



MEMORANDUM

TO: Members of the Executive Committee
FROM: Tremayne T. Price, President
DATE: March 8, 2014
SUBJECT: Amendments to Student Assembly Bylaws
(Article X – Elections Procedure)

Action Requested

The resolution authorizes proposed rulemaking to better streamline the annual election procedures.

Resolution

I recommend that the Executive Committee adopt the following resolution:

Resolved that the following sections of the Student Assembly Bylaws be amended to read as follows and that said amendments be, and hereby are, requested to go into effect immediately upon passage of this resolution (brackets denote old material to be deleted; underlining denotes new material to be added):

**The Student Assembly of the State University of New York
Bylaws**

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ARTICLE VII – EXECUTIVE CABINET

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Section 2: The Executive Cabinet shall be composed of the following positions:

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[(d) Commissioner of Elections. The Commissioner of Elections shall perform the following duties:

(1) Shall Chair the Elections Committee and serve as its non-voting representative to the Student Assembly and the Executive Committee.

(2) Shall fairly administer Student Assembly elections in accordance with these bylaws. Shall perform such additional

applicable duties as requested by the Student Assembly, the Executive Committee or the President.

(3) Shall submit a monthly report to the Secretary at the specified due date before each Executive Committee meeting.]

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ARTICLE VII – COMMITTEES

Section 1: Standing Committees

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[(3) Elections Committee: shall administer the Student Assembly elections as prescribed in this document. It shall also be responsible for alerting all members of the Student Assembly of the impending election.]

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ARTICLE X – ELECTION POLICY & PROCEDURES

A. Qualifications for Seeking Executive Board Positions

1. The individual seeking office must be a student enrolled for credit, included in a campus FTE base and meets the campus' requirements to stand for election and continues to be eligible to serve on the campus student government organization.
2. All candidates must have submitted a form of candidacy by the set deadline.
3. A candidate may only seek candidacy for one position. No person may hold two positions.
4. The individual must have at least a minimum 2.5 Grade Point Average, which should be determined from the campus where the student has the greatest number of credit hours.

B. Procedure of Executive Board Elections

1. The elections will occur in the following order: President, Vice President, Treasurer, Secretary. Executive Board elections shall occur before Executive Committee elections.
2. Nominations must be submitted by the predetermined date and to open the floor to nominations must have a ((((((vote.
3. The outgoing president or his designee must preside over the elections process. For any Executive Board elections that do not take place before June 1, the immediate past president or designee shall preside over such elections. Prior to June 1, should the current president be seeking a

second term, or after June 1, should there be no active immediate past president, a member of the Executive Committee shall be designated to preside over all elections in the interim.

4. Candidates may not trickle down to run for an Executive Board position should they be unsuccessful in attaining the position for which they were originally a candidate.
5. If no person receives a majority of votes cast, a run-off election shall be conducted immediately to choose from the two candidates receiving the largest number of votes cast.
6. Each candidate shall be allowed to make a brief speech, and the General Assembly shall have an opportunity to question each candidate.
 - a. Candidates will be asked the same questions.
 - b. Candidates will be asked the same amount of questions.
 - c. Time limits shall be determined for candidates' speeches and questioning periods shall be uniformly applied to all candidates for all positions.
 - d. Candidates may choose to leave the room during deliberation.
7. All elections disputes will be forwarded to the Rules Committee and addressed immediately by that committee.

C. Qualifications for Seeking Executive Committee Positions

1. Students at-large may seek and Executive Committee position.
2. The individual seeking office must be a student enrolled for credit, included in a campus FTE base and meets the campus' requirements to stand for election and continues to be eligible to serve on the campus student government organization.
3. All candidates must have submitted a form of candidacy by the set deadline.
4. An Executive Board candidate who did not win the seat they sought, may trickle-down to run for an Executive Committee position.
5. The individual must have at least a minimum 2.0 Grade Point Average, which should be determined from the campus where the student has the greatest number of credit hours.

D. Procedure for Executive Committee Elections

1. Floor nominations shall be accepted for candidates to run for available positions.
2. In the event that more than the number of available Executive Committee positions receive votes, the runner(s)-up will be designated the alternate(s). The alternate(s) will assume full privileges of a member of the

- Executive Committee if a seat in the constituency is vacated during the course of the term of office.
3. Each candidate shall be allowed to make a brief speech, and the General Assembly shall have an opportunity to question each candidate.
 - a. Candidates will be asked the same questions.
 - b. Candidates will be asked the same amount of questions.
 - c. Time limits shall be determined for candidates' speeches and questioning periods shall be uniformly applied to all candidates for all positions.
 - d. Candidates may choose to leave the room during deliberation.
 4. All elections disputes will be forwarded to the Rules Committee and addressed immediately by that committee.

[Section 1: Requirements for candidacy:

- (a) Any and all persons wishing to run must be nominated by a voting delegate from the appropriate constituency prior to the closing of nominations.
- (b) A person shall be deemed eligible to run for the Student Assembly Executive Board (President, Vice President, Secretary, or Treasurer) if, at the time of elections, the following qualifications are met:
 - (1) They are enrolled for at least one (1) credit hour at a State University of New York campus at the time of elections;
 - (2) They will be enrolled for at least one (1) credit hour at a SUNY campus for each of two (2) semesters of the academic year which he or she would hold office if elected;
 - (3) They have a 2.5 cumulative Grade Point Average or higher;
 - (4) They are considered to be in good standing at their campus, based on the standard set at the candidate's individual campus.
- (c) A person shall be deemed eligible for election to the Executive Committee if, at the time of elections, the following qualifications are met:
 - (1) They are enrolled for at least one (1) credit hour at a State University of New York campus at the time of elections;
 - (2) They will be enrolled for at least one (1) credit hour at a SUNY campus of the type they wish to represent for the Fall and Spring of the following year in which the term of office is elected for;
 - (3) They have a 2.0 cumulative Grade Point Average or higher;

- (4) They are considered to be in good standing at their campus, based on the standard set at the candidate's individual campus;
- (d) When a candidate is standing for election and concurrently enrolled in two (2) or more SUNY Institutions, the Grade Point Average and standing requirements shall be determined by the institution that the student has an established GPA and is taking the greater number of credit hours.]

[Section 2: Pre-Election Procedures:

- (a) The Commissioner of Elections, hereafter referred to as the commissioner in the present article, will assure compliance of all candidates with the requirements for candidacy as outlined in section one (1) of the present article, in conjunction with SUNY administration.
- (b) Any delegate may nominate a candidate or declare him or herself to be a candidate, if eligible, for one (1) officer position, for a position on the Executive Committee, or both via the appropriate measures set herein.
- (c) Any candidate for an officer position may file a declaration of candidacy with the Student Assembly prior to the annual membership meeting. This declaration of candidacy may include a short position paper of no more than one (1) page, front only, the size of the page shall be no larger than 8 ½" x 11" and shall have no smaller than 10pt Times New Roman font with margins no smaller than one inch (1") on all sides, written by the candidate.
- (d) Any voting delegate may nominate a person for a position on the Executive Committee if they fill out the nomination form provided in the spring conference packet and send it into SUNY Admin no less than one (1) business week prior to the start of the business meeting.
- (e) The Student Assembly shall prepare copies of any position papers for distribution to all delegates at the annual membership meeting, provided said papers are in the office one (1) business week prior to the start of the meeting. The Student Assembly shall also prepare a list of all announced candidates for Officer positions and Executive Committee representatives for distribution to all delegates at the time of registration of the annual meeting. A list of member institution and delegate counts will also be distributed at the registration.]

[Section 3: Elections:

- (a) Among other duties, the commissioner shall:
 - (1) Preside over all Executive Board elections and all proceedings of the Assembly related to the election of officers, except the actual election of Executive

- Committee members by individual constituencies meeting in committee;
- (2) Supervise all election procedures.
 - (3) If at anytime the commissioner becomes a candidate the President shall assume the duties of the commissioner for the duration of the elections process. If the President is also a candidate he/she shall name a non-candidate to assume such duties with majority consent of the Assembly on the selection.
- (b) Officers:
- (1) The commissioner will open up nominations for each Executive Board position in the following sequence, President, Vice President, Secretary, and Treasurer. All nominations require a second.
 - (2) The commissioner will ask each nominee whether he or she accepts the nomination.
 - (3) If the nomination is accepted, the Secretary will enter the name of the nominee on the roll of candidates, which shall appear in the minutes, and the commissioner will seek further nominations.
 - (4) When there are no further nominations for a given position, and with a majority vote, the commissioner shall declare the floor closed to nominations for the position and proceed to open the floor to nominations for the next office in the aforementioned sequence. Once nominations have been closed for a particular office, they can only be reopened by a $\frac{3}{4}$ vote of the Assembly, and may only be reopened in the same session they were closed in.
 - (5) Once each Executive Board position election has been opened, each candidate will be allowed three (3) minutes to make a position statement to the Assembly.
 - (6) A question and answer period will be conducted following the position statements, allowing representatives to ask candidates to clarify or introduce positions on any relevant topics. Candidates shall receive no more than twelve (12) questions. The first seven (7) shall be town hall style with a question posed to the entire slate of candidates for the office, candidates shall have one minute 30 seconds (1:30) to respond. The following five shall be individual questions and taken based on a speakers list generated at the beginning of each candidate's individual questions and answer period. A speaker's list shall be generated at the start of each type of questioning. If the speakers list is, for either type of question, not exhausted when

first generated, speakers may be added up to the maximum stipulated above. No member may ask more than two (2) questions for the town hall style or more than two (2) questions for the individual; unless there are no more members who wish to ask questions. A member can also not have his/her name on the speaker's list more than once at the same time. Answers to those questions shall be limited to one (1) minute for each question, by majority vote; the Assembly can extend the length of time for answers or the number of questions.

- i. Candidates will rotate the order that they answer the town hall style questions in; the commissioner will publish an order once nominations for the office have been concluded.
- (7) Before voting commences as stipulated in section four (4) subsection (a) and section four (4) subsection (b) in the present article, members shall have the ability to speak for no more than one (1) minute each regarding the candidates for a particular office. The speakers list shall be limited to no more than ten (10) members, and once the initial list is generated, no more names shall be added.
- (c) Executive Committee:
- (1) The Assembly shall divide into institutional constituency groups, for the purposes of discussing matters pertinent to the individual constituency and electing representative(s) to the Executive Committee, when necessary, according to Article Six (6), Section One (1) of these bylaws.
 - (2) Selected Election Committee or non-candidate Executive Committee members shall convene the meeting. The Commissioner of Elections shall be available for any questions regarding the rules of elections, unless he or she is a candidate.
 - i. Only members of the Elections Committee have the authority to answer questions and give a ruling on issues in constituency groups without consulting the Commissioner.
 - ii. If a constituency member is not satisfied with an outcome from an Elections Committee member, then the Commissioner shall be called over to make a determination.
 - (3) Once convened, the constituency shall appoint a chair and clerk, who are not candidates, from among the delegates present. From that point, the

- appointed chair shall preside. Executive Committee members may only act in either role with the consent of the delegates.
- (4) The chair will open the floor to nominations for each position due for election.
 - (5) The chair will ask each nominee whether he or she accepts the nomination.
 - (6) If the nomination is accepted, the clerk will enter the name on the roll of candidates, which shall appear in the minutes, and the chair will seek further nominations.
 - (7) When there are no further nominations, and with a majority vote, the chair shall declare the floor closed to nominations, at which time each candidate will be given three (3) minutes each to make a short statement.
- (d) Executive Committee: Alternates
- (1) In the event that more than the number of needed representatives receive votes, the runner-up will be designated the alternate (provided that they accept the position). The alternate will assume full privileges of a member of the Executive Committee if a seat in the constituency is vacated during the course of the term of office.]

[Section 4: Voting:

- (a) The vote for the election of officers and members of the Executive Committee shall be conducted by secret ballot. If there is one candidate for a particular office on the Executive Board, or for a seat on the Executive Committee, by unanimous consent, it shall be moved that the Secretary or clerk cast a unanimous ballot for the entire Assembly or the constituency group, respectively.
- (b) Officers:
 - (1) There shall be an election for President, an election for Vice President and election for Secretary, and an election for Treasurer, each respectively. Each representative may vote for one (1) candidate during each such election.
 - (2) The majority (50% +1) of the ballots cast for an office is required for election to the office. In the event that no candidate receives a majority of the ballots cast for an office on the first balloting, a run-off election shall be conducted between those candidates who receive the two (2) greatest number of votes. Should there be a tie for the greatest number of votes, only those candidates will be eligible for a run-off election. If there are more than two (2) candidates with the two (2) greatest numbers of votes, there shall be a run-off

- between those candidates. Run-off elections, and elimination of candidates over two (2), shall continue until one (1) candidate receives the requisite percentage of votes.
- (3) Abstention votes, blank or no votes, or other names a ballot cast other than recognized candidates shall be considered void and not be counted into the percentage necessary to be elected.
 - (4) The ballots will be counted in the presence of no less than three (3) people, the Commissioner of Elections, the chair of the Rules Committee, and a Representative from SUNY System Administration, when present. If a Representative from SUNY System Administration is not present, a third person shall be named by the Executive Committee. Also, any members of the Elections Committee can be present for the counting of the ballots. If one (1) of the aforementioned officers or committee members is a candidate in the election, he/she shall be excused from ballot counting for that office. This does not decrease the requisite number needed to count ballots, if this situation occurs the Executive Committee shall select someone at the earliest possible time to equal the three (3).
 - (5) If there is a tie in an election regarding the Executive Board, then the candidates will be allowed to address the delegates. If there is another tie after a second run-off, then there will be three (3) delegates chosen to address the Assembly on behalf of each candidate. These speakers will be chosen by the Commissioner. If there is a tie following the third run-off, there will be up to ten (10) minutes for an open forum for delegates to address one another. If no clear winner, then the process will repeat until a majority is reached.
- (c) Executive Committee:
- (1) Candidates receiving the greatest number of votes will be elected.
 - (2) In the case of a designated category having more than one representative, each delegate may cast a number of votes equal to or less than the number of designated representatives.
 - (3) No representative may cast more than one vote for each candidate.
 - (4) The commissioner or caucus chair shall announce the total votes cast in favor of each candidate and the number of ballots cast in total. The clerk shall enter said results into the minutes.
- (d) Candidates elected but not pre-approved:

- (1) Any and all candidates for Executive Board or Executive Committee positions who did not declare candidacy prior to the elections shall be considered provisionally elected based upon a later check of the Requirements for Candidacy in Section one (1) of the present article.
- (2) Any candidate found not to be eligible for office, shall be immediately removed from office.
 - i. In the case of officers, someone shall be appointed the interim replacement as stipulated in Article Nine (9) of these bylaws. In the case of the President, the Vice President shall become Interim President according to Article Two (2), Section Five (5) of these bylaws.
 - ii. In the case of Executive Committee members, if an alternate is available then that alternate shall immediately take the vacant seat. If there is more than one (1), order of ascension shall be in the order of the amount of votes received, greatest to least. If there is no alternate, a student shall be appointed an Interim Representative with all rights and responsibilities of an Executive Committee member, but without the ability to vote as outlined in the provisions in Article Nine (9) of these bylaws.]

D. [Section 5:] **Certification:**

1. [(a)] The Rules Committee [commissioner] shall certify that the election was conducted consistent with the procedures in the present article and Article XVII of the SUNY Board of Trustees Policies. The ballots will be counted in the presence of no less than three (3) people, two (2) Executive Committee members and one (1) Representative from SUNY System Administration, when present. The President, the Secretary, the chair of the Rules Committee, and a Representative from System Administration, if present, shall witness and sign-off on the validity of the ballots cast and the results, if they were present for the counting. If one of the aforementioned Executive Committee members are a candidate in the election he/she shall be excused from validating that set of ballots. Each person certifying or signing-off on the results shall sign the same and matching affidavit attesting to the results under penalty of perjury.
- [(b)] The commissioner shall officially announce the results of the elections of the Executive Board to the representatives immediately following the conclusion of the elections of the individual Executive Board positions. Also, at this time the

commissioner shall also announce the votes cast in favor of each candidate and the number of ballots cast in total, excluding abstentions and votes for people who are not recognized candidates. The Secretary shall enter said results into the minutes.]

[(c) Upon final review by the Election Committee, the commissioner shall officially announce the results of the elections for the Executive Committee to the delegates immediately following the conclusion of Executive Committee elections.]

2. [(d)] Certified election results will be submitted to SUNY System Administration, Office of University Life, and the Chancellor for confirmation that the elections were conducted in compliance with the Articles of Organization and these bylaws.

E. [Section 6:] The Organized Student Groups: Procedures for election of the non-voting delegates shall be developed and implemented by each Organized Student Group. Elections need not be held at the membership conference, but the duly elected delegates will assume their service at the time of the membership conference. All election procedures of Organized Student Groups are subject to the review of the Executive Committee upon recommendation of the Elections Committee, Rules Committee, or both.

F. [Section 7:] **Campaign Guidelines**

1. [(a)] The following guidelines must be maintained by any candidate, announced or unannounced, for any office on the Executive Committee. Any instances of violation shall be reported to the Rules Committee [Elections Commissioner] and it is up to them to decide whether or not the violation occurred.

(1) The use of the Executive Committee email address for campaigning is prohibited.

(2) The use of any delegate list for campaigning for office is prohibited, including non-voting delegate lists.

2. [(b)] If the chair of the election [Commissioner] decides that there has been a violation of campaign guidelines, then the matter is referred to the Rules [Elections] Committee to deliberate on what to do with the candidate in question.

3. [(c)] Infractions of these guidelines can result in punishment in several forms, up to and including exclusion from the ballot, even in the event of a candidate not yet on the ballot at the time of the infraction in question.

4. [(d)] A decision to overturn the decision of the Rules [Elections] Committee may be done by a two-thirds (2/3) vote of the entire Student Assembly.