3.3. Subsequent actions may be taken by the Elections and Disputes Commission or referred hearing.

#### 4. ***Section 4: Candidacy***

- 4.1. Candidates may run for one office, either a seat in GMUSG's Student Senate or an Executive Office as part of an Executive Ticket. Candidates may not simultaneously run for more than one (1) office.
- 4.2. Students wishing to run for an office within GMUSG must complete the Election Candidacy Form on GMUSG's GetConnected page after attending a mandatory candidate meeting. Those who fail to comply with this step may not be placed on the ballot.
- 4.3. Completed Election Candidacy Form shall include the following documents: Candidacy Declaration (to obtain basic contact information and University - related information,

and ensure compliance with this Election Code), Release for Academic Records (to ensure compliance with the GPA requirement, verify academic standing, ensure a clean record with the Dean of Students and Honor Committee).

- 4.3.1. Students running for Student Senate in the fall must provide a copy of their Patriot Web schedule with their completed candidacy form to ensure there is no class conflict with the Senate meetings (Thursdays at 4:30pm). Without this schedule included, candidates will be notified to provide their schedules by the candidate meeting. Should a schedule not be provided, a strike will be given to the candidate. Should a candidate not provide their schedule by the Wednesday before the voting period, the candidate will be removed from the ballot.
- 4.3.2. Mandatory candidate's meetings will be made public by the Elections and Disputes Commission. The student running for office must sign in at the meeting and provide a unique meeting code on the application. Students failing to complete this step will not be placed on the ballot.
- 4.3.3. Candidates who are unable to attend a scheduled candidate meeting must meet with a commissioner to gather all related information during the declared Elections and Disputes Commission's office hours. Should attendance at a meeting not occur, the candidate will not be placed on the ballot.
- 4.3.4. Upon completion of the requirements of candidacy, as outlined in the Constitution and Code, a student shall be placed on the ballot for the position indicated on their Candidacy Declaration form.
- 4.4. The Advisor of GMUSG shall verify that each student desiring to be a candidate meet s the requirements provided in GMUSG's governing documents. Candidates may not be on academic suspension, probation, or have any recorded honor code violations. Any person failing to meet the requirements shall not be allowed to stand as a candidate.
- 4.5. After a candidate is verified by the Advisor of Student Government, they will receive an email from the EDC email account acknowledging their status as a candidate for office. Those who fail to meet the requirements, but collected a packet, will receive a notification email. If the student's packet was incomplete for any reason, they will not be considered a candidate.
- 4.6. All candidates must meet the minimum qualifications for membership in Student Government as outlined in the Constitution.
- 4.7. Candidates will be placed on the ballot in a random order determined by the voting software used by George Mason University. The process will be overseen by the Advisor of Student Government to ensure fairness.
- 4.8. Those candidates filing a valid application by the deadline set by the EDC shall be placed on the Election Ballot.
- 4.9. A candidate shall appear on the ballot under the name used on the candidate's Candidacy Declaration form. A candidate may request on the application that an abbreviated version of their first name or a nickname be listed on the ballot alongside their last name. Requests will be reviewed by the EDC.
- 4.10. A student may run as a write - in candidate provided that they personally sign and fill out the form on GetConnected and agree to the following statement: "I (Insert name of Candidate as presented on a valid GMU ID Card) certify that I meet the qualifications for the position of Student Senator as outlined in the governing documents of GMUSG. I am filing as a Write - in candidate and understand and agree that my name shall not appear on the ballot. Blank spaces will be provided for write - ins. Misspellings of my name will be evaluated by the EDC for intent, and the EDC will make every effort to

ensure I receive all votes intended to elect me, but I will not have any way to appeal the EDC's decisions regarding misspelled write - in votes."

4.10.1. Write - in candidates must follow all rules provided for candidates as appropriately stated within this Election Code.

4.11. Candidates for Senate are entitled to have a three hundred (300) character statement appear by their name on the ballot. Candidates for Executive Office are entitled to have a six hundred (600) character statement appear by their name on the ballot. This statement must be submitted to the official EDC email address no later than the date and time prescribed by the EDC, which will be announced at the Candidate Meeting. Failure to submit a statement will not invalidate a candidate, but that candidate will not have a statement appear next to their name.

4.11.1. Write-in candidates are not entitled to nor may they request to submit a Candidate Statement.

4.12. Any candidate wishing to drop out must do so by sending an email to the official EDC email account stating the candidate's desires to drop out. The deadline for submitting a the start of voting.

## 5. ***Section 5: Campaigning***

5.1. Candidates may not litter campus with materials. Candidates are required to take all prudent measures to ensure their campaign materials stay affixed to their intended location.

5.2. There shall be no use of the GMUSG logo, the University Logo or George Mason University Branding Guide elements.

5.3. Each candidate must submit all campaigning materials used in the campaign and they must be approved by the EDC before distribution. EDC members will briefly assess items to ensure the quantity of presented items reasonably matches the quantities stated on the receipts. As the EDC is a neutral body, we will not perform assessments based on the rules enumerated under Chapter 5 of this Election Code. However, the EDC reserves the right to hear cases that are referred to the Commission for review by an external petitioner. An external petitioner shall be a person who is not a member of the EDC. Additionally, the petitioner may not be unduly influenced by a sitting Commissioner.

5.3.1. Materials may be approved in conjunction with this Election Code. The date and time - stamped signature of any EDC commissioner, obtained at a mutually agreeable time for both Candidate and Commissioner, shall be considered approval.

5.4. Candidates should adhere to the rules set forth by George Mason University concerning Commission is contacted by the University, the Commission will refer the University the use of classrooms and meeting rooms.

5.4.1. Additionally, there is to be no active campaigning or use of classroom resources in the time during or immediately before or after class.

5.5. Candidates are not permitted to wear, display, or carry any campaign materials past the front desk of the Student Involvement unless they are covered or otherwise out of sight. A candidate may enter the Student Involvement with campaign materials if the sole purpose is to speak with an EDC member regarding the campaign material in question.

5.6. Candidates must remove all campaign materials from University property within 48 hours after the results are announced. If materials are left up after the deadline, and the directly to the candidate.

5.7. Once the voting period has begun, candidates are forbidden from participating in any active campaigning inside University buildings, including all residence halls. All

currently posted flyers, posters, and similar campaign materials may remain in place, but no new materials may be posted and no more campaign events may be held. Candidates may utilize outdoor spaces in accordance with University regulations during campaigning as long as they do not harass students.

- 5.7.1. Candidates are permitted to utilize electronic forms of communication throughout the entire election and voting process. This includes social media, text message, email, and other forms of electronic communication that do not expressly violate other provisions of this code.
- 5.7.2. Passive campaigning inside during the voting period is acceptable. Passive campaigning includes wearing shirts, stickers, buttons, and utilizing other forms of campaign materials that do not isolate individuals or small groups, or place undue pressure on an individual to vote a certain way.
- 5.8. All candidates are responsible for their campaign staff. All candidates are required to submit a Campaign Staff Roster to the EDC by 12 noon on the first day of campaigning.
- 5.9. No candidate shall accept donations from any organization that is dependent on University funding. No organization funded exclusively by student fee money may donate to a candidate.
- 5.10. Candidates wishing to utilize cubes and Student Centers must adhere to the rules set forth by George Mason University.
- 5.11. Campaigning that disrupts the normal flow of University business is prohibited and can be stopped by appropriate University officials.
- 5.12. No campaign material shall be affixed to any vehicles, with the exception of the candidate's own personal vehicle or the vehicles of the candidate's supporters. Persons supporting a campaign must place the campaign material on their own car. Distribution of campaign materials on cars, bikes, motorcycles, or any other form of transportation used by persons not affiliated with a campaign is prohibited.
- 5.13. No tangible or electronic campaign material will be posted or left open on the monitors of any computers at George Mason University.
- 5.14. No campaigning may occur in any building that operates as part of George Mason University Housing without prior written approval from a Resident Director (RD) or higher - ranking housing staff member. The approval of an individual Resident Advisor (RA) or Head Resident Advisor is not sufficient.
- 5.15. Absolutely no campaigning of any kind can occur in the SG Office nor the Student Involvement Office.
- 5.16. No candidate may reserve the George Mason statue outside of the Johnson Center for campaign purposes.
- 5.17. Candidates who claim endorsement from a group or organization, either on - campus or off - campus, must first obtain written consent from the group or organization's sole leader or executive board. This written consent shall be submitted on a Campaign Endorsement form to the EDC prior to claiming endorsement.
  - 5.17.1. Candidates wishing to be endorsed by an organization needs to have the President of the organization fill out the GetConnected form that is available during the process before the endorsement is publicly made.
- 5.18. Candidates cannot seek nor claim endorsement from any University office or on - campus group that is led by non - students. Additionally, candidates cannot seek nor claim endorsement from Student Government, any member of the EDC, or any current Student Government member acting as part of their official capacity as an elected officer of the students.

- 5.18.1. Candidates claiming endorsement from current members of Student Government acknowledge that said endorsement is personal in nature, and in no way reflects the views of others in Student Government or the views of Student Government as a whole. Candidates may not advertise or publicize in any way an endorsement from any current or former member of Student Government whereas the member's title or office is included.
- 5.19. GMUSG property shall not be used for campaigning unless designated for that purpose. Candidates may not use any resources found in Student Involvement, including the Imagination Station, for any endeavor even loosely related to their campaign.
- 5.20. 5.20 Students running in the election are encouraged to not chalk on any vertical surface of the University including building walls. Additionally, the candidates are encouraged not to chalk in areas that are not directly open to rainfall.
- 5.21. Candidates will have 48 hours to remove chalking from all vertical surfaces that cannot be removed by rainfall. Candidates that do not remove the chalk will have their information forwarded to the facilities for removing the chalk. All costs will be assumed by the student for removal of the chalk.
- 5.22. Students running in the elections must follow all guidelines and regulations regarding banners set forth by the Student Centers Office.
- 5.23. Campaigning in any form may not begin until a time designated by the EDC.

## 6. *Section 6: Financial Regulation*

- 6.1. Spending Limits are as follows:
  - 6.1.1. No Ticket for Executive Office shall spend over \$1,000 on their Campaign.
  - 6.1.2. No Candidate for Senate shall spend over \$350 on their Campaign.
  - 6.1.3. Persons listed on a candidate's Campaign Roster are financially linked to that campaign. Receipts from money spent by these individuals must be submitted by the Candidate. All campaign rosters can be submitted via a form on GetConnected.
    - 6.1.3.1. Any financial costs accrued from campaign material that furthers the campaign of more than one candidate will be applied to all involved candidates spending limits.
  - 6.1.4. Additionally, any organization that endorses a candidate is linked to that candidate financially. Any money that organization spends with the sole purpose of campaign for said candidate must be declared by the candidate.
  - 6.1.5. Candidates shall be responsible for providing original receipts for all campaign materials within 24 hours of the announcement of results.
    - 6.1.5.1. All goods and services for which receipts cannot be provided shall be reported to the EDC.
    - 6.1.5.2. Any and all campaign materials and advertisements purchased by either a candidate and/or his/her campaign staff for the purpose of campaigning must be included in the claimed campaign expenditures.
- 6.2. Exceeding spending limits will result in a strike determined by the EDC. If this violation causes the candidate to have 3 strikes after votes have been certified, the newly elected officer will lose office and the next runner up will be declared the new winner.
- 6.3. The EDC may submit a written request for a candidate's updated receipts at any time during an election. These receipts shall be submitted to the EDC within 24 hours of the request.

## **7. Section 7: Election Procedure**

- 7.1. Voting will be confidential.
- 7.2. Absentee voting and proxy voting are not permitted.
- 7.3. Ballots shall be made available using an online voting method prescribed by Student Involvement. If the office does not supply a voting tool, the EDC shall be responsible for finding a suitable system.
- 7.4. Students may vote for up to thirty (30) candidates for Student Senate and one (1) Executive Ticket for Student Body President and Vice President during the Spring Election cycle.
- 7.5. During the Fall Election cycle, students may vote for ten (10) candidates for Student Senate. There is no Executive Election in the Fall.
- 7.6. At the end of the voting period, the EDC shall privately review vote tabulation, under the supervision of the Advisor of Student Government or higher - ranking administrator from Student Involvement.
- 7.7. Any person wishing to view voting data following the certification of results may make this request of the Student Government Advisor.
- 7.8. Votes for persons other than candidates or filed write - in candidates who are not on the ballot will not be tabulated.
- 7.9. Candidates may file a grievance requesting a recount. The EDC will hear the grievance and rule in favor of a recount if clear and convincing evidence shows an error in the initial tabulation of votes or that a recount may result in a different outcome.
  - 7.9.1. This kind of grievance must be filed before the certification of the results.
- 7.10. After votes are tabulated, the Chair of the EDC shall certify the results, and publicly announce the results at noon the business day following the election. In order to certify the results, Chair of the EDC and the Advisor of Student Government shall sign this certificate. It shall read: "All qualified ballots and votes being accounted for, the following results of this election, held (dates here), are official and certified by the Election and Dispute Commission of George Mason University. All candidates achieving plurality are hereby declared elected, and all referenda achieving the same are hereby declared in effect. So say us one, so say us all."
- 7.11. The EDC reserves the right to delay the announcement of election results when grievances are still pending, or if there is suspicion of election fraud or vote tampering.
- 7.12. A copy of results shall be posted at the entrance to Student Involvement and on the Student Government website.

## **8. Section 8: Grievance Procedure**

- 8.1. Any student shall be permitted to file a grievance subject to limitations set forth in this Election Code.
  - 8.1.1. The EDC will not file grievances during the election period.
- 8.2. Grievances shall be filed with the EDC. Grievances may be submitted via GetConnected. All accompanying documents are to be included in this email in the form. Additionally, a second printed copy of all grievances must be hand delivered to the Advisor of Student Government.
  - 8.2.1. Grievances shall specify in what way the petitioner was allegedly harmed by the actions of the defendant.

- 8.2.2. Grievances must list which provisions of this Election Code the defendant allegedly violated.
- 8.3. Upon receipt of a complete Grievance Form in total compliance with Section 8.2 and its subsections, the EDC will set a date, time, and place for the Grievance Hearing.
- 8.4. Grievance hearings shall follow the prescribed format:
- 8.5. Only the petitioner, defendant(s), and up to one person they may choose to represent them are permitted to sit at the tables directly in front of the EDC's bench.
  - 8.5.1. All gallery members are required to remain silent behind the petitioner and defense tables, unless asked to come forward by an EDC member to testify. Gallery members are prohibited from using cell phones for any purpose during the hearings.
  - 8.5.2. At the onset of the meeting, the EDC Chair, or highest-ranking officer in order of time spent on the EDC in the event of the Chair's absence, shall read the official title of the Grievance at issue.
  - 8.5.3. At that time, each side will have ten (10) minutes to present their case. This is a hard time limit, and involved parties will be cut off by the EDC after a party's time period has elapsed.
  - 8.5.4. Following the opening arguments, each side will be permitted to ask five (5) questions to the opposition. Questions should be directed to the EDC. Should the EDC Chair deem the question appropriate, relevant, and non - repetitive, the Chair will direct the question to the appropriate party. During the question portion, no new information or charges may be introduced. Responses will be limited to one (1) minute.
  - 8.5.5. Following questions, each side will have two (2) minutes for closing arguments.
  - 8.5.6. Involved parties or their representatives during a hearing may request for an extension to any of the allotted time slots. These requests will be evaluated and decided by the EDC.
- 8.6. If the EDC feels that a party needs more time to respond to a question, or a significant portion of the candidate's time was consumed answering questions from the EDC, the Commission may grant that candidate more time as it sees fit.
- 8.7. The time limits and question counts are subject to EDC discretion and may be changed to gain a fuller understanding of issues at hand. Any change to time limits or question counts will be announced at the earliest moment in which the EDC feels and agrees that a change is necessary. The question section itself may be eliminated in its entirety or stopped short if the EDC feels that the questions are no longer relevant or constructive to the hearing at hand.
- 8.8. In order for the Election and Disputes Commission to hear a grievance, at least three (3) commissioners must be present.
- 8.9. All defendants are innocent until proven guilty by a preponderance of the evidence.
- 8.10. Appeals and the appeal process are outlined in the Code of Student Governance.

## 9. ***Section 9: Penalties***

- 9.1. The EDC shall assess and enforce all penalties.
- 9.2. Violations shall at minimum result in one (1) strike; however, the EDC reserves the right to assess a stronger penalty based on the evidence presented.
- 9.3. Upon the accumulation of three strikes the Candidate will be disqualified.
- 9.4. Violations are as follows: failure to abide by the provisions of this Election Code, deliberately defacing, altering, or destroying the campaign material of another candidate, falsification of paperwork required by this Election Code.

- 9.5. The EDC may require a campaign to correct an action that is in conflict with a provision set forth in this Election Code. If such corrective action is feasible, it must be completed within twenty - four (24) hours of the EDC notifying the campaign.

#### **10. *Section 10: Record Keeping***

- 10.1. All electronic communication submitted to the Commission regarding any election matter should be directed to the EDC's official email address ([sgedc@gmu.edu](mailto:sgedc@gmu.edu)).
- 10.2. The Chair of the EDC shall record all final totals and file them with the Advisor of Student Government as the official and permanent record of the vote for the election at issue. Said records shall be available for audit by any GMUSG or any of its official entities.