



Student Government Association Senate

SENATE BILL SB-F25-09

“A bill to reform the JEC Charter and Bylaws.”

SHORT TITLE: The Election Fairness Act of 2025

SPONSOR: Sen. Liz Stoddard (CCAS-U, Senate Chairperson Pro Tempore)

CO-SPONSOR: Sen. Connor J. Toth (LAW-G), Vice President Ethan Lynne
(Presiding Officer of the Senate)

ENDORSER:

COMMITTEE: Governance and Nominations

PURPOSE: To establish and reform the JEC

WHEREAS the Joint Elections Commission is a historic entity dedicated to ensuring free and fair elections of the Student Government Association and applicable referendum;

WHEREAS the Joint Elections Commission was repealed in April 2024 following a referendum by the student body;

WHEREAS Article XI, Section 9 of The Student Government Association Constitution permits the Senate to establish independent regulatory agencies; and

WHEREAS Article XII, Section 1(c) of the Constitution mandates the Senate to establish an independent regulatory agency to administer all of the Student Government Association’s elections and enforce its duly enacted election laws;

BE IT ENACTED by the George Washington University Student Government Association Senate (two-thirds of members of the Senate concurring therein),

Section One: Short Title

- (a) This Bill may be cited as “The Election Fairness Act of 2025”.

Section Two: Effective Date and Implementation

- (a) These Bylaws shall be adopted and take effect with the concurrence of a two-thirds majority of the members of the Senate.
- (b) The Senate Chairperson is ordered to ensure that the written Bylaws are updated with the following amendments; distributed to the Senate, the Senate staff, and the President of the Student Government Association; and made available to the President of the Student Body prior to the Senate meeting following the enactment of this Bill.
- (c) The Senate Secretary, Senate Chairperson Pro-Tempore, Senate Legal Counsel, or any authorized agent thereof are authorized to make grammatical and non-substantive changes to these amended bylaws.

Section Three: Amendment to Part VII of the Bylaws

- (a) Chapters 701 – 710 are repealed.

Section Four: Amendments to the Bylaws

- (a) The Bylaws shall be amended by inserting the following Chapters 701 - 711: The Bylaws of the Joint Elections Commission

Part VII. Bylaws of the Joint Elections Commission

Chapter 701. In General

Section 70101. Definitions

- (a) For the purposes of this Part of the Bylaws, any advisory opinion, or any other official document created or used by the Commission, the following definitions will apply:
 - (1) **ADVISORY OPINION.** — The term “advisory opinion” means a binding interpretation of the bylaws made under [Section 70311](#) of these bylaws.
 - (2) **AUTHORIZED AGENT.** — The term “authorized agent” means any individual who is tacitly or explicitly authorized by a candidate to act on behalf of, or otherwise represent, the candidate. All authorized agents must be registered with the Commission before the agent engages in any activity on the candidates behalf.
 - (3) **BALLOT.** — The term “ballot” means the totality of the website pages viewed by a voter as they cast a vote through the voting system used by The George Washington University.

- (4) CAMPAIGN SEASON. — The term “campaign season” means the period after the registration period has been completed to the time voting for all races closes.
- (5) CAMPAIGNING. — The term “campaigning” means advancing or inhibiting a candidacy, or tending toward a particular end, and “for their campaign” means for the purpose of campaigning.
- (6) CAMPAIGN MATERIAL. — The term “campaign material” means any tangible object, such as a palm card, pamphlet, or article of clothing, which is intended for public distribution or display, and is intended to advance or inhibit a candidacy, or tends towards that end.
- (7) CANDIDATE. — The term “candidate” means any individual who has registered to seek or been elected to office, and wherever this Part of the Bylaws states a rule restricting or regulating the actions of a “candidate,” the rule must be construed to apply equally to an “authorized agent”.
- (8) COMMISSION. — The term “The Commission” means the Joint Elections Commission.
- (9) DISTRIBUTION. — The term “distribution” means the intentional transmission of material by a candidate to any individual not associated with the candidate’s campaign, and “to distribute” refers to the actual or attempted transmission of material in this manner.
- (10) ELECTION. — The term “election” means any general, secondary, recall, referendum, or special election, including those of the Student Government Association.
- (11) ELECTION DAY. — The term “Election Day” means any two (2) consecutive class days during which the Commission has scheduled for voters to be able to cast votes in any election.
- (12) ELECTION SEASON. — The term “election season” means the period from the start of candidate registration to certification of the results.
- (13) FORCEFUL DISTRIBUTION. — The term “forceful distribution” means distribution against the will of the intended recipient, once the intended recipient has communicated their unwillingness.
- (14) FULL GENERAL MEMBERSHIP. — The term “full General Membership” means the voting members of the Joint Elections Commission, not including the Chief Investigator, Elections Commissioner, Assistant Investigators or any other staff officer not appointed by the Student Government Association.
- (15) GENERAL MEMBERS. — The term “general members” means members of the Commission appointed by the President with the advice and consent of the Senate.
- (16) GENERAL MEMBERSHIP. — The term “General Membership” means full General Membership.
- (17) GOVERNING LAW. — The term “governing law” means the Charter, Constitution, and Bylaws of the Student Government Association.
- (18) MAKE AVAILABLE. — The term “make available” means to intentionally place material in the public domain such that individuals not soliciting such material may, but are not instructed to, receive it.

- (19) REFERENDUM. — The term “referendum” means a question or proposal submitted in an election upon which the voters may cast a vote.
- (20) RESTRICTED ZONE. — The term “restricted zone” means any designated area of the University in which the Commission determines campaigning is prohibited in any form.
- (21) RULE. — The term “rule” means any additional regulation issued by the Commission consistent with Article XI, Section 9(b) of the Constitution of the Student Government Association and [Section 70312](#) of these bylaws.
- (22) STAFF OFFICER. — The term “staff officer” means any officer appointed by the Commission, including the Chief Investigator and any Assistant Investigators.
- (23) SOLICIT. — The term “to solicit” means to willingly seek to obtain, or to request, as for something desired.
- (24) UNIVERSITY. — The term “University” means The George Washington University.
- (25) UNIFORM CONSTITUENCY GROUP. — The term “uniform constituency group” means a group of students having uniform demographic characteristics for the purpose of ballot categorization, the students of the group being qualified to vote for identical officers or initiatives, such that an identical ballot may be used for any such student to cast their vote.

Section 70102. Enactment

- (a) This Part of the Bylaws and any amendments must be enacted subject to approval by the Student Government Association Senate in accordance with [Chapter 103](#) of the Bylaws of the Student Government Association.

Section 70103. Severability

- (a) The provisions of this Part of the Bylaws are severable, and if any section, rule, or part thereof, is held to be unconstitutional by the Student Court, the decision may not be construed to affect or invalidate any other provisions of this Part of the Bylaws or this Part of the Bylaws as a whole.

Chapter 702. The Joint Elections Commission

Section 70201. Establishment

- (a) There hereby be established a Joint Elections Commission, an independent regulatory agency overseeing elections, pursuant to Article XIII of the Constitution of the Student Government Association.

Section 70202. Composition

- (a) The Commission may be composed of the Elections Commissioner and four (4) Joint Elections Commission general members.
 - (i) If possible, at least one Joint Elections Commission general member shall be a graduate student.
 - (ii) All members must be appointed by the Student Government Association President and confirmed by a two-thirds (2/3rds) majority of Senators present and voting.

Section 70203. Selection of Commissioners

(a) Elections Commissioner

- (i) The President shall, with the advice and consent of the Student Government Association Senate, appoint the Elections Commissioner in the Spring semester, following the general student body elections, serving for the elections cycle of the following year.
- (ii) If the President fails to appoint the Elections Commissioner, the Senate shall confirm the Elections Commissioner by October 1 of the year prior to the student body elections that the Elections Commissioner will oversee.

(b) General Members

- (i) During the Fall semester following the appointment of the Elections Commissioner, the Student Government Association President shall, with the advice and consent of the Senate, appoint four (4) individuals to the Commission.
- (ii) Once all Commissioners have been appointed, the Commission's membership shall internally elect positions compliant with the following procedures.
 - a) Excluding the Elections Commissioner, all remaining Commissioner titles under section 70205 must be selected through a simple majority vote.
 - b) The positions must be elected in the following order—
 - (1) Vice Commissioner;
 - (2) Policy and Finance Commissioner; and
 - (3) Communications Commissioner.
 - c) The Commission may appoint non-voting first-year Election Assistants to assist the Commission in its responsibilities.
 - d) All Commissioner roles must be filled by separate and distinct Commission members.
 - e) The Elections Commissioner may not run or fill for any other Commission position.
 - f) If there is a vacancy in the position of Elections Commissioner, the General Membership may nominate an internal member for the position.
 - (i) The new Elections Commissioner must be confirmed by a two-thirds (2/3rds) vote of Commission members present.
 - (ii) Any resulting vacancy within the General Membership following the confirmation of a new Elections Commissioner must be filled by the appointment process of the Student Government Association through which the original Commission position was filled, within thirty (30) days of the vacancy.

Section 70204. Eligibility

- (a) All enrolled students of The George Washington University are eligible to serve as members of the Commission, except no person is eligible who—
 - (i) is registered as a candidate for any office in the student body elections to be administered by the Commission;

- (ii) will be engaged in a program of study abroad during the elections;
- (iii) is being held under either academic or disciplinary probation by the University; or
- (iv) has held an office or position within the Student Government Association during the academic year in which the overseen election will occur, **except as provided in [Section 70204\(b\)](#).**

(b) Enrolled students of The George Washington University who have previously served as a member of the Commission are eligible to be reappointed.

Section 70205. Commission Positions

- (a) The duties and responsibilities of the Elections Commissioner include—
 - (1) assisting the Student Government Association in their nomination processes of the General Membership for the Commission;
 - (2) acting as Chairperson during all meetings of the Commission;
 - (3) nominating a student to the position of Chief Investigator;
 - (4) presiding over all violation hearings;
 - (5) maintaining an office space for the Commission;
 - (6) coordinating the tabulation of votes;
 - (7) being responsible for communication with media outlets and the press;
 - (8) assisting the General Membership in the administrative functioning of the Commission;
 - (9) serving as the Commission's primary contact for the Student Government Association; and
 - (10) breaking all ties in Commission votes.
- (b) The duties and responsibilities of the Vice Commissioner include—
 - (1) assisting the Chair in communication with the candidates;
 - (2) assisting the Chair and Commission members in the performance of their responsibilities;
 - (3) scheduling space for all Commission events;
 - (4) in the absence of the Elections Commissioner, acting as Chair during meetings of the Commission; and
 - (5) making available a transition guide for the succeeding Commission.
- (c) The duties and responsibilities of the Policy and Finance Commissioner include—
 - (1) regulating the expenditures of all candidate campaigns;
 - (2) informing candidates of expectations and possible campaign violations regarding finances;
 - (3) preparing and submitting budgets and co-sponsorships to the Financial Services Allocations Committee of the Student Government Association;
 - (4) being responsible for all of the Commission's financial affairs;
 - (5) serving as a direct liaison to the Chief Investigator;
 - (6) inform candidates of expectations and possible campaign violations;
 - (7) ensuring candidates' access to Commission resources, including candidate access to sponsored printing; and
 - (8) reviewing and approving all campaign material.
- (d) The duties and responsibilities of the Administrative Commissioner include—
 - (1) taking minutes at all Commission meetings;
 - (2) ensuring Commission compliance with [Section 70308](#);

- (3) compiling the Election Manual for candidates;
- (4) updating and maintaining appropriate social media and the Commission website; and
- (5) Ensuring the Commission's compliance with this Part of the Bylaws.
- (e) The duties and responsibilities of the Communications Commissioner include—
 - (1) executing all outreach efforts for Commission operations prior to the candidate registration period, including—
 - (i) on-campus tabling;
 - (ii) Elections advertisement to campus newsletters, student organizations, graduate programs, etc.; and
 - (iii) Candidate information sessions;
 - (2) updating and maintaining appropriate social media and the Commission website; and
 - (3) assisting in the coordination and promotion of election events during the campaign period.

Section 70206. Length of Term

- (a) The Elections Commissioner shall serve a term that commences following the end of the Spring Semester of the same academic year that they were elected in and that expires on the last day of classes of the following academic year.
- (b) The General Members of the Commission shall serve a term that commences with their appointment and that expires on the last day of classes in the Spring semester of the same academic year as their appointment.

Section 70207. Compliance

- (a) All members of the Commission shall comply with all laws, policies, rules, and regulations found within the governing laws of the Student Government Association, including this Part of the Bylaws, and all University policies, rules, and regulations.

Section 70208. Conduct

- (a) Given the nature of the Commission, all members are to be held to a high standard of conduct.
 - (i) Commission members may not be affiliated with or in any way support any candidate's campaign, directly or indirectly, except by exercising their right to vote.
 - (ii) Commission members may not be involved in student organization endorsement hearings during the student body elections to be administered by the Commission.
 - (iii) Commission members may not hold another office (elected or appointed) within the Student Government Association during any of the newly elected candidates' terms of office, except as provided in [Section 70204\(b\)](#).
 - (iv) Commission members shall represent this Part of the Bylaws and facts of any matter pertaining to the Commission to both the Commission and the public accurately and fairly.
 - (v) Commission members shall faithfully execute their roles as outlined in this Part of the Bylaws and to the standard a reasonable person would expect of someone in such a position.

Section 70209. Impeachment

- (a) Failure to fulfill the duties or responsibilities as outlined in this Part of the Bylaws constitutes grounds for impeachment.
- (b) Impeachment from the Commission must follow the disciplinary procedures outlined in the Bylaws of the Student Government Association including [Article XV](#) of the Constitution of the Student Government Association.

Section 70210. Chief Investigator

- (a) The Commission shall appoint a Chief Investigator as a staff officer.
- (b) The Chief Investigator must be nominated by the Elections Commissioner and confirmed by a two-thirds (2/3rds) majority of the full Commission, prior to the end of January of each academic year.
- (c) The Chief Investigator—
 - (i) may not be registered as a candidate for any office in the elections to be overseen by the Commission;
 - (ii) may not have held a position within the Student Government Association within four (4) months of the start of the election season; and
 - (iii) may be a previous member of the Commission.
- (d) The Chief Investigator shall—
 - (1) promote the compliance of all individuals, both Commission members and candidates, with this Part of the Bylaws and any advisory opinions;
 - (2) investigate complaints and alleged violations of this Part of the Bylaws and any additional rules;
 - (3) present complaints during probable cause hearings;
 - (4) prosecute candidates during violation hearings;
 - (5) advise the Commission on legal issues; and
 - (6) perform any other functions or duties as requested by the Commission in relation to their position as Chief Investigator.
- (e) In the course of an investigation, the Chief Investigator has the power to initiate plea deal proceedings as outlined in [Section 70803\(d\)](#) of these bylaws.
- (f) In the course of an investigation, both the Commission and the Chief Investigator have the power to—
 - (1) require by written order that any candidate, or authorized agent thereof, give testimony regarding any matter in the form of a deposition or sworn statement; and
 - (2) require by order that any candidate, or authorized agent thereof, furnish any records, reports, forms, documents, or other evidence as may be requested.

Section 70211. Assistant Investigators

- (a) The Chief Investigator may, with the approval of the Commission, appoint any Assistant Investigators as staff officers as they feel may be necessary for the prompt and efficient performances of their functions.
- (b) Assistant Investigators—
 - (i) may not be registered as a candidate for any office in the elections to be overseen by the Commission; and
 - (ii) may not have held a position with the Student Government Association within four (4) months before the start of the election season.

- (c) The Chief Investigator may delegate to an Assistant Investigator any of their duties, responsibilities, or powers.

Chapter 703. Powers, Responsibilities and Expectations

Section 70301. Authority

- (a) The Commission holds power and control over all matters, decisions, and actions related to the administration of the student body elections as outlined in this Part of the Bylaws of the George Washington University Student Government Association.

Section 70302. Delegation

- (a) The Commission has the authority, by order or by rule, to delegate any of its functions to a division of the Commission, to an individual member of the Commission, or to a staff officer or group of staff officers.

Section 70303. Limitations

- (a) The Commission may not have the power to—
- (i) vacate the results of an election; or
 - (ii) issue any advisory opinion or decision that violates the provisions of this Part of the Bylaws or governing law; or
 - (iii) ask a question of any kind on the ballot; or
 - (iv) deny candidates, voters, students, commissioners, or any applicable entities the rights to—
 - 1) have counsel present at any hearing of the Commission involving oral participation by the parties in the case;
 - 2) the privileges, rights, and immunities granted by the Constitution and applicable Bylaws of the Student Government Association.

Section 70304. Duties and Responsibilities

- (a) The Commission shall —
- (i) conduct, at a minimum, four (4) public meetings before the start of the elections season;
 - (ii) hold regular office hours throughout the elections timeline that are publicized on the website; and
 - (iii) Forward any recommendations to the Student Government Association at the end of the election cycle regarding any rulings, rule changes, or advisory opinions that may require reform of this Part of the Bylaws.

Section 70305. Meetings

- (a) Calling a Meeting
- (i) A meeting of the Commission may be scheduled either solely by the Elections Commissioner or jointly by a simple majority of the Commission.
 - (ii) All Commission meetings and agendas must be open to the public.
 - (iii) In order to call a meeting, a notice of the date, time, and tentative location of the meeting along with the preliminary agenda must be sent via email at least forty-eight (48) hours prior to the meeting to—
 - a) The members and staff officers of the Commission;
 - b) The Student Government Association President;
 - c) The Student Government Association Vice President;

- d) The Chief Justice of the Student Court; and
 - e) The Student Government Association Senate Chairperson Pro-Tempore.
- (iv) Emergency meetings may be called at the discretion of the Elections Commissioner or a simple majority of the Commission.
- (v) Notice of the date, time, and tentative location of the emergency meeting must be sent via email at least eight (8) hours prior to the meeting to—
 - a) The members and staff officers of the Commission;
 - b) The Student Government Association President;
 - c) The Student Government Association Vice President;
 - d) The Chief Justice of the Student Court; and
 - e) The Student Government Association Senate Chairperson Pro-Tempore.
- (b) Agenda
 - (i) At the commencement of each meeting, the Elections Commissioner shall propose an agenda for the approval of the Commission.
 - (ii) Prior to its approval, the proposed agenda may be amended by a simple majority vote of the Commission.
 - (iii) The proposed agenda must be approved by a simple majority vote.
 - (iv) After the agenda is approved, any item may be added to the agenda by a simple majority vote of the Commission, but no item may be removed or altered.
 - (v) The final agenda for a given meeting must be made available according to [Section 70308](#).
 - (vi) The agenda for each meeting must include the following items—
 - (1) Roll Call;
 - (2) Initial Public Comment;
 - (3) Approval of Agenda; and
 - (4) New Business.
- (c) Quorum
 - (i) A simple majority of the Commission, including the Elections Commissioner, must be physically or virtually present at a meeting to establish quorum.
 - (ii) Pursuant to [Article XI, Section 9\(d\)](#) of the Constitution of the Student Government Association; in the event that all members of the Commission have not been appointed by the President and confirmed with the advice and consent of the Senate, the Commission shall not be prevented from the function of their duties.
- (d) Voting
 - (i) In any matter to be decided by the Commission, the voting threshold will apply only to those members of the Commission who are present and voting.
 - (ii) Unless otherwise specified by this Part of the Bylaws, by additional rule, or by governing law, all decisions and actions of the Commission must be approved by a simple majority vote.
 - (iii) Members may not be present by proxy.

(e) Minutes

- (i) The Administrative Commissioner, or another member of the Commission in the Administrative Commissioner's absence, shall keep minutes of each meeting.
- (ii) The minutes from a given meeting must be made available according to [Section 70308](#).
- (iii) The minutes for each meeting must include the following items—
 - (1) The list of present during roll call;
 - (2) A paraphrased record of all public comments, including the name of the individual making each public comment;
 - (3) A record of all motions made and vetos taken; and
 - (4) A record of which member made each motion and seconded each motion, and how each member voted if a vote was taken.
- (f) The Commission shall conduct its meetings in public, such that members of the public may come and go at any time during a meeting, except as provided by [Section 70305\(g\)](#).
- (g) Executive Session
 - (i) By a simple majority vote, the Commission may enter executive session.
 - (ii) During executive session, only the members of the Commission, along with any individuals specifically designated by a simple majority vote of the Commission, may observe the Commission's proceedings.
 - (iii) No motions, other than procedural motions, may be made during the executive session.

Section 70306. Student Office

- (a) For each academic year, the Student Government Association shall provide the Joint Elections Commission with a formal office with record-keeping abilities and regular functions and operations.

Section 70307. Record Keeping

- (a) General
 - (i) The Commission shall keep and maintain all records, reports, forms, and other documents related to student body elections.
 - (ii) These records must be kept in a manner that can easily be passed on from year to year.
- (b) Records
 - (i) All physical records must be stored in the Commission's student office.
 - (ii) Physical records must be stored in the Student Government Association offices whenever the Commission does not have a formal office of its own.
- (c) All the following records must be publicly retained online following the conclusion of an election cycle—
 - (i) verified election results for all races;
 - (ii) campaign petitions, excluding student's GWID numbers and other personally identifiable information;
 - (iii) individual campaign expenditure reports, excluding personal financial information;
 - (iv) expenditure reports of the Commission;

- (v) additional advisory opinions of the Commission;
- (vi) unsealed complaints, with appropriate names redacted; and
- (vii) agendas and minutes from all Commission meetings.

Section 70308. Public Records

- (a) Except as otherwise stated by this Part of the Bylaws, any document kept and maintained by the Commission must be made available online for public review within forty-eight (48) hours of the Commission's receipt of the given document, including—
 - (i) financial expenditure reports on behalf of elections campaign, excluding personal financial information;
 - (ii) financial expenditure documentation on behalf of the Commission; and
 - (iii) commission agenda and meeting minutes.
- (b) No document may be removed from the office of the Commission unless under the care and supervision of a member of the Commission or staff office.
- (c) Copy of Records
 - (i) Unless otherwise provided under paragraph (2), a copy of any public record may be made at the expense of the individual requesting the copy, but the original document must remain in the custody of the Commission.
 - (ii) The following records are exempted from paragraph (1).

(1) Sealed Complaints

- (a) All complaints must be immediately sealed as soon as they are officially filed.
- (b) No sealed complaint may be made available for public review at any time.
- (c) A complaint may only be unsealed if the Commission finds that there is probable cause to hold a violation hearing on the given complaint.
- (d) Information in a complaint identifying any witness may not be revealed even if a complaint is unsealed.
- (e) Once a complaint is unsealed, it must be made available for public review immediately.
- (f) All unsealed complaints will contain names of all parties involved in the complaint, excluding that of the candidate.

(2) Fruits of the Investigation

- (a) Any record, report, form, or other document acquired by the Commission, by the Chief Investigator, or by an Assistant Investigator in the course of an investigation must be sealed.
- (b) No such sealed document may be made available for public review at any time.
- (c) Documents that are sealed according to this section must be made available for review according to [Section 70801](#).

(3) Notice of Advisory Opinions and Rulings

- (a) The Commission shall distribute via email, at the time of their adoption, any advisory opinions and rulings to—
 - (i) All registered candidates in an election;

- (ii) The Student Government Association President;
 - (iii) The Student Government Association Vice President;
 - (iv) The Chief Justice of the Student Court;
 - (v) The Student Government Association Senate Chairperson Pro-Tempore.
- (a) The Commission shall make available all such additional rule changes, regulations, and rulings on its website and social media channels.

Section 70309. Website

- (a) The Commission shall maintain a website for the publication of information concerning its activities.
- (b) The domain of the website will remain unchanged unless following a simple majority vote and notification to the Student Government Association.
- (c) On its website, the Commission shall make available the following items, at a minimum—
 - (i) a schedule listing all validly called meetings;
 - (ii) a schedule listing all relevant elections dates and deadlines;
 - (iii) methods by which the members of the Commission can be contacted, including a schedule of office hours;
 - (iv) a copy of this Part of the Bylaws;
 - (v) copies of all pertinent documents and forms that may be submitted to the Commission, including the Commission logo for posterizing;
 - (vi) a list of candidates following verification;
 - (vii) a record of resulting penalties from violation hearings;
 - (viii) items listed under “Record-Keeping” for past elections;
 - (ix) any other items as required by this Part of the Bylaws, by additional rule, or by governing law;
 - (x) all current and past election results are made publicly available;
 - (xi) all relevant documents related to meetings of the Commission are publicly available on the website; and
 - (xii) candidate ballot statements included with a list of certified candidates.

Section 70310. Electronic Accounts

- (a) The Commission shall create and maintain electronic accounts, such as email accounts and social media pages as it finds appropriate to carry out its duties.
- (b) The Commission shall maintain a University Affiliated email account in order to carry out its official duties.
- (c) Any Commission-related electronic correspondence received to a personal email account or personal social media account must be immediately forwarded to the Commission’s official account.
- (d) The passwords, security questions, and methods of access to all electronic accounts must be set by the Commission, and transferred upon the transition of a new Commission by the Elections Commissioner.

Section 70311. Advisory Opinions

- (a) The Commission has the power to issue an advisory opinion regarding the interpretation of any rule or proceeding found within this Part.

- (i) In order to issue an advisory opinion, the Commission may choose to issue an opinion of its own with approval by a simple majority, or a candidate may first request an advisory opinion on a given rule or proceeding by email, public comment, or otherwise.
- (ii) Once a request has been made, either at a scheduled meeting of the Commission or via electronic communication, the Commission shall, by a simple majority vote, either deny the request, postpone a decision regarding the request, or adopt an advisory opinion clarifying the rule or proceeding.
- (b) All advisory opinions are binding upon the Commission.
- (c) Advisory opinions must be made available according to [Section 70309](#).

Section 70312. Rules

- (a) The Commission may propose a rule through issuing a request for public comment following a majority vote of the Commission under [Article XI, Section 9\(b\)](#) of the Constitution of the Student Government Association.

Chapter 704. Elections Preparation Procedures

Section 70401. Pre-Election

- (a) Prior to the commencement of the registration period, the Commission shall establish by rule a date for the general elections which shall be after Spring Break of the Academic Calendar.
 - (i) The Commission shall send the date to the Chief Justice of the Student Court.
 - (ii) Except as provided in §70401(a)(3), the initial elections must be held in the month of March, with the publicity period beginning in February.
 - (iii) The Senate may, by a special resolution reported by the Committee of Governance and Nominations, authorize the Joint Elections Commission to establish the dates of the general elections and the publicity period beyond those in Section (a)(2), provided that—
 - 1) The Commission, by majority vote, determines that there exists good cause and exigent circumstance to warrant dates beyond those set in (a)(2); and
 - 2) The Commission, in writing, addressed to the Committee on Governance and Nominations, with the Chief Justice of the Student Court copied, requests the Senate to authorize such extension, and proposes a date for the general election.

(b) Publicity Period

(i) Community Contact

- (1) At least **three (3) weeks** prior to the commencement of the candidate registration period, the Commission shall contact all undergraduate and graduate GW colleges and students, student organizations registered with the Office of Student Life, and the student newsletters requesting the dissemination of election information in their communications.
- (2) This information must include the following—

- a) dates of candidate registration period;
 - b) dates of open campaign period;
 - c) all dates, times, and locations of pre-registration Information Sessions;
 - d) all dates, times, and locations of candidate meetings following the registration period; and
 - e) dates of the elections.
- (ii) Information Sessions
 - (1) Within ten (10) class days prior to the beginning of the candidate registration period, the Commission shall hold at least **three (3)** election information sessions providing information to potential candidates of the Student Government Association elections.
 - (2) The Commission shall provide information on each body's functions and operations, as well as the opportunities to get involved and any necessary qualifications.
- (iii) Publicity Event
 - (1) Within one (1) week of the candidate registration, the Commission shall hold at least one (1) public event to publicize the upcoming elections.
 - (2) This event is expected to be held in Kogan Plaza, the Mid-Campus Quad, or District House.
- (iv) During the publicity period, the Commission shall hold an information session specifically for student organizations to inform them of the elections process and how they can participate.
- (c) Registration Period
 - (i) The Commission shall establish a 'registration period', during which candidates may register for the elections.
 - (ii) The length of the registration period may not be shorter than four (4) calendar days and no longer than seven (7) calendar days.
 - (iii) Once the registration period has ended, the Commission will no longer accept any candidate registration forms.

Section 70402. Election Manual

- (a) The Commission shall distribute the Election Manual to candidates at the time of the candidate's meeting in hard copy.
- (b) The manual must be made publicly available on the Commission website.
- (c) The manual may not be used in place of this Part of the Bylaws, nor serve as a reference in any official capacity.
- (d) The manual must include expectations of candidate conduct, relevant deadlines, and timeline of the elections, with dates, times & locations, including details for—
 - (i) postering day;
 - (ii) dorm-storming;
 - (iii) dates of the campaign period;
 - (iv) date(s) of the elections;
 - (v) determination of the results; and
 - (vi) rights of candidates according to [Section 70303](#).

Chapter 705. Student Government Association Election Procedures

Section 70501. Candidate Registration

(a) Candidate Registration Form

- (i) By the first official day of the registration period, the Commission shall make available an official paper and online 'candidate registration form'.
- (ii) Candidates must register by properly completing the candidate registration form and submitting a copy of the form to the Commission prior to the conclusion of the registration period.
- (iii) Candidates must submit all their registration materials through one (1) method of submission either via paper forms or online.

(b) Petition of Support

- (i) By the first official day of the registration period, the Commission shall make available an official paper and online 'petition of support'.
- (ii) Signature Requirement
 - (1) Candidates for the Student Government Association offices of President and Vice President must submit a petition of support that contains the valid signatures of at least 1.5 percent (1.5%) of students of the uniform constituency group that the candidate is seeking to represent.
 - (2) Candidates for all Student Government Association undergraduate Senators must submit a petition of support that contains the valid signatures of at least one percent (1%) of students of the uniform constituency group that the candidate is seeking to represent.
 - (3) Candidates for all other Student Government Association Senate seats must submit a petition of support that contains the valid signatures of at least 0.25 percent (.25%) of students of the uniform constituency group that the candidate is seeking to represent.

(c) Ballot Statements

- (i) Each registered candidate may include a statement of no more than two hundred (200) words on the ballot.
- (ii) Each registered candidate who wishes to include a statement must submit their statement via a method set by the Commission by the end of the registration period.
- (iii) Write-in candidates that advance to a secondary election may have forty-eight (48) hours from the time of the certification of the original election to submit a ballot statement for the secondary election.

(d) Validation

- (i) Within five (5) class days of the conclusion of the registration period, the Commission shall determine the validity of each candidate's online or paper registration form and online or paper petition of support.
- (ii) **To be considered a valid petition, each signature must be accompanied by each students corresponding—**
 - (a) first and last name;**
 - (b) GWID number;**
 - (c) school; and**

(d) graduate or undergraduate affiliation.

- (iii) To be considered a valid petition all signature lines must properly align and be legible.
 - (iv) Any properly completed and properly submitted form or petition must be deemed valid, and any form or petition that was not properly completed or properly submitted must be deemed invalid.
 - (v) The Commission shall notify all candidates of the status of their registration through email once validation is complete.
- (e) Multiple Positions
- (i) Candidates may not campaign for multiple positions.
 - (ii) In the event that a candidate is elected to multiple positions, the candidate may only serve in one (1) of them.

Section 70502. Extended Candidate Registration

(a) General

- (i) The Commission may allow the online or paper registration of additional candidates after the close of the official registration period.
- (ii) The Commission shall set an expiration date of the extended registration period no less than ten (10) days before the start of the election.
- (iii) The Commission may deny any candidate the right to submit a ballot statement if the deadline for submission has already passed.

(b) Requirements

- (i) All candidates registered after the close of the official registration period are subject to the same requirements and regulations listed in [Section 70601](#) apart from the following changes:
- (ii) Candidates may submit the official online or paper ‘candidate registration form’ and online or paper petition of support after the close of candidate registration.
- (iii) Within five (5) class days of the reception of the official ‘candidate registration form’, the Commission shall determine the validity of each online or paper registration form and online or paper petition of support.
 - (1) Any properly completed and submitted form or petition must be deemed valid, and any form or petition not properly completed or submitted in accordance with Commission rules must be deemed invalid.
 - (2) The Commission shall notify all candidates of the status of their registration through email once validation is complete.
 - (3) The Commission must issue a rule or regulation determining the standards with which the validity of petitions shall be assessed no later than one (1) day before the beginning of the registration period.

(c) Supplemental Candidate Information Meeting

- (i) All candidates who register after the close of the official registration period who did not attend an official candidate information meeting must attend a ‘Supplementary Candidate Information Meeting’ hosted by the Commission to the content of the candidate information meetings.

- (ii) Candidates may not send an authorized agent in their place unless permitted to do so by the Commission.
- (iii) The candidate must inform the Commission of their designee before the commencement of the meeting.
- (iv) Candidates who fail to meet with the Commission may be denied registration and ballot placement.
- (v) The Commission may set a deadline at its discretion before which the 'Supplementary Candidate Information Meeting' must be completed.
- (d) Limitation of Extension
 - (i) Only races in which there are fewer candidates running than contested seats (in other words, races with empty ballot slots) available may have extended online or paper registration.
 - (ii) In races in which there are an equal or greater number of candidates than are seats, the Commission will not permit extended candidate registration.

Section 70503. Withdrawal

- (a) Notice
 - (i) In order to withdraw from an election, a candidate must submit to the Commission an email notice sent from the account listed on the candidate's official candidate registration form.
- (b) Removal from Ballot
 - (i) In order to be removed from the ballot, notice of the withdrawal must be submitted before the commencement of the voting period, during which time the Commission will make every effort to remove the candidate from the ballot.
 - (ii) Candidates who withdraw after the commencement of the voting period will remain on the ballot.

Section 70504. Announcement of Registered Candidates

- (a) Once the candidate registration and validation process is complete, the Commission shall publish on its website with ballot statements, and any other platform they deem necessary, a list of registered candidates by name and by office sought, and shall distribute this list to any media outlets who request it.

Section 70505. The Campaign Period

- (a) The must begin on the day following the secondary candidates meeting, so long as all petitions and candidate eligibility have been verified.
- (b) The campaign period must end at the same time that the voting period is terminated and must last exactly ten (10) class days.
- (c) During the campaign period, and only during this period, candidates may distribute campaign material and hang posters, in accordance with all rules and regulations outlined in this Part of the Bylaws.
 - (i) In the event of a secondary election, the campaign period must be extended until the end of the voting period.
 - (ii) This extension only applies to those candidates who are in an electoral race to be decided in a secondary election.
 - (iii) The Commission can hold official campaign events during the campaign period (i.e. debates, student organization town halls, etc.).

- (iv) The Commission shall inform the student body of any official campaign event no later than seven (7) days before the event date.
- (v) The Commission has full discretion to determine the format of these events so long as they are open to the public and accessible to all.

Chapter 706. Rules and Regulations for Campaigns for All Elected Positions

Section 70601. Overview

- (a) This Chapter applies to all races directly voted upon by the student body, including all offices of the Student Government Association.

Section 70602. Candidates' Meetings

- (a) After the candidate registration process is complete, but before the commencement of the campaign period, an official candidates' meeting must be held for any student registered to run for an elected position.
- (b) Notice of the date, time, and location of the candidates' meeting must be sent via email to each registered candidate.
- (c) In order to be eligible for the election, each candidate must physically or virtually attend the official candidates' meeting or the secondary candidates' meeting.
- (d) Authorized Agent
 - (i) If a candidate is unable to attend, they may send an authorized agent in their place.
 - (ii) The candidate must inform the Commission of their designated authorized agent before the commencement of the candidates' meeting.
- (e) In addition to any other activity prescribed by the Commission, the ballot order will be determined at the official candidates' meeting in accordance with [Section 70603](#).

Section 70603. Determination of the Ballot Order

- (a) The ballot order for each electoral race must be determined by a random process.
 - (i) The Commission may choose the manner of the drawing, so long as it is random.
 - (ii) If the ballot order is to be determined by drawing, the drawing must be done at the official candidates' meeting and anyone in attendance must have the right to observe the drawing.
- (b) The ballot order must be shared with those candidates who attend the secondary candidates' meeting but may not be changed.

Section 70604. Postering Day

- (a) The first day of the campaign period is to be known as 'postering day'.
- (b) Postering day must proceed as follows:
 - (i) Immediately preceding the commencement of the campaign period, all candidates and authorized agents may gather in either Kogan Plaza on the Foggy Bottom campus, or around the central fountain on the Mount Vernon Campus.
 - (ii) All candidates and authorized agents participating in postering day shall remain within an area defined by the Commission until informed by the Commission that the campaign period has begun.

Section 70605. Dorm Storming

- (a) Campaigning in residence halls is to be known as 'dorm-storming'.

- (b) All candidates must adhere to the dorm-storming regulations as issued by the Commission in conjunction with GW Housing.
- (c) The Commission shall adopt all GW Housing dorm-storming regulations as an advisor opinion and determine at what times candidates are allowed to dorm-storm.

Section 70606. Referendum/Ballot Initiatives

- (a) The Student Government Association may place a ballot initiative to be voted upon by the entire student body during the general student body elections through procedures outlined in the Bylaws of the Student Government Association.
- (b) Ballot initiatives must be submitted no later than forty-eight (48) hours prior to the start of voting.

Section 70607. Ballot Content

- (a) All balloting must be conducted online through a voting system administered by The George Washington University.
- (b) Each uniform constituency group must have its own unique ballot.
- (c) The content of each ballot must be as follows.
 - (i) Electoral Races
 - (1) Electoral races for the Student Government Association must appear first on the ballot.
 - (2) The electoral races for the Student Government Association must be listed in the following order—
 - a) President;
 - b) Vice President; and
 - c) School-specific Senator for the given uniform constituency group as determined by [Section 70603](#).
 - (3) If there are any additional electoral races not listed in this section, the Commission shall determine their position on the ballot through a regulation promulgated before the start of the election period.
 - (4) For races where voters must rank their choices, voters must have the ability to rank all available candidates including registered write-in candidates.
 - (5) If there are equal or more registered candidates than seats, there must be one (1) write-in space available.
 - (ii) Ballot Initiatives
 - (1) If any ballot initiative or referendum is to be included on the ballot, it must precede any electoral race.
 - (2) If multiple ballot initiatives or referenda are to be included, the Commission shall determine their order randomly.
 - (iii) Equal or More Candidates than Seats
 - (1) In those elected races in which there are an equal or greater number of candidates than there are available seats, the registered candidates must be listed on the ballot in order as determined by [Section 70603](#).
 - (iv) Fewer Candidates than Seats

- (1) In those elected races in which there are fewer number of candidates than there are available seats, the registered candidates must appear on the ballot for their race.
 - (2) Alongside the registered candidates, a space or spaces for write-in voting must be available for each elected seat in their race.
- (v) No Registered Candidates
 - (1) In those elected races in which there are no registered candidates, the amount of write-in options must equal the number of seats available.

Section 70608. Voting

- (a) Qualified Voters
 - (i) All matriculated students at The George Washington University are qualified voters.
 - (ii) All qualified voters are permitted to vote only on those electoral races and ballot initiatives for which the voter's uniform constituency group is eligible to vote.
- (b) At least seven (7) days before the elections, the Commission shall communicate to all potential voters information regarding the elections, including—
 - (i) through what medium voting will be conducted, specifically the website domain;
 - (ii) what credentials are required to cast a ballot;
 - (iii) what ballot initiatives (if any) will be included;
 - (iv) how to vote for candidates; and reasonable accommodations made available for students with disabilities in compliance with ADA Standards and any other applicable regulation; and
 - (v) how results will be determined.
- (c) Commission Voting Table
 - (i) The Commission shall have a public information and voting table on campus during publicized times throughout the two (2) day election period.
 - (ii) The Commission shall use this table to provide voter information and easy access to voting.
- (d) The Commission shall inform each voter of the format of the ballot and provide instructions on how to complete it.
- (e) The determination of results will occur as outlined in [Section 70609](#).

Section 70609. Determination of Results

- (a) The results of any election, ballot measure, or referendum must be determined following Bylaws under this section.
- (b) Races for One Seat
 - (i) Races for One Seat must be conducted and calculated by an instant runoff method.
 - (1) For electoral races in which only one (1) seat is available, the candidate in the given electoral race who receives over fifty percent (50%) of the 'first choice' votes wins.
 - (2) If no such candidate surpasses the majority vote threshold, the candidate with the lowest number of 'first choice' votes will be

taken out of consideration, and all voters who chose such a candidate will then have their 'second choice' votes counted towards the remaining candidates.

- (3) If any candidate at this point surpasses the fifty percent (50%) threshold, they win.
- (4) If no candidate receives more than fifty percent (50%) of the votes, the process of taking out the candidate with the lowest number of votes and redistribution of ranked votes will be repeated until a candidate surpasses the fifty percent (50%) threshold.

(c) Races for Multiple Seats

- (i) For electoral races in which multiple seats are available, the Commission shall conduct elections by a plurality-at-large voting method in which voters can select any number of choices no more than or equal to the number of seats available in a given election.

(d) Tie Votes

- (i) A secondary election is required if—
 - (1) there is a tie vote between candidates in an electoral race in which only one (1) seat is available, such that no candidate receives a majority of the vote; or
 - (2) there is a tie vote between candidates in an electoral race in which multiple seats are available, such that the number of candidates is equal to the number of available seats receiving the greatest number of votes cannot be determined, a secondary election between the tying candidates will be required.
- (ii) If there is a first-place tie among multiple write-in candidates for any number of seats, the Commission shall contact those candidates notifying them of the tie.
- (iii) The candidate may then choose to have their name forwarded to the Senate-elect, which shall determine the winner of the seat by a plurality voting method.

(e) Ballot Initiatives

- (i) For ballot initiatives, whatever option wins a plurality of the vote wins.

(f) Write-In Candidates

- (i) The Commission, by a simple majority vote, may determine vote intent for write-in votes if there is a discrepancy in how the vote was cast or who the vote is to be counted for.
- (ii) The Commission may also invalidate a write-in vote if the voter intent cannot be determined.

Section 70610. Secondary Elections

- (a) If a secondary election is required, it must be held within seven (7) days ahead of the general election's conclusion, with voting occurring over a twelve (12) hour period.
- (b) No write-in votes may be permitted during any electoral race in a secondary election.

Section 70611. Release of Results

- (a) No later than 5:00 PM on the day following the elections, the Commission shall publish a report listing the uncertified results of the elections.
- (b) Report
 - (i) The report of uncertified results must state, at a minimum—
 - (1) the total ‘first choice’ votes cast for each candidate in each ranked-choice electoral race, the vote counts as emerged through the ranked-choice voting distribution, and the total vote counts for elected candidates;
 - (2) the total votes cast for each candidate in each plurality-at-large electoral race, and the total vote counts for elected candidates;
 - (3) the total votes cast for each position on a ballot measure or referendum included in the elections;
 - (4) which candidates have been elected, which are tied, and which will be candidates in a secondary election;
 - (5) which initiatives will be adopted and which will be denied; and
 - (6) the total voter turnout.
 - (ii) The Commission shall make this report available on its website.
 - (iii) If the report changes for any reason, the Commission shall update the report.

Section 70612. Certification

- (a) After the tabulation of all votes for any electoral race, ballot measure, or referendum in a given election, the Commission shall—
 - (i) certify the results of the given election two-thirds (2/3rds) majority of the Commission, with notice and certification to the Student Court; and
 - (ii) publish a report of certified results within a week of the given election.
 - (1) The Commission shall make this report available on its website.
 - (iii) After results are certified, such certification may not be undone by any authority, official, individual, or body.

Chapter 707. Campaign Rules And Regulations

Section 70701. Purpose

- (a) These campaign rules and regulations are hereby established to—
 - (i) ensure the fairness and integrity of every election, to provide each candidate with a reasonable opportunity to disseminate their message to the public, and to promote the interest and participation of the student body in the elections process; and
 - (ii) restrict only that activity that is meant to advance or inhibit a candidacy, or which tends towards that end, but not that activity which is by nature neutral, impartial, and lacking in effect.

Section 70702. Dispute and Violation Resolution

- (a) Duty of Commissioners
 - (i) Every Commissioner shall enforce these rules and regulations.
 - (ii) Subject to all other sections in this rule, Commissioners may endeavor to resolve potential disputes and violations without filing an official complaint and within reason to exhaust all available methods of dispute resolution before pursuing formal procedures.

(b) Methods of Resolution

- (i) Methods of dispute resolution available to Commissioners may include—
 - (1) advising a candidate on a lawful course of action;
 - (2) mediating or negotiating disputes between candidates;
 - (3) notifying a candidate of pertinent rules or regulations; and
 - (4) actively resolving an issue for a candidate, insofar as it is reasonable, lawful, and not unduly burdensome to do so.

(c) Resolution not Binding

- (i) Though a Commissioner may consult with a candidate about a potential violation before filing a complaint, the advice given by the Commissioner may not be binding on the Commission and reliance thereon is no defense in a violation hearing.

(d) Limitations of Dispute Resolution

- (i) The duties imposed by this rule upon the Commissioners may not be interpreted by candidates as a license to freely violate campaign rules and regulations with the assumption that such violations will be resolved by Commissioners without sanction.
- (ii) Candidates are assumed to know every rule, regulation, ruling, and advisory opinion, and must exercise their own best judgment while engaged in campaign activity.

Section 70703. Unrestricted Activity

- (a) Except as otherwise stated by additional rule or by governing law, the Commission may not restrict the following—
 - (i) any solicited conversation, online, in person, or otherwise;
 - (ii) any solicited distribution of campaign material either in person or online; and the right of candidates to make available and distribute any campaign material to the public, so long as the material is not forcefully distributed, and so long as the availability and distribution of the material conform to all other rules in this Part of the Bylaws.

Section 70704. Campaign Budgets/Spending Limits

(a) General Spending Limits

- (i) No campaign may make an aggregate expenditure on behalf of their candidacy in excess of the following limits—
 - (1) \$350 for candidates for Student Government Association President and Student Government Association Executive Vice-President; and
 - (2) \$150 for candidates for all other Student Government Association Senate seats.

(b) Secondary Election Spending Limit

- (i) If a secondary election is required, each candidate in the secondary election may spend up to \$50 total on expenses for the entire secondary election.

(c) Joint Spending

- (i) If a group of candidates agrees to appear jointly on campaign material of value, all candidates involved must deduct the actual value of the

campaign material from each of their respective campaign budgets/spending limits.

Section 70705. Sponsored Printing of Posers

- (a) Free printing is available through the Student Government Association for all candidates in elected races.
 - (i) This waiving of fees will include paper and other printing materials to be provided by the Student Government Association.
 - (ii) Posters can only be printed for candidates following candidate verification.
 - (iii) Posters must comply with [Section 70709](#).
 - (iv) No candidates may print posters through the Student Government Association in excess of the following limits—
 - (1) forty (40) posters for candidates for Student Government Association President and Student Government Association Vice President.
 - (2) twenty (20) posters for candidates for all other Student Government Association Senate seats.
- (b) Free printing opportunities must be disseminated to candidates through means including pre-elections Information Sessions, Candidates' Meetings, and the Elections Manual.

Section 70706. Financial Expenditure Report

- (a) Reporting, Submission, and Public Dissemination
 - (i) For each election, each candidate listed on the ballot, including those who are running unopposed or spending no money, shall submit an electronic 'financial expenditure report' to the Commission, by email to the Commission.
 - (ii) The Commission shall make available on its website an online official financial expenditure report form before the commencement of the campaign period.
 - (iii) The 'financial expenditure report' must list all goods and services acquired by the candidate that were intended to advance or inhibit a candidacy or which tend towards that end.
 - (iv) Non-registered candidates elected to a seat via the write-in process shall also submit a 'financial expenditure report' in order to accept such a seat.
- (b) Actual Value
 - (i) Any good or service actually purchased or paid for by the candidate for their campaign must be reported at the actual value expended by the candidate for a given good or service.
 - (ii) Candidates shall provide receipts via email to prove the actual value of each good or service purchased or paid for.
 - (iii) If the Commission requests such, the candidate shall provide the original receipt(s) in person.
- (c) The following items may not be included as part of a candidate's aggregate expenditure, so long as they are not distributed to individuals other than a candidate and their authorized agents, and so long as they are not used in such a manner that they, alone or combined, constitute campaign material—

- (i) Tape;
- (ii) writing utensils;
- (iii) paper;
- (iv) notebooks; and,
- (v) clipboards.

Section 70707. Donations

(a) Donation List Submission

- (i) For each election, each candidate listed on the ballot shall submit an electronic ‘donation list’, containing a list of individuals and organizations who have made a donation to their campaign.
- (ii) Candidates who received no donations still must submit this list via email to the Commission.

(b) Donation List Publication

- (i) The Commission shall provide this form on its website prior to the registration period, with the form including the following sections—
 - (1) names;
 - (2) the amount of the financial donation; and
 - (3) the date the contribution was made.

Section 70708. Reporting Requirements

(a) Deadline

- (i) All candidates must electronically submit a financial expenditure report and a donations list by 11:59 PM on the day following the election.
- (ii) The Commission may choose to extend the deadline for submission of a financial expenditure report and a donations list for non-registered candidates until the official results are certified.

(b) Publication

- (i) The Commission shall make any financial expenditure report and donations list on behalf of electoral campaigns available as detailed by [Section 70309](#).
- (ii) Published documents will not contain any individual’s personal financial information, excluding values of campaign expenditures.

Section 70709. Postering

(a) Location

- (i) Candidates may only place posters in the following public locations—
 - (1) the exterior of the University Student Center on the H Street side;
 - (2) the exterior of the Academic Center buildings;
 - (3) the exterior of any building facing University Yard, but not the Law School or Textile Museum; and
 - (4) the exterior of Ames Hall on the Mount Vernon campus.
- (ii) Candidates whose constituency includes law school students (i.e. President, Vice President, and Law School Senator) may poster within the Law School after obtaining approval from the Commission and the Student Bar Association.

(b) Individual Poster Restrictions

- (i) No poster may exceed eighteen (18) inches by twelve (12) inches.

- (ii) No group of posters may constitute one (1) contiguous image greater than the above size requirements.
 - (iii) No poster may be affixed to any window, door, awning, rail, rack, post, handle, or temporary structure.
 - (iv) No poster may be placed in such a way that it blocks any sign.
 - (v) No candidate may place either tape or a poster over another candidate's previously affixed poster such that the previously affixed poster is obscured in any meaningful way.
 - (vi) No candidate may place a poster inside any University residence hall or townhouse, except that students may place posters within their dorm room and on any window or door belonging to that room.
- (c) Quantity Limitation
- (i) Candidates for Student Government Association President and Vice President may hang as many as, but no more than, ten (10) posters in each of the four (4) permitted poster locations listed in [Section 70709\(a\)](#) for a total of forty (40) posters throughout campus.
 - (ii) Candidates for all other directly elected offices may hang as many as, but no more than, five (5) posters in each of the four (4) permitted poster locations listed in [Section 70709\(a\)](#), for a total of twenty (20) posters throughout campus.

Section 70710. Registration of Campaign Material

- (a) Registration
- (i) Before a candidate running for an elected seat may distribute or make available any item that qualifies as campaign material, the candidate must register the item with the Policy Commissioner.
 - (ii) To register an item, the candidate must submit one (1) proof copy via electronic submission of the item to the Commissioner's email.
 - (iii) This material must visibly include the Commission logo.
- (b) Unregistered Item
- (i) If a member of the Commission or any other staff officer becomes aware of unregistered campaign material being distributed or made available, a request to register the campaign material in question must be sent via email to the candidate who owns the unregistered campaign material.
 - (ii) The candidate must be granted a period of twenty-four (24) hours from the time of the request to register the campaign material before becoming liable for a violation.
- (c) Internet Campaign Tools
- (i) Candidates may not be required to register any website, social networking group, or other Internet campaign tool.

Section 70711. Unlawful Distribution of Campaign Material

- (a) Before Campaign Period
- (i) No candidate, or authorized agent thereof, may distribute or make available any campaign material prior to the commencement of the campaign period.
 - (ii) This section does not apply to—

- (1) the creation or availability of any website, social networking group, or other Internet campaign tools; and
- (2) any verbal statement of a candidate's intent to seek office or any attempt by a candidate to complete a petition of support.

(b) Material not Registered

- (i) No candidate, or authorized agent thereof, may distribute or make available any campaign material that has not been registered with the Commission within twenty-four (24) hours of the transmission of notice.

(c) Within University Buildings

- (i) No candidate or authorized agent thereof may, within any University building, distribute, attempt to distribute, or make available any campaign material, unless such material is solicited.

(d) Forceful Distribution

- (i) No candidate or authorized agent thereof may, on any University campus, distribute, or attempt to distribute, any campaign material against the will of the intended recipient, once the intended recipient has communicated their unwillingness to receive the material.

(e) Restricted Zones

- (i) No candidate or authorized agent thereof may distribute, attempt to distribute, or make available any campaign material in zones that are designated as restricted by the Commission.

(f) Electronic Communications

- (i) Any use by a candidate of another student in any photo or video, to aid the candidate's campaign, may be allowed only with either verbal or written consent of the student.
- (ii) No university academic system, such as Blackboard and mass emails to classes, may be used to promote, aid, or advertise any campaign.

Section 70712. Endorsements

- (a) If a student group chooses to endorse a candidate or candidates, the candidate or candidates will be held responsible for all activities of the endorsing student group in regard to activities that are intended to advance or inhibit a candidacy or tend towards that end.
- (b) Endorsing student groups are permitted to—
 - (i) if applicable, display one (1) additional candidate poster per candidate endorsed within the University Student Center, so long as it is located in space belonging to the endorsing student group's office and complies with the poster regulations; and
 - (ii) engage in any other activity by the student group which reasonably affects only the members of that same group, such as the sending of electronic communication to all group members, on the principle that all members of a given student group implicitly solicit campaign material about the endorsed candidate from the student group in which they hold membership.

Section 70713. Unlawful Use of Resources and Spaces

- (a) University Resources

- (i) No candidate, or authorized agent thereof, may use any resource of the University, including any student organization, which is of monetary value, for their campaign, except student organizations who wish to provide such to endorsed candidates.

- (1) Such resources must be subject to reporting under [Section 70706](#).

- (2) Excluded from unlawful use are any printing within the threshold for all elected candidates under [Section 70705](#).

(b) Student Advocacy Center

- (i) No candidate, or authorized agent thereof, may use any office space or conference room in the Student Government Association Office.

(c) Student Organization Listserv

- (i) No candidate may use the listserv of any organization of which they are involved with for self-promotion.
- (ii) Only the organization can promote the individual's candidacy by way of endorsement.

Section 70714. Disruption of a University Function

- (a) No candidate, candidate, or authorized agent thereof, may, in the course of campaigning, disrupt any academic function of The George Washington University.

Section 70715. Destruction of Property

- (a) No candidate, or authorized agent thereof, may, purposely deface, destroy or remove any campaign material belonging to another candidate.

Section 70716. False Statements

- (a) No candidate, or authorized agent thereof, may, in any matter within the jurisdiction of the Commission or of the Student Court, knowingly and willfully—
 - (i) falsify, conceal, or otherwise cover up by any trick, scheme or devise a material fact;
 - (ii) make any materially false, fictitious, or fraudulent statement or representation; or
 - (iii) create or use any false writing or document, knowing that the writing or document contains any materially false, fictitious, or fraudulent statement or entry.

Section 70717. Obstruction

- (a) Candidates, and authorized agents thereof, should be kind and courteous during any meetings of the Commission which they attend.
- (b) Obstructive Activities
 - (i) No candidate may engage in disorderly, contemptuous, or insolent behavior so as to interrupt or delay a meeting of the Commission.
 - (ii) No candidate, or authorized agent thereof, may engage in behavior intended to disrupt, interrupt or obstruct any member of the Commission or any staff officer in the pursuit of their official duties.

Section 70718. Impersonalization

- (a) No candidate, or authorized agent thereof, may falsely assume or pretend to be—
 - (i) a member of the Commission;
 - (ii) an officer acting under the authority of the Commission;

- (iii) another candidate; or
- (iv) any other individual acting under the authority of the Student Government Association.

Section 70719. Bribery

- (a) Bribery of Commissioner, Staff Officer, Student Court Justice and Student/s
 - (i) No candidate, or authorized agent thereof, may confer, or offer to confer, any benefit upon any Commissioner, staff officer, or Student Court Justice with the understanding that the benefit will influence any Commissioner, staff officer, or Student Court Justice in the discharge of their official duties.
 - (ii) A candidate or authorized agent of the candidate or the campaign thereof may provide gifts or services to students, student organizations, or student collectives if the gift is —
 - (1) of less than a five (5) dollar value;
 - (2) unencumbered by quid pro quo stipulations.

Section 70720. Tampering

- (a) No candidate, or authorized agent thereof, may engage in tampering.
- (b) The following acts are considered tampering—
 - (i) attempting to induce or affect the person to avoid the proceeding or to give a false statement, knowing that a person may be a witness in a proceeding of the Commission or of the Student Court;
 - (ii) willfully concealing, removing, or destroying any official record, report, form or other document which is in the custody of the Commission; and
 - (iii) attempting to enter or infiltrate any system that tabulates votes in any election.

Section 70721. Failure to Comply

- (a) All candidates, and authorized agents thereof, shall comply with the rules and resolutions of all advisory opinions and rulings, and all governing laws.
- (b) No candidate may intentionally disobey or resist a lawful process of the Commission.

Section 70722. Attempted Violation

- (a) All rules and regulations which restrict the conduct of a candidate, and authorized agents thereof, also restrict the attempted conduct of a candidate, and authorized agents thereof.
- (b) Failure to succeed in an attempt to violate any rule or regulation may not constitute a valid defense of an individual's conduct.
- (c) Each individual illegal action of a candidate shall be charged as a separate count.

Section 70723. Authorized Agent Liability

- (a) Each candidate is liable for all actions carried out by their authorized agents.
- (b) Wherever advisory opinions or governing law under this Part restricts the actions of a candidate, so too will the actions of any authorized agents thereof be restricted.

Chapter 708. Violation Procedures

Section 70801. Complaint

- (a) Complaint Form

- (i) The Commission shall create and make available on its website an official ‘complaint form’.
 - (1) This complaint form must guarantee, in writing, the confidentiality of individuals that are not the candidate associated with the campaign involved or the complainant.
 - (2) All names outside the candidate accused must be redacted from the complaint form before being published.
 - (3) This complaint form must list each element necessary to file a complaint accurately including—
 - a) specific reference to the Rule of the Commission Bylaws violated;
 - b) a brief explanation of the alleged incident, including the time, place, and location of the incident as well as at least one (1) witness (who may be the complainant) to the incident; and
 - c) evidence pertaining to the matter.
 - (4) This complaint form must require the complainant to sign a statement acknowledging that all allegations made in the complaint are true and accurate to the best of their knowledge.
 - (5) This complaint form must be sent to the email addresses of both the Commission and the Chief Investigator.
- (b) Filing a Complaint
 - (i) In order to file a complaint, the complainant shall properly complete the complaint form and must submit the complaint form to the Commission email.
 - (ii) Any person who wishes to file a complaint must file such complaint within three (3) calendar days of observing the violation, unless incapacitated or incapable, or else the Commission may not accept the complaint.
 - (1) The complainant must be kept anonymous.
 - (2) The complainant may, and is encouraged, to submit any evidence with the complaint form (e.g., pictures of the alleged violation of the rule).
 - (3) If a Commissioner or the Commission is aware of a violation of this Part of the Bylaws, a Commissioner may submit a complaint to the Commission email, which will be treated the same as any other complaint.
 - (iii) The Commission shall refer every complaint received to the Chief Investigator.
 - (1) The Chief Investigator shall verify that a complaint is complete, determine the validity of that complaint, and produce a written recommendation regarding the complaint that will be presented to the Commission.
 - (2) These proceedings must occur prior to the twelve (12) hour period preceding the Probable Cause Hearing.

- (iv) For violations of policies not maintained by the Commission, the complainant may be referred to the appropriate judicial authority, including violations of—
 - (1) the George Washington University Student Code of Conduct;
 - (2) any applicable rules and regulations of The George Washington University; and
 - (3) any applicable local, state, and federal laws.
- (c) The Commission shall accept complaints from non-registered candidates, and hold probable cause hearings for them even if they are not expected to be on the ballot.
- (d) Probable Cause Hearing
 - (a) Within three (3) calendar days of the transmission of a complaint form to the Chief Investigator and Commission, there must be a probable cause hearing for the given complaint.
 - (b) Participants
 - (i) The probable cause hearing must be limited to—
 - (1) the Elections Commissioner;
 - (2) the General Membership;
 - (3) the Chief Investigator; and
 - (4) the Student Government Association Legislator General.
 - (ii) With a majority vote of the General Membership, the Commission may allow staff officers to remain present during the hearing.
 - (c) At the probable cause hearing, the Chief Investigator shall present the Commission with their written recommendation.
 - (d) The Commission shall vote on the recommendation of the Chief Investigator and a vote must be sustained by a simple majority present.
 - (e) Burden of Proof
 - (i) The Commission shall find probable cause only when there is sufficient evidence to establish a reasonable likelihood of success in proving each and every element of the violation provided below beyond a reasonable doubt.
 - (ii) The evidence must prove—
 - (1) the candidate, or an authorized agent thereof, violated a rule or regulation in Part VII of the Bylaws, an advisory opinion, or governing law, for which a penalty may apply;
 - (2) the candidate's violation is likely to have a material effect on the elections, meaning that the violation advanced or inhibited a candidacy, or tended towards that end; and
 - (3) in any hearing held pursuant to a complaint filed by the Commissioner, the Commissioner complied with all of the requirements of [Section 70612](#) prior to filing the complaint.
 - (f) Failure to comply with all rules regarding probable cause will constitute reversible error sufficient to invalidate a complaint.
 - (g) If, after a probable cause hearing, the Commission determines that probable cause exists, the Commission shall immediately issue an indictment.

- (h) The Commission shall send the indictment to the indicted candidate within three (3) hours of the determination of probable cause.
- (i) Each indictment must identify and include—
 - (i) The parties bringing the suit (“plaintiffs”);
 - (ii) The parties against which the charges are brought (“the defendants”);
 - (iii) The subject of the dispute;
 - (iv) A succinct statement of the facts and the grounds on which the charge is based;
 - (v) A complete list of counts for which the candidate is indicted, including the rule, section, and subsection of this Part of the Bylaws, the advisory opinion, or governing law, which the candidate is alleged to have violated;
 - (vi) the contact information for the Chief Investigator, and an Assistant Investigator if applicable, in order to arrange for discovery; and
 - (vii) The remedy desired.

Section 70802. Prior to a Violation Hearing

(a) Violation Hearing

- (i) Within three (3) days of the probable cause hearing from which an indictment is produced, the Commission shall schedule a violation hearing for all parties involved in complaints deemed valid.
 - (1) This violation hearing must be scheduled within twenty-four (24) hours after the indictment.
 - (2) When scheduling a violation hearing, the Commission shall inform the complainant and the indicted candidate of the date, time, and location of the hearing.
 - (3) The indicted candidate must be provided with a copy of the complaint form, any evidence submitted along with the complaint, and a copy of the Chief Investigator’s written recommendation to the Commission.

(b) Evidence of Defense

- (i) The indicted candidate must provide all evidence in their defense, including a list of expected witnesses, to the Chief Investigator at least twelve (12) hours prior to the violation hearing.
 - (1) If any evidence is discovered after the twelve (12) hour deadline, it must be made available to the opposing party immediately.
 - (2) Admissibility for evidence submitted following this deadline, including additional witnesses, is up to the discretion of the Elections Commissioner and Chief Investigator.
- (ii) Witnesses
 - (1) Upon receiving the list of witnesses from all parties involved, the Chief Investigator shall contact all witnesses prior to the violation hearing to detail their role in the process.
- (iii) Disclosure of Evidence

- (1) The Chief Investigator shall promptly disclose any evidence gained during their investigation to the indicted candidate no less than twelve (12) hours prior to the violation hearing.
 - a) The Chief Investigator shall also disclose any evidence to be used in defense of the candidate to the complainant.
 - b) Any evidence not disclosed to the candidate or the complainant will not be admissible during the hearing.

Section 70803. Violation Hearing

(a) Oversight

- (i) All violation hearings must be held in public.
- (ii) The date, location, and time of the hearing must be made publicly available on the Commission's website.
- (iii) Two-thirds (2/3rds) of the General Membership will constitute a quorum for a violation hearing.

(b) In General

- (i) The Commission shall decide the format and times of full hearings; but no party shall be deprived of any privilege accorded to any other party without due process.
- (ii) The indicted candidate must be provided with a copy of any evidence submitted along with the complaint, and a copy of the Chief Investigator's indictment.
- (iii) The Commission shall set deadlines by which no further oral or written evidence may be presented by a party; all other parties to the proceeding must consent to the introduction of new oral or written evidence after such deadlines.
- (iv) Should a party fail to appear before the Commission, or fail to defend its case, the other party may call upon the Commission to decide in favor of its claim. The Committee must satisfy itself that, not only it has the jurisdiction to do so, but that the claim is well-founded in fact and law.
- (v) Upon conclusion of all oral and written contributions of all parties in the full hearing of merit, the presiding Elections Commissioner shall declare the case submitted.
- (vi) No further oral or written contributions by any party may be submitted to the Commission, unless a majority of the Commission explicitly authorizes otherwise. The Commission shall specifically state the additional contributions desired from the parties in such a case.

(c) Procedure

(i) Submission of Briefs

- (1) Once an indictment has been assigned to be heard in a violation hearing by the Commission, the named defendants may be required to file an answer to the indictment by the Commission. The deadline for submission of an answer shall ensure that a required answer can be distributed to the members of the Commission before the full violation hearing on the indictment is held.
- (2) Information contained in the answer may assist the Commission in deciding its judgment.

- (3) The answer shall take the form of either—
 - a) Responses, paragraph by paragraph, to every allegation contained in all parts of the indictment; or
 - b) A narrative format containing the defendants' own version of the facts that responds to all allegations contained in all parts of the indictment.
 - (4) Responses to indictments shall respond to the substance of the allegation by either—
 - a) admitting an allegation;
 - b) denying an allegation, with explanation thereof; or
 - c) Declaring that the defendants can neither admit nor deny an allegation due to insufficient knowledge, with explanation thereof.
 - (5) Failure to address an allegation in an answer required by the Commission will be treated as an admission of that allegation as if it were fact. If the Commission does not require an answer from the defendants, allegations contained in the complaint are considered denied or avoided.
- (ii) General Format of Hearings
- (1) The Elections Commissioner shall preside over all violation hearings and shall ensure that the proper procedures are followed.
 - (2) The Administrative Commissioner shall take minutes for the hearing and shall supplement their notes with audio recording.
 - (3) The general format of all oral proceedings in which the parties to a case shall participate, hereinafter "hearings," shall be as follows:
 - a) The Chief Investigator shall give a statement of the indictment and what charges they plan to proceed on prosecuting.
 - b) The Elections Commissioner shall ask how the defendant pleads to each count of the indictment that the Chief Investigator has announced they will proceed on, whereupon the accused shall reply either "guilty" or "not guilty."
 - i) Each charge of the indictment shall be pled individually.
 - ii) If there is a plea of "guilty" to the charge, then there is no need for a trial on that charge. The Chief Investigator may present a three (3) minute statement of facts before the Commission enters deliberation.
 - iii) If there is a plea of "not guilty" to that charge, then the Senate shall proceed to try the accused for that charge.
 - c) The Chief Investigator's case-in-chief shall begin, during which the Chief Investigator may call and question witnesses and present evidence.

- d) The defendant or their counsel have the right to cross examine any witness called by the Chief Investigator.
 - e) Redirect and recross examinations may be permitted at the discretion of the Chair.
 - f) Once the Chief Investigator has rested their case-in-chief, the indicted candidate's case-in-chief shall begin, during which the indicted candidate or their counsel may call and question witnesses and present evidence.
 - g) The Chief Investigator has the right to cross-examine any witness called by the defendant or his counsel.
 - h) Redirect and recross examinations may be permitted at the discretion of the Chair.
 - i) The Chief Investigator shall give a closing argument not to exceed three (3) minutes.
 - j) The indicted candidate or their counsel shall give a closing argument not to exceed three (3) minutes.
 - k) The Chief Investigator may give a rebuttal not to exceed one (1) minute.
 - l) The members of the Commission have the right to question, at any time, any witness called to testify.
 - m) The members of the Commission shall also have the right to question the Chief Investigator and indicted candidate and their counsel.
 - n) Following any violation hearing or following any set of violation hearings as the Commission may prefer, the Commission shall close the meeting to all except itself and shall begin deliberation.
 - o) Following deliberation, the Commission shall reopen the meeting and shall announce the results of each count in each indictment.
- (iii) Failure by a party to attend a scheduled hearing will not preclude the Court from hearing oral argument from the other party or amici curiae.
- (iv) The Commission shall endeavor to reschedule hearings in the event all parties are unable to attend a scheduled hearing; but nothing in these rules of procedure shall preclude the Commission from deciding a case on the briefs
- (d) Burden of Proof
 - (i) The Commission shall find a candidate in violation only when the Chief Investigator has proven each and every element of the violation beyond a reasonable doubt.
- (e) Ruling Criteria
 - (i) When the hearing has ended, the Commission shall recess and deliberate.
 - (ii) All votes must be decided by a majority vote.
 - (iii) The ruling for each charge must be given in the following form—
 - (1) Alleged Violation;
 - (2) Verdict; and

(3) Imposed Sentence.

(f) Voting Threshold

- (i) A candidate will be found in violation only if a simple majority vote of the total Commission membership finds them guilty beyond a reasonable doubt.

(g) Disclosure

- (i) If the candidate is found in violation, the Commission shall notify the candidate in writing.
- (ii) The Elections Commissioner shall make a public statement releasing information regarding the filed violation, the verdict with appropriate evidence, and the determined sentence.
 - (1) The public statement must be made between twenty-four (24) and thirty-six (36) hours following the decision, allowing the candidate time to appeal the decision if they so choose.
 - (2) If an appeal is made to the Student Court within the time allotted, no statement may be made until the final deliberation of the Student Court.
- (iii) All other disclosure of matters regarding the hearing is at the discretion of the Commission.

Section 70804. Sentencing

- (a) If a candidate is found in violation of governing law under Part VII for each count that the candidate is found in violation, they shall receive, for a violation of:

- (i) Section 70803,
 - (1) two (2) penalties for between zero percent (0%) and 4.99 percent (4.99%) over the limit;
 - (2) three (3) penalties for between five percent (5.0%) and 9.99 percent (9.99%) over the limit;
 - (3) four (4) penalties for between ten percent (10%) and 14.99 percent (14.99%) over the limit; and
 - (4) six (6) penalties for greater than fifteen percent (15%) over the limit.
- (ii) Section 70706, one (1) penalty per item missing a receipt.
- (iii) Section 70706, one (1) penalty per item missing proof.
- (iv) Section 70706, one (1) penalty per calendar day that the report is late.
- (v) Section 70711, one (1) penalty.
- (vi) Section 70711 (f)(1) and Section 70711 (f)(2), two (2) penalties per instance where consent is not given.
- (vii) Section 70713, two (2) penalties
- (viii) Section 70714, three (3) penalties.
- (ix) Section 70715, two (2) penalties per incident of destruction.
- (x) Section 70716, three (3) penalties.
- (xi) Section 70716(a), three (3) penalties.
- (xii) Section 70717(b), six (6) penalties.
- (xiii) Section 70718, six (6) penalties.
- (xiv) Section 70719, six (6) penalties.
- (xv) Section 70720, six (6) penalties.

- (xvi) Section 70721, if because of a failure to comply with Section 70311, three (3) penalties.
- (xvii) Section 70721, if because of a failure to comply with Section 70312, three (3) penalties.
- (xviii) Section 70721, if because of a failure to comply with Section 70602, two (2) penalties.
- (xix) Section 70721, if because of a failure to comply with Section 70605, two (2) penalties.
- (xx) Section 70721, if because of a failure to comply with Section 70709, two (2) penalties.
- (xxi) Section 70721, due to any reason not otherwise listed under Section 70804, one (1) penalty.

Section 70805. Sentencing via Ballot Content

- (a) All candidates sentenced to a penalty, but not disqualified from their election, will have their penalty totals featured on the ballot alongside their candidacy.
 - (i) With their total penalty number will be a delineation of which provisions of governing law were violated.
 - (ii) For penalties that are distributed within a day of or during the election period, the Commission shall attempt to feature such on the ballot, but cannot guarantee of featuring such penalties due to their untimely distribution.

Section 70806. Disqualification

- (a) Order of Disqualification
 - (i) Any registered candidate who accumulated six (6) or more penalties during a given election period must be disqualified, and the Commission shall issue the candidate an order of disqualification.
 - (ii) Such order removes the candidate from the ballot, invalidates their election to office, and renders the candidate ineligible to be elected to any office during an election year in which they were disqualified.
- (b) Barment from Office
 - (i) If winning an election via write-in vote, any non-registered candidate who accumulated three (3) or more penalties during a given elections period will be barred from taking office.

Section 70807. Right to Counsel

- (a) Any candidate has the right to appoint any one (1) enrolled student of the University to serve as their counsel in any matter before the Commission.
- (b) All Candidates are required to attain and identify their counsel when registering as a candidate.
 - (i) Failure to attain counsel or choosing to represent oneself shall not preclude a candidate from being registered and accessing all rights reserved for candidates.
 - (ii) In the event a candidate is indicted and has not attained or identified prior Counsel, Counsel shall be appointed for them with input from the Student Government Association Legislator General.

- (c) Counsel is considered an authorized agent and has the power to exercise any right, responsibility or duty otherwise retained by the candidate whom counsel represents.
- (d) These bylaws may not be construed to deny any individual or designee the ability to represent multiple candidates.

Chapter 709. Rulings, Judgments, and Orders

Section 70901. Written Decisions

- (a) All substantive decisions of the Commission, including dismissal of indictments, shall be rendered in writing in the form of orders or judgments of the Commission, with copies distributed to the parties of the relevant case and made publicly available on the Commission's website. Copies shall also be furnished upon the request of an officer of the Student Government Association.

Section 70902. Format of Written Decisions

- (a) All written decisions shall adhere to the format below:
 - (i) The written decisions shall contain a cover page that—
 - (1) Specifies the term and year in which the decision is issued;
 - (2) Specifies the names of the plaintiffs and defendants;
 - (3) Specifies the case docket number, and;
 - (4) Specifies the Commissioners before which the case was heard by.
 - (ii) The first page of the body of the written judgment shall contain a header that—
 - (1) Specifies the case docket number;
 - (2) Specifies the name of the case;
 - (3) Specifies the Commissioners before which the case was heard by, and;
 - (4) Specifies the date on which the final text of the written decision was issued.
 - (iii) The first line of the body of the written decision shall identify the Commissioner who drafted the written decision along with the Commissioners joining the decision of the Commission and, if necessary, which specific parts of the opinion they join, and the Commissioners dissenting from the decision of the Commission.
 - (iv) The opinion of the Commission shall then follow, organized by each issue or question;
 - (1) For each issue or question, only the reasoning which commands the concurrence of the majority of the members of the Commission shall be part of the opinion of the Commission;
 - (v) After the conclusion of the final issue or question, the decision of the Commission for all issues and questions shall be listed in an extended operative clause;
 - (1) Each decision of the Commission in which the majority of the members of the Commission concur in, shall be stated with the vote result and the names of the Commission in favor and against the decision;

- (2) Decisions of the Commission shall be organized in order of the issues or questions addressed in the opinion of the Commission;

(b) Dissents

- (i) Any Commissioner who in whole, or in part, votes against any decision of the Commission shall be considered in dissent and may if they so choose attach a written dissent to the written decision of the Commission which shall follow the format of written decisions.
- (ii) All dissents shall be attached at the end of written decisions.

(c) Templates

- (i) The Commission may create and promulgate templates of written decisions consistent with the bylaws of the Commission.

Chapter 710. Appeals

Section 71001. Appellate Jurisdiction

- (a) The Student Court shall exercise appellate jurisdiction over all appeals of decision of the Commission.

Section 71002. Appeal Process

(a) Deadline

- (i) A decision of the Commission may be appealed to the Student Court within forty-eight (48) hours from the time the email was sent to notify them.
- (ii) Otherwise, the decision of the Commission will prevail.

(b) Parties

- (i) The appealing parties are limited to the complainant and the defendant involved in the original complaint.

(c) Filing

- (i) The party appealing must file a complaint with the Student Court stating the grounds of appeal.

(d) Hearing

- (i) The Student Court shall determine whether all criteria for filing have been met within twenty-four (24) hours.
- (ii) If the Student Court determines that all criteria has been met, then a hearing must be scheduled.
- (iii) The defendant, complainant, members of the Commission, and members of the Student Court must be provided with a copy of the appeal complaint along with a notice of the date, time, and place of the hearing.

(e) Procedure

- (i) The procedure of the appeal will be conducted according to the Bylaws of the Student Government Association.

Section 71003. Standard of Review

- (a) The Student Court must affirm any decision of the Commission unless it is found to be arbitrary and capricious, an abuse of discretion, or otherwise not in accordance with governing law.

Section 71004. Judicial Remedy

- (a) Among all other powers retained by the Student Court, if the Student Court overturns any decision of the Commission, the Student Court may—
 - (i) issue an order reopening a time-limited process;

- (ii) issue an order to remand;
- (iii) issue an order vacating any decision of the Commission;
- (iv) issue a preliminary or permanent injunction against the prescription of any rule by the Commission which is inconsistent with governing law; or
- (v) issue an order vacating the results of any election, and may issue an additional order calling for a new election.

COMMITTEE VOTE:

☒ YEA
FAILED

☒ NAY
PASSED

☒ ABSTAIN
PASSED AS AMENDED

SENATE VOTE:

☒ YEA
FAILED

☒ NAY
PASSED

☒ ABSTAIN
PASSED AS AMENDED

Ethan LYNNE, *Vice President*
Date

ATTEST:

Ben Wieser
Ben WIESER, *Secretary of the Senate*
Date

1/14/2025

PRESIDENTIAL SUBMISSION:

Ethan Fitzgerald

Ethan FITZGERALD, *President*
1/15/25

Date

APPROVE *VETO*