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RESOLUTION #1516-46

TO: SUNY Student Assembly

FROM: SUNY SA Rules Committee
SUNY SA Executive Committee

DATE: October 31st, 2015

TITLE: Article X Bylaw Reform

Action Requested

The proposed resolutions adopts amendments to Article X – Election Bylaws & Procedures of the SUNY Student Assembly Bylaws.

Resolution

Whereas, the Bylaws exist to guide the SUNY Student Assembly in their representation of all SUNY schools; and,

Whereas, it is the duty of the Rules Committee of the SUNY Student Assembly to consider and recommend legislation of constitutional and operational nature; therefore let it be,

Resolved, that the Executive Committee approve this resolution, recommending to the SUNY Student Assembly the changes in Article X of the Bylaws as proposed by the Rules Committee and amended by the Executive Committee.

Appendix: Article X – Elections Policies & Procedures Bylaw Reform, adopted by Rules Committee on 18 September 2015 and edited and approved by the Executive Committee on 31 October 2015.

The Student Assembly of the State University of New York

Bylaws

(As March 3rd, 2015)

ARTICLE X – ELECTION POLICY & PROCEDURES

Section 1: Qualifications for Seeking Executive Board Positions

- (a) 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.~~ [1]
- (b) All candidates ~~may submit~~[2] ~~must have submitted~~ a form of candidacy by the set deadline
- (c) A candidate may only seek candidacy for one position. No person may hold two positions.
- (d) 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.

Section 2: Procedure of Executive Board Elections.

- (a) The elections will occur in the following order: President, Vice President, Treasurer, and Secretary. Executive Board elections shall occur before Executive Committee elections.
- (b) Nominations may be submitted by the predetermined date for all positions. Floor nominations shall be opened for candidates to run. The floor may not be re-opened for nominations once it has been closed.[3] ~~Nominations must be submitted by the predetermined date and to open the floor to nominations must have a 3/4 vote.~~
- (c) The outgoing president or their designee must preside over the election process. For any Executive Board elections that do not take place before June 1, the immediate past president 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 election in the interim.
- (d) 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. [4] Candidates may not be nominated for more than one position on the Executive Board during any given conference.
- (e) 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.
- (f) 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.
- (g) All elections disputes will be forwarded to the Rules Committee and addressed immediately by that committee. [5] Election disputes shall be handled by the Rules Committee, who shall possess the sole authority with

the SUNY Student Assembly to address and make rulings regarding such disputes.

- Section 3: Qualifications for Seeking Executive Committee Positions
- (a) Students' at-large may seek an Executive Committee position.
 - (b) The individual seeking office must be a student enrolled for credit, included in a campus FTE base, ~~[[6] and meets the campus' requirements to stand for election and continues to be eligible to serve on the campus student government organization.~~
 - (c) All candidates must have submitted a form of candidacy by the set deadline.
 - (d) An Executive Board candidate who did not win the seat they sought may ~~trickle-down-to-~~ [7] run for an Executive Committee position.
 - (e) 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.

- Section 4: Procedure for Executive Committee Elections.
- (a) Floor nominations shall be accepted for candidates to run for available positions.
 - (b) 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.
 - (c) Each candidate shall be allowed to make a brief speech, and the sector caucus members shall have the 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 uniformly applied to all candidates for all positions.
 - d. Candidates may choose to leave the room during deliberations.
 - (d) All election disputes will be forwarded to the Rules Committee and addressed immediately by that committee.

- Section 5: Certification of Executive Board Elections [8]:
- (a) The Rules Committee 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 officers 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. A Representative from SUNY Administration shall collect and keep independent all sets of original ballots for every election, to be stored in the SUNY SA offices in case of an election dispute. [9]
 - (b) Certified election results will be submitted to SUNY Central Administration, Office of Student Affairs, and the Chancellor for confirmation that the elections were conducted in compliance with the Articles of Organization and these bylaws.

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.

Section 7: Campaign Guidelines

- (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 and it is up to them to decide whether or not the violation occurred.
- a. The use of ~~a SUNY SA[10]~~~~the Executive Committee~~ email address for campaigning is prohibited.
 - b. The use of any delegate list for campaigning for office is prohibited, including non-voting delegate lists.
 - i. Campaign material shall be defined as all forms of endorsement for a particular candidate/ticket; including outside/unknown endorsement for the said candidate/ticket.
 - c. No campaign material will be permitted on or inside SUNYSA offices.
 - d. No SUNYSA, SUNY, or funds collected via the Student Activity Fee shall be applied to campaign costs.
 - a.e. Vandalism of other candidate's' property or materials is prohibited.
- [11][12]
- (b) If the chair of the elections decides that there has been a violation of campaign guidelines, then the matter is referred to the Rules Committee to deliberate on what to do with the candidate in question.
- (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.
- (d) A decision to overturn the decision of the Rules Committee may be done by a two-thirds (2/3) vote of the entire Student Assembly.