

Part VII. Joint Elections Commission

Chapter 701. Charter of the Joint Elections Commission

Article I: Name and Purpose

Section 1: Name

- (a) The name of the independent regulatory agency overseeing elections shall be the Joint Elections Commission, hereinafter referred to as the "JEC."

Section 2: Purpose

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

Article II: Structure and Governance

Section 1: Composition

- (a) The Composition of the JEC shall consist of an Executive Branch, hereinafter the "Executive Commission", Policy Branch, hereinafter the "Policy Commission", and a Judicial Branch, hereinafter "Judicial Commission".

Section 2: Eligibility

- (a) All enrolled students of The George Washington University are eligible to serve as members of the JEC, 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) as holding an office or position within the Student Government Association during the elections.

Section 3: Executive Commission

1. Selection of Members

- a. The President of the Student Government Association shall, with the advice and consent of the Student Government Association Senate, appoint the Chairperson and Vice Chairperson of the Executive Commission.

b. Executive Commission

i. Chairperson

1. The President shall appoint the Chairperson with the advice and consent of the Senate.
2. The President shall appoint the Chairperson in the Spring semester, following the general student body elections, serving for the elections cycle of the following year.
3. If the President must appoint the Chairperson by the first calendar day of October of the year prior to the student body elections that the Chairperson will oversee.

ii. Vice Chairperson

1. The President shall appoint the Vice Chairperson with the

advice and consent of the Senate.

- iii. Office of Oversight and Accountability
 - 1. The Executive Commission of the Joint Elections Commission shall appoint, with a two thirds majority vote of sitting commissioners the Joint Elections Commission sitting in Joint Session, members of the Office of Oversight and Accountability.
 - 2. The Office of Oversight and Accountability shall consist of —
 - a. a JEC Counsel, and;
 - b. a Chief Investigator.
 - 3. The JEC Counsel and the Chief Investigator may retain Assistant Counsel and Assistant Investigators with the consent of the Executive Commission.
 - 4. The Executive Commission shall endeavor to appoint all members of the Office of Oversight and Accountability by the first day of February of the Spring Semester of a given election season.
- c. Members of the Executive Commission shall continue to serve on the Executive Commission until such time as they resign, are removed under this section, or at the termination of the election cycle. Vacancies must be filled according to the procedures located herein.
- d. Members of the Executive Commission may be removed after being duly impeached under Article XV of the Constitution if a two-thirds (2/3rds) majority of the voting membership of the Student Government Association Senate votes finds them guilty of the conduct charged in the articles of impeachment.

2. Duties

a. Chairperson

- i. The duties and responsibilities of the Chairperson 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 Executive Commission;
 - 3. acting as Chairperson of all meetings of the Policy Commission;
 - 4. acting as Chairperson of meetings of the Judicial Commission in which violations are being heard, adjudicated, or deliberated;
 - 5. organizing all meetings of the Executive Commission, Policy Commission, Judicial Commission, and joint meetings of all three commission which shall compel all members to sit in Joint Session;
 - 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 Policy and Judicial Commission votes, as well as all ties in the votes of the Joint Elections Commission meeting in Joint Session.
- b. Vice Chairperson
- i. The duties and responsibilities of the Vice Commissioner include—
 - 1. assisting the Chair in communication with the candidates;
 - 2. assisting the Chair and Policy Commission members in the performance of their responsibilities;
 - 3. assisting the Chair and Judicial Commission members in the performance of their responsibilities;
 - 4. scheduling space for all Commission events;
 - 5. in the absence of the Chairperson, acting as Chair during meetings of the Commissions, and;
 - 6. making available a transition guide for the succeeding Joint Elections Commission.
- c. Office of Oversight and Accountability
- i. JEC Counsel
 - 1. The JEC Counsel shall be the chief legal officer and chief compliance officer of the Commission.
 - 2. The duties and responsibilities of the JEC Counsel include —
 - a. appearing on behalf of the Commission in all civil actions, arguments and proceedings before the Student Court which concern the Commission's function;
 - b. appearing on behalf of the Commission in all appeals, arguments and proceedings before the Student Court which arise out of penalties, expulsions, convictions, and any other relevant orders issued by the Judicial Commission;
 - c. Monitoring the conduct of the Administrative Branch for compliance with this Charter, Bylaws adopted thereunder, The Student Government Association Governing Documents, Student Code of Conduct, or The George Washington University Guide to Student Rights and Responsibilities;
 - d. Supervising the conduct of assistant counsel
 - ii. The Chief Investigator
 - 1. The Chief Investigator shall be the chief accountability officer of the Joint Elections Commission.
 - 2. The duties and responsibilities of the Chief Investigator include—
 - a. The prosecution, through action before the Judicial Commission, of any and all individuals indicted for violations of the charter, bylaws, and rules of the Joint Elections Commission.

- b. being of counsel to the Policy Commission on the issuance of indictments.

Section 4: Policy Commission

1. Selection of Members

- a. The Policy Commission shall consist of a—
 - i. Finance Commissioner;
 - ii. Administrative Commissioner;
 - iii. Communications Commissioner.
- b. The Chairperson and Vice Chairperson of the Executive Commission shall sit on the Policy Commission *ex officio* and retain all voting privileges belonging to a member of the Policy Commission but shall not vote or participate in the issuance of an indictment of a candidate for violations as defined by applicable law.
- c. The President shall, with the advice and consent of the Senate, appoint all members of the Policy Commission.
- d. Members of the Policy Commission shall continue to serve on the Executive Commission until such time as they resign, are removed under this section, or at the termination of the election cycle. Vacancies must be filled according to the procedures located herein.
- e. Members of the Policy Commission may be removed after being duly impeached under Article XV of the Constitution if a two-thirds (2/3rds) majority of the voting membership of the Student Government Association Senate votes finds them guilty of the conduct charged in the articles of impeachment.
- f.

2. Duties

- a. Finance Commissioner
 - i. The duties and responsibilities of the Finance Commissioner include—
 - 1. regulating the expenditures of all candidate campaigns;
 - 2. collaborating with all relevant Commissioners to properly inform candidates of expectations and possible campaign violations in regards to finances;
 - 3. preparing and submitting budgets and co-sponsorships to the Financial Services and Allocations Committee of the Student Government Association;
 - 4. being responsible for all of the Commission's financial affairs.
 - 5. serving as 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.
- b. Administrative Commissioner
 - i. The duties and responsibilities of the Administrative Commissioner include—
 - 1. taking minutes at all Policy Commission meetings, and meetings of the Joint Elections Commission sitting in

- Joint Session;
 - 2. compiling the Election Manual for candidates;
 - 3. updating and maintaining appropriate social media and the Commission website; and
 - 4. ensuring the Commission's compliance with this Part of the Bylaws.
- c. Communications Commissioner
- i. The duties and responsibilities of the Communications Commissioner include—
 - 1. executing all outreach efforts for the Joint Elections Commission operations prior to the candidate registration period, including—
 - a. on-campus tabling;
 - b. elections advertisement to campus newsletters, student organizations, graduate programs, etc.; and
 - c. 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 5: Judicial Commission

(a) Composition

- (i) The total membership of the Judicial Commission includes three (3) Judicial Commissioners.
- (ii) The Chairperson and Vice Chairperson of the Executive Commission shall sit on the Policy Commission *ex officio* and retain all voting privileges belonging to a member of the Judicial Commission.

(b) Appointment

- (i) Members of the Judicial Commission are to be selected, and their membership maintained, as follows:
 - (1) The President of the Student Government Association shall nominate all candidates for the Judicial Commission positions based solely on a determination of competency and merit.
 - (2) Each nominee to the Judicial Commission must be confirmed by a two-thirds (2/3rds) approval of a voting quorum of the Student Government Association Senate.
 - (3) Members of the Judicial Commission shall continue to serve on the Judicial Commission until such time as they resign, are removed under this section, or at the termination of the election cycle. Vacancies must be filled according to the procedures located herein.
 - (4) Members of the Judicial Commission may be removed after being duly impeached under Article XV of the Constitution if a two-thirds (2/3rds) majority of the voting membership of the Student Government Association Senate votes finds them guilty of the conduct charged in the articles of impeachment.

Section 6: Conduct

- (a) Given the nature of the Joint Elections Commission, all members are to be held to a high standard of conduct.
 - (i) The JEC members may not be affiliated with or in any way support any candidate's campaign, directly or indirectly, except by exercising their individual right to vote.
 - (ii) The JEC members may not be involved in student organization endorsement hearings during the student body elections to be administered by the JEC.
 - (iii) All members of the JEC shall represent this Charter, Bylaws adopted thereunder, and facts of any matter pertaining to the Commission to both the Commission and the public accurately and fairly.
 - (iv) Commission members shall faithfully execute their roles as outlined in this Charter and to the standard a reasonable person would expect of someone in such a position.

Section 7: Impeachment

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

Article III: Powers and Responsibilities

Section 1: The Policy Commission

- (a) The Policy Commission shall—
 - (i) publicize all elections, referendums, and recall votes;
 - (ii) distribute all petitions;
 - (iii) certify all valid petitions;
 - (iv) certify all candidates for office;
 - (v) notify candidates of their certification;
 - (vi) conduct and certify referendums, elections and recall votes;
 - (vii) establish campaign rules;
 - (viii) hear and act upon election complaints and violations;
 - (ix) report to the Senate on actions of the Joint Elections Committee; and
 - (x) promulgate rules and regulations consistent with this Charter and Bylaws of the Joint Elections Commission and Article XI. Section 9 (a)(b)(c)(d)(e)(f) of the Constitution of the Student Government Association.
- (b) Requirements to Meet
 - (i) The Policy Commission shall—
 - (1) conduct, at a minimum, four (4) public meetings before the start of the elections season;
 - (2) hold regular office hours throughout the elections timeline that are publicized on the website; and
 - (3) Forward any recommendations to the Student Government Association at the end of the election cycle regarding any rulings, rule changes, or regulation when applicable that may require reform of this Charter or Bylaws.
- (c) Rules and Regulations

- (i) Only the members of the Policy Commission, or authorized agent thereof appointed by the President with the advice and consent of the senate may author and vote on the adoption of rules and regulations.
 - (ii) The Administrative Commission may seek the advice of the JEC Counsel in the preparation of rules or regulations.
 - (iii) No members of the Judicial Commission shall participate in the authoring, preparation, approval, and promulgation of any rules or regulations and must excuse themselves from any meeting which concerns any rule or regulation being promulgated.
- (d) Regulatory Authority
- (i) Delegation
 - (1) The Policy Commission has the authority, by order or by rule, to delegate any of its functions to a division of the Policy Commission, to an individual member of the Commission, or to a member of the Office of Oversight and Accountability.
- (e) Enforcement
- (i) It shall be the primary duty and function of the Chief Investigator to act as standing counsel to the Policy Commission in the enforcement of matters within their jurisdictions
 - (ii) The Chief Investigator shall—
 - (1) promote the compliance of all individuals, both Policy Commissioners members and candidates, with this Part of the Bylaws and any rule changes or regulation when applicable;
 - (2) investigate complaints and alleged violations of this Part of the Bylaws and any additional rules;
 - (3) present complaints during Policy Commission probable cause hearings;
 - (4) prosecute candidates during violation proceedings before the Judicial Commission;
 - (5) advise the Commission on legal issues; and
 - (6) perform any other functions or duties as are requested by the Commission in relation to their position as Chief Investigator.
 - (iii) The Chief Investigator shall investigate all allegations made in any officially filed complaint, following a finding of probable cause by the Policy Commission.
 - (iv) In the course of such an investigation, both the Policy 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.
- (f) Indictment
- (i) The Policy Commission shall investigate all allegations of violations of this charter, the bylaws adopted thereunder, and applicable rules, committed by any registered or non registered candidate.

- (ii) The Policy Commission shall, upon a finding of probable cause, draft an indictment which they shall serve upon the candidate against whom it is levied.
- (iii) The Policy Commission shall consider probable cause in a hearing attended by the Policy Commissioners and the Chief Investigator which must not include the Chairperson and Vice Chairperson.
- (iv) The Policy Commission shall render an indictment of a candidate 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.
- (v) The Policy Commission shall render an indictment with a majority vote of the Policy Commissioners, not including the Chairperson and Vice Chairperson
- (vi) Following the Indictment the Policy Commission shall—
 - (1) serve the indictment upon the candidate against whom it is levied;
 - (2) direct the Chief Investigator to immediately present the indictment to the Judicial Commission and initiate violations proceedings in accordance with this charter and the bylaws adopted thereunder, and;
 - (3) provide to the Judicial Commission a full audio transcription of the probable cause hearing and all records and documents related to it.

Section 2: The Judicial Commission

(a) In General

- (i) The Judicial Commission shall exercise its powers in accordance with this Charter and Bylaws adopted thereunder.

(b) Jurisdiction

- (i) The Judicial Commission shall have the jurisdiction to hear and adjudicate—
 - (1) indictments issued by the Policy Commission and presented by the Chief Investigator.

(c) Hearings

- (i) Hearings before the Judicial Commission shall be conducted in a fair and impartial manner.
- (ii) The Judicial Commission shall generally adjudicate disputes according to the following stages:
 - (1) Initiation of a case;
 - (2) Initial consideration by the Judicial Commission;
 - (3) Preliminary hearings;
 - (4) Full hearings;
 - (5) Final judgment, or review of final judgment.
- (iii) Notwithstanding the forgoing the Judicial Commission shall not be precluded from waiving or consolidating stages in order to expedite proceedings beyond the procedures set forth by the Judicial Commission, so long as the guarantee of due process is not violated.
- (iv) The Judicial Commission shall indicate on the JEC website the progress of a case before the Judicial Commission.
- (v) The Judicial Commission may adopt procedures for the presentation of evidence, submission of written material, and oral arguments.

- (d) Standard of Review
 - (i) In considering disputes, the Judicial Commission shall focus on matters of fact. Disputes shall be treated as trials of facts and matters of law shall not be adjudicated.
- (e) Rulings
 - (i) All decisions on issues or questions in a case, shall be decided by a majority of the members of the Judicial Commission.
- (f) Appeals
 - (i) Decisions of the Judicial Commission may be appealed to the Student Court only when Defendants allege their trial or proceedings violated protected rights of this Charter, Bylaws adopted thereunder, The Student Government Association Governing Documents, Student Code of Conduct, or The George Washington University Guide to Student Rights and Responsibilities.
 - (ii) 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.
 - (iii) Appeals shall be filed within two (2) calendar days of the Judicial Commission's decision.

Article IV: Meetings and Quorum

Section 1: Policy Commission Meetings

- (a) Calling a Meeting
 - (i) A meeting of the Commission may be scheduled either solely by the Chairperson or jointly by a simple majority of the Policy Commission.
 - (ii) All Policy 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 must be sent via email at least forty-eight (48) hours prior to the meeting to along with a preliminary agenda to—
 - a) the members and staff officers of the JEC;
 - 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.
 - (2) Emergency meetings may be called at the discretion of the Chairperson or a simple majority of the Policy Commission.
 - (3) 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—
 - (1) the members and staff officers of the Policy Commission;
 - (2) the members and staff officers of the Judicial Commission;
 - (3) the Student Government Association President;
 - (4) the Student Government Association Vice President;
 - (5) the Chief Justice of the Student Court; and
 - (6) the Student Government Association Senate Chairperson Pro-Tempore.
- (b) Agenda
 - (i) At the commencement of each meeting, the Chairperson shall propose an agenda

- for the approval of the Policy Commission.
 - (ii) Prior to its approval, the proposed agenda may be amended by a simple majority vote of the Policy 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 Policy Commission, but no item may be removed or altered.
 - (v) 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 Policy Commission must be physically or virtually present at a meeting in order 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 Policy Commission have not been appointed by the President and confirmed with the advice and consent of the Senate, the Policy Commission shall not be prevented from the function of their duties.
- (d) Voting
- (i) In any matter to be decided by the Policy Commission, the voting threshold will apply only to those members of the Commission who are present and voting.
 - (ii) Unless otherwise specified by the Bylaws, by additional rule, or by governing law, all decisions and actions of the Policy 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 Policy 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 applicable Bylaws.
 - (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 votes 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.
 - (iv) The Policy Commission shall conduct its meetings in public, such that members of the public may attend any time during a meeting, except when the Policy Commission meets for a probable cause hearing.
- (f) Executive Session
- (i) By a simple majority vote, the Policy 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 Policy Commission, may observe the Policy Commission's proceedings.
- (iii) No motions, other than procedural motions, may be made during executive session.

Section 2: Judicial Commission Meetings

(a) Requirement to Meet

- (i) The Judicial Commission shall sit for a term commencing on the first day of undergraduate classes in the spring semester of the academic year, and shall hear cases at any time during the Election Cycle.
- (ii) The Judicial Commission shall assemble at least twice in every calendar month during the spring semester.
- (iii) A schedule of such meetings shall be set by the Judicial Commission and promulgated by the Chairperson to the Student Government Association President, Vice President, Senate Chairperson Pro Tempore, and the JEC's website.
- (iv) Nothing in this article shall preclude the Judicial Commission from conducting its meetings and sittings virtually; however, hearings and proceedings requiring the participation of parties shall be held in person whenever practicable.

(b) Full Judicial Commission Sitting

- (i) The full Judicial Commission, comprising all members of the Judicial Commission, shall sit except when it is expressly provided otherwise in Bylaws adopted thereunder.
- (ii) No hearing, trial, or deliberation before the full Judicial Commission shall be held, nor any decision or ruling thereof shall be issued, unless all of the members of the Judicial Commission duly confirmed and sworn are present.
- (iii) The Chairperson shall preside over all meetings of the Judicial Commission only when there is no violation being heard, deliberated, or adjudicated.
- (iv) When a violation of a candidate is being heard, deliberated, or adjudicated the three Judicial Commissioners shall randomly select one of their number to preside over the full Judicial Commission.
- (v) Neither the Chairperson nor the Vice Chairperson shall preside over any meeting of the Judicial Commission where a violation is being heard, deliberated, or adjudicated.

(c) Notice and Timeliness of Proceedings

- (i) No proceeding on any case before the Judicial Commission requiring participation of the parties to the case shall be held without prior written notice issued to each party with the time, location, type, and general substance of proceeding.
 - (1) Such written notice shall also refer the parties to the appropriate procedures for said proceeding, including these Bylaws.
- (ii) The Judicial Commission shall endeavor to resolve proceedings in a timely manner.
- (iii) The Judicial Commission shall reserve the authority to extend deadlines for submission of written proceedings and scheduling of meetings and hearings,

should a majority of the members of the Judicial Commission concur.

(d) Public Hearings and Minutes

- (i) The Judicial Commission shall publish agendas for meetings called pursuant to applicable provisions of this Charter, which shall be publicly available on the website of the JEC. Such agendas must state the general topics discussed by the Judicial Commission, except for redactions—
 - (1) Concerning judicial deliberations with regards to the disposition of cases and complaints;
 - (2) Concerning judicial deliberations with regards to the drafting and adoption of judgments;
 - (3) Concerning private information of parties before the JEC;
 - (4) Concerning how members of the Judicial Commission voted on any decision made at the meeting; and
 - (5) Concerning matters that a majority of the Judicial Commission deems to warrant redacting.
- (ii) All hearings involving oral participation by the parties in a case shall be open to public attendance.
- (iii) All hearings involving oral participation by the parties in a case must be subject to audio recording.
 - (1) The Judicial Commission must endeavor to provide a transcript in writing of the audio recording whenever practicable.
- (iv) The Judicial Commission may keep general minutes independent from the transcript for all hearings involving oral participation by the parties in a case. These minutes, if kept, shall be made publicly available subject to any redactions provided in provision D.(i) of this article or otherwise agreed to by a majority of the members of the Judicial Commission.
- (v) The Judicial Commission may appoint a clerk to maintain records, recordings, and general minutes.

(e) Secrecy of Deliberations

- (i) The deliberations of the Judicial Commission on judicial matters shall take place in private and remain secret.

Section 3: Meetings of the Joint Elections Commission in Joint Session

1. The Chairperson may call a Joint Session of the Joint Elections Commission attended by all members of the Executive Commission, Policy Commission, and Judicial Commission.
2. Joint Sessions of the Joint Elections Commission shall be presided over by the Chairperson and minutes shall be kept by the Administrative Commissioner.
3. The Vice Chairperson shall preside over Joint Sessions of the Joint Elections commission in the event of the absence of the Chairperson.
4. Joint Sessions of the Joint Elections Commission shall be open to the public and all records shall be maintained and published on JEC official channels.

Section 4: Record Keeping

(a) In General

- (i) The JEC 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 year-to-year.

(b) Records

- (i) All physical records must be stored in the applicable student office.
- (ii) All of the following records must be publicly retained online following the conclusion of an election cycle—
 - (1) verified election results for all races;
 - (2) campaign petitions, excluding students' GWID numbers and other personally identifiable information;
 - (3) individual campaign expenditure reports, excluding personal financial information;
 - (4) expenditure reports of the Commission;
 - (5) indictments, with appropriate names redacted;
 - (6) agendas and minutes from all Commission meetings;

Section 5: Public Records

- (a) Except as otherwise stated by this Charter or Bylaws adopted thereunder, any document kept and maintained by the JEC 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 campaigns, excluding personal financial information;
 - (ii) financial expenditure documentation on behalf of the Commission; and
 - (iii) Commission agendas 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 a staff officer.
- (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) Fruits of Investigations
 - (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 which are sealed according to this section must be made available for review according to section 802.
 - (2) Notice of Rule Changes, Regulation, and Rulings
 - (a) The JEC shall distribute via email, at the time of their adoption, any rule changes, regulation when applicable, 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; and
 - (v) the Student Government Association Senate Chairperson Pro-Tempore.
 - (4) The Commission shall make available all such additional rule

changes, regulations, and rulings on its website and social media channels.

Article V: Limitations, Rights, and Responsibilities of the JEC

Section 1: Neither the Executive Commission , nor Policy Commission, nor the Judicial Commission of the JEC shall deny candidates, voters, students, commissioners, or any other applicable entities of their rights to —

- (a) Enjoy the right to have counsel present at any hearing of the Judicial Commission involving oral participation by the parties in a case;
- (b) The rights, privileges, and immunities granted by the Constitution and applicable Bylaws of the Student Government Association.

Section 2: Neither the Executive Commission, nor Policy Commission, nor the Judicial Commission of the JEC may have the power to —

- (a) Vacate the results of an election;
- (b) issue any rule changes, regulations, or decision which violates the provisions of any and all applicable laws;
- (c) Apply arbitrary, capricious, or abusive discretionary standards to rulings, sanctions, or other action or inaction taken by the JEC;
- (d) Ask a question of any kind on the ballot; or
- (e) Issue ex post facto interpretations or changes regarding any action or inaction taken by the JEC.

Article VI: Amendments

- (a) This Charter may be amended by a two-thirds vote of the Student Government Association Senate, provided that notice of the proposed amendment is given at least 30 days prior to the vote.
- (b) Severability
 - (i) 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.

Article VI: Ratification

- (a) This Charter and any amendments must be enacted subject to approval by the Student Government Association Senate in accordance with Article XI Section 9 of the Constitution of the Student Government Association.

Chapter 702. General

Section 70201. Definitions

- (a) For the purposes of this Part of the Bylaws, any rule changes, regulation when applicable, or any other official document created or used by the Commission, the following definitions will apply:
 - (1) **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 Policy Commission before the agent engages in any activity on the candidates behalf.

- (2) **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.
- (3) **CAMPAIGN SEASON.**—The term “campaign season” means the period after the registration period has been completed to the time voting for all races closes.
- (4) **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.
- (5) **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.
- (6) **CANDIDATE.**—The term “candidate” means any individual who seeks or has 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”.
- (7) **COMMISSION.**—The term “The Commission” means the Joint Elections Commission, inclusive of the Executive Commission, Policy Commission, and Judicial Commission..
- (8) **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.
- (9) **ELECTION.**—The term “election” means any general, secondary, recall, referendum, or special election, including those of the Student Government Association.
- (10) **ELECTION DAY.**—The term “Election Day” means any two (2) consecutive calendar days during which the Commission has scheduled for voters to be able to cast votes in any election.
- (11) **ELECTION SEASON.**—The term “election season” means the period from the start of candidate registration to certification of the results.
- (12) **FORCEFUL DISTRIBUTION.**—The term “forceful distribution” means distribution against the will of the intended recipient, once the intended recipient has communicated their unwillingness.
- (13) **FULL GENERAL MEMBERSHIP.**—The term “full General Membership” means the voting members of the Joint Elections Commission, not including the Chief Investigator, JEC Counsel or any other staff officer not appointed by the Student Government Association.
- (14) **GENERAL MEMBERS.**—The term “General Membership” means full General Membership.

- (15) GENERAL MEMBERSHIP.—The term “general members” means members of the Executive Commission, Policy Commission, and Judicial Commission appointed by the President with the advice and consent of the Senate.
- (16) GOVERNING DOCUMENTS.—The term “governing law” means the Charter, Constitution, and Bylaws of the Student Government Association.
- (17) 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.
- (18) REFERENDUM.—The term “referendum” means a question or proposal submitted in an election upon which the voters may cast a vote.
- (19) RESTRICTED ZONE.—The term “restricted zone” means any designated area of the University in which the Commission determines campaigning is prohibited in any form.
- (20) RULE CHANGE.— The term “rule change” shall mean any interpretation of the bylaws and charter made by the Administrative Commission consistent with Article XI. Section 9 (a)(b)(c)(d)(e)(f) of the Constitution of the Student Government Association.
- (21) REGULATION. — The “term regulation” shall mean any procedure implemented by the Administrative Commission consistent with Article XI. Section 9 (a)(b)(c)(d)(e)(f) of the Constitution of the Student Government Association including, but not limited to:
 - (a) Petition signature procedure;
 - (b) Financial reporting regulations;
 - (c) JEC Expenditures.
- (22) STAFF OFFICER.—The term “staff officer” means any officer appointed by the Commission, including the JEC Counsel, Chief Investigator and any Assistant Investigators.
- (23) SOLICIT.—The term “to solicit” means to willfully 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 purposes of ballot categorization, the students of the group being qualified to vote for identical offices or initiatives, such that an identical ballot may be used for any such student to cast their individual vote.

Chapter 703. Elections Preparation Procedures

Section 70301. Pre-Election

- (a) Prior to the commencement of the registration period, the Policy Commission shall establish via Rule Change 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 on 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 Policy Commission, by majority vote, determines that there exists good cause or exigent circumstance to warrant dates beyond those set in (a)(2); and
 - (2) The Policy 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 two (2) weeks prior to the commencement of the candidate registration period, the Policy Commission shall contact all undergraduate and graduate GW colleges and schools, student organizations registered with the Office of Student Life, and 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) calendar days prior to the beginning of the candidate registration period, the Policy Commission shall hold at least two (2) election information sessions providing information to potential candidates of the Student Government Association elections.
 - (2) The Policy 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 Policy 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 Policy 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 Policy 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 Policy Commission will no longer accept any candidate registration forms.

Section 70302. Election Manual

- (a) The Policy Commission shall distribute the Election Manual to candidates at the time of the candidates' meetings in hard copy.
- (b) The manual must be made publicly available on the JEC 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 results;
 - (vi) Rights of Candidates according to the JEC Charter.

Chapter 704. Student Government Association Election Procedures

Section 70401. Candidate Registration

- (a) Candidate Registration Form
 - (i) By the first official day of the registration period, the Policy 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 Policy Commission prior to the conclusion of the registration period.
 - (iii) Candidates may choose to submit their all registration materials online and via paper forms.
- (b) Petition of Support
 - (i) By the first official day of the registration period, the Policy 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) calendar days of the conclusion of the registration period, the Policy Commission shall determine the validity of each candidate online or paper registration form and online or paper petition of support.
- (ii) Any properly completed and properly submitted form or petition must be deemed valid, and any form or petition which was not properly completed or properly submitted must be deemed invalid.
- (iii) The Chairperson 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 70402. Extended Candidate Registration

(a) General

- (i) The Policy Commission may allow the online and paper registration of additional candidates after the close of the official registration period.
- (ii) The Policy Commission shall set an expiration date of the extended registration period no less than ten (10) calendar days before the start of the election.
- (iii) The Policy 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 7501 apart from the following changes:
- (ii) Candidates may submit the official online and paper 'candidate registration form and online and paper petition of support after the close of candidate registration.
- (iii) Within five (5) calendar days of the reception of the official 'candidate registration form', the Policy Commission shall determine the validity of each online and paper registration form and online and 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 Policy Commission rules must be deemed invalid.
 - (2) The Policy Commission shall notify all candidates of the status of their registration through email once validation is complete.
 - (3) The Policy Commission must issue a rule or regulation determining the standards with which 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 Policy Commission to the content of the candidate information meetings.
- (ii) Candidates may not send an authorized agent in their place unless given permission to do so by the Policy Commission.
- (iii) The candidate must inform the Policy Commission of their designee before the commencement of the meeting.
- (iv) Candidates who fail to meet with the Policy 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 Policy Commission will not permit extended candidate registration.

Section 70403. Withdrawal

(a) Notice

- (i) In order to withdraw from an election, a candidate must provide email notice to the Commission 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 commencement of the voting period, during which time the Policy Commission must 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 74504. 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 70405. The Campaign Period

- (a) The campaign period 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) calendar 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 Policy Commission can hold official campaign events during the campaign period (i.e. debates, student organization town halls, etc.).
 - (iv) The Policy Commission has full discretion to determine the format of these events so long as they are open to the public and accessible to all.

Section 70406. Student Office

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

Section 70407. 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 of the Joint Elections Commission sitting in Joint Session and notification to the Student Government Association.
- (c) On its website, the JEC 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 Administrative Commission can be contacted, including a schedule of office hours;
 - (iv) a copy of the Charter and this Part of the Bylaws;
 - (v) copies of all pertinent documents and forms which may be submitted to the Commission, including the Commission logo for postering;
 - (vi) a list of candidates following verification;
 - (vii) a record of resulting penalties from violation hearings;
 - (viii) items listed under ‘Record-Keeping’ from past elections;
 - (ix) any other items as required by this Part of the Bylaws, by additional rule, or by governing law;
 - (x) all current 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 70408. 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 onto 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 Chairperson.

Chapter 705. Rules and Regulations for Campaigns for All Elected Positions

Section 70501. Overview

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

Section 70502. 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 Administrative Commission of their designated authorized agent before the commencement of the candidates' meeting.
- (e) In addition to any other activity prescribed by the Policy Commission, the ballot order will be determined at the official candidates' meeting in accordance with Section 70603.

Section 70503. Determination of Ballot Order

- (a) The ballot order for each electoral race must be determined by a random process.
 - (i) The Policy 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 70504. 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 Policy Commission until informed by the Policy Commission that the campaign period has begun.

Section 70505. 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 Policy Commission in conjunction with GW Campus Living and Residential Education..
- (c) The Policy Commission shall adopt all GW Campus Living and Residential

Education dorm-storming regulations in a regulation promulgated before the end of the candidate registration period.

Section 70506. Referendums/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 70507. 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 Policy 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 Policy 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 as 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.

Section 70508. 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 Policy 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) JEC Voting Table

- (i) The Policy Commission shall have a public information and voting table on campus during publicized times throughout the two (2) day election period.
- (ii) The Policy Commission shall use this table to provide voter information and easy access to voting.

(d) The Policy Commission shall inform each voter on the format of the ballot and provide instructions on how to complete it.

Section 70509. 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 Policy 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 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 Policy 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 Policy 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 Policy Commission may also invalidate a write-in vote if the voter intent cannot be determined.

Section 70510. 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 70511. Release of Results

- (a) No later than 5:00 PM on the day following the elections, the Policy 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;
- (ii) the total votes cast for each candidate in each plurality-at-large electoral race, and the total vote counts for elected candidates;
- (iii) the total votes cast for each position on a ballot measure or referendum included in the elections;
- (iv) which candidates have been elected, which are tied, and which will be candidates in a secondary election;
- (v) which initiatives will be adopted and which will be denied; and
- (vi) the total voter turnout.

- (c) The Policy Commission shall make this report available on its website.
- (d) If the report changes for any reason, the Policy Commission shall update the report.

Section 70512. Certification

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

Chapter 706. Campaign Rules and Regulations

Section 70601. 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 which 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 70602. 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, the Office of Chief Investigator 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 the Joint Elections Commission 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.

Section 70603. Unrestricted Activity

- (a) Except as otherwise stated in the JEC Charter, 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
 - (iii) 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 conforms to all other rules in this Part of the Bylaws.

Section 70604. 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) \$300 for candidates for Student Government Association President and Student Government Association Executive Vice-President; and
 - (2) \$100 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 agree 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 70605. Sponsored Printing of Posters

(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 709.
- (iv) No candidates may print posters through 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 70606. 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 spend no money, shall submit an electronic 'financial expenditure report' to the Policy Commission, by email to the Policy Commission.
- (ii) The Policy 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 which 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 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 JEC 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; and
- (iv) notebooks.

Section 70607. 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 Policy Commission.

(b) Donation List Publication

- (i) The Policy 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 70608. Reporting Requirements

(a) Deadline

- (i) All candidates must electronically submit a financial expenditure report and a donations list by 5:00 PM on the day following the election.
- (ii) The Policy 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 Policy Commission shall make any financial expenditure report and donations list on behalf of electoral campaigns available as detailed by section 310.
- (ii) Published documents will not contain any individual's personal financial information, excluding values of campaign expenditures.

Section 70609. 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 Policy Commission and the Student Bar Association.
 - (iii) The Commission may add additional locations where candidates may place posters by adopting new rules and regulations to that effect.
- (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 postering 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 postering locations listed in Section 70709(a), for a total of twenty (20) posters throughout campus.

Section 70610. 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 Commission.
- (ii) To register an item, the candidate must submit one (1) proof copy via electronic submission of the item to the JEC's email.
- (iii) This material must visibly include the JEC's logo.

(b) Unregistered Item

- (i) If a member of the Policy 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 70611. 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 tool; 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 Policy 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 which are designated as restricted by the Commission.

(f) Electronic Communications

- (i) Any use by a candidate of another student in any photo or video, for the purposes of aiding the candidate's campaign, may be allowed only with either the 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 70612. 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 which are intended to advance or inhibit a candidacy or tends 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 on 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 an 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 70613. 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 Advocacy Center.

(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 70614. Disruption of a University Function

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

Section 70615. Destruction of Property

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

Section 70616. 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 70617. 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 70618. Impersonation

- (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 70619. Bribery

- (a) Bribery of a Commissioner, Staff Officer, or Student Court Justice
 - (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.
- (b) Bribery of a Student/s
 - (i) No candidate or authorized agent of the candidate or the campaign thereof may confer or provide any gift or service with quid pro quo value to a student, student organization, or student collective.
 - (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 de minimis value;
 - (2) unencumbered by quid pro quo stipulations.

Section 70620. 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 70621. Failure to Comply

- (a) All candidates, and authorized agents thereof, shall comply with the rules and regulations of this Charter, all rule changes, regulations when applicable, rulings and all governing laws.
- (b) No candidate may intentionally disobey or resist a lawful process of the Commission.

Section 70622. 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.

Section 70623. Authorized Agent Liability

- (a) Each candidate is liable for all actions carried out by their authorized agents.
- (b) Wherever the JEC Charter, rule change and regulations when applicable restricts the actions of a candidate, so too will the actions of any authorized agents thereof be restricted.

Chapter 707. Violation Procedures

Section 70701. Complaints

(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 individual filing the complaint, the complainant, or 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 Charter 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 Policy Commissioners 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 Policy Commission email.
- (ii) Any person who wishes to file a complaint must file such complaint within three calendar days of observing the violation, unless incapacitated or incapable, or else the Commission may not accept the complaint.
 - (1) The complainant may, and is encouraged, to submit any evidence with the complaint form (e.g., pictures of the alleged violation of the rule).
 - (2) If a Policy Commissioner or the Policy Commission is aware of a violation of these bylaws or this Charter, a Commissioner may submit a complaint to the Commission email, which will be treated the same as any other complaint.
- (iii) 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 Policy Commission shall accept complaints against non-registered candidates, and hold probable cause hearings for them even if they are not expected to be on the ballot.

(d) Probable Cause Hearings

- (a) Within three (3) calendar days of the transmission of a complaint, there must be a probable cause hearing held for the given complaint.

(b) Participants

(i) The probable cause hearing must be limited to—

- (1) the Administrative Commissioner;
- (2) the Finance Commissioner;
- (3) the Communications Commissioner
- (4) the Chief Investigator; and
- (5) the JEC Counsel.

(ii) With a majority vote of the General Membership, the Commission may allow staff officers to remain present during the hearing.

(iii) No *ex officio* members of the Policy Commission (the Chairperson and Vice Chairperson) may be present at a probable cause hearing or vote in the assessment of probable cause.

(c) At the probable cause hearing, the Chief Investigator and JEC Counsel shall present the Commission with their written recommendation.

(d) The Policy 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 this Charter, 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 Policy Commission shall immediately issue an indictment.

(h) Upon issuing the indictment the Policy Commission shall immediately transmit the indictment to the Judicial Commission for violation procedures to commence.

(i) The Commission shall send the indictment to the indicted candidate within three (3) hours of the determination of probable cause.

(j) The indictment must identify and include—

- (i) The parties bringing the suit (“the plaintiffs”);
- (ii) The parties against which the charges are brought (“the defendants”);
- (iii) The JEC’s jurisdiction under which such dispute can be heard by the Judicial Commission;
- (iv) The subject of the dispute;
- (v) A succinct statement of the facts and the grounds on which the charge is

- based
- (vi) a complete list of counts for which the candidate is indicted, including the rule, section and subsection of this Charter, the rule change, or governing law, which the candidate is alleged to have violated;
 - (vii) the contact information for the Chief Investigator, and an Assistant Investigator if applicable, in order to arrange for discovery; and
 - (viii) The remedy desired.

Section 70702. Initial Consideration Hearing

- (a) Within three (3) calendar days of the transmission of a indictment form from the Chief Investigator and Policy Commission, the Judicial Commission shall convene an Initial Consideration Hearing which shall be limited to whether the Judicial Commission should dismiss the indictment for being moot, improper, irrelevant, frivolous, or failing to comply with any appropriate rules of procedure or governing documents. A majority of the full Judicial Commission must concur in dismissal of an indictment during initial consideration.
- (b) Notwithstanding the forgoing the Judicial Commission shall not be precluded from waiving initial consideration in order to expedite proceedings beyond the procedures set forth by the Judicial Commission, so long as the guarantee of due process is not violated.
- (c) Participants
 - (i) The initial consideration hearing must be limited to
 - (1) all members of the Judicial Commission including *ex officio* members;
 - (2) the Chief Investigator;
 - (3) the JEC Counsel;
 - (4) the defendant against whom the complaint is levied;
 - (5) the counsel of choice of the defendant against whom the complaint is levied
- (d) Procedure
 - (i) At the initial consideration hearing, the indictment of the Chief Investigator shall be presented to the Judicial Commission with their written recommendation.
 - (ii) Following the presentation of the indictment by the Chief Investigator, the Judicial Commission shall, at the discretion of the presiding Judicial Commissioner, offer the defendant against whom the indictment is levied or their counsel of choice the opportunity to respond to the initial consideration of complaint.
 - (iii) The Judicial Commission may reserve time following the presentation of the indictment to question the Chief Investigator about the indictment's potential mootness, impropriety, irrelevance, frivolity, or inconsistency with appropriate rules of procedure or governing documents.
- (e) Orders Related to Initial Consideration
 - (i) Indictments dismissed by the Judicial Commission as a result of an initial consideration hearing shall be disposed of by the Judicial Commission by written order.
 - (ii) Indictments not dismissed by the Judicial Commission as a result of an initial consideration hearing shall proceed to full hearings on the merits of the indictment. Notice of full hearings shall be provided by the Judicial Commission by written order.

Section 70703. Prior to Merits Hearings

(a) Evidence of Defense

- (i) The indicted candidate or designee 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 merits 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 majority of the Judicial Commission membership.

(b) Witnesses

- (i) Upon receiving the list of witnesses from all parties involved, the presiding Judicial Commissioner shall contact all witnesses prior to the merit hearing to detail their role in the process.

(c) Disclosure of Evidence

- (i) 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 merit hearing.
 - (1) Any evidence not disclosed to the indicted candidate will not be admissible during the hearing.

Section 70704. Merits Hearings

(a) In General

- (i) The Judicial 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 Judicial 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 Judicial Commission, or fail to defend its case, the other party may call upon the Judicial Commission to decide in favor of its claim. The Judicial Commission must satisfy itself that, not only it has jurisdiction to do so, but also 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 administrative law judge shall declare the case submitted.
- (vi) No further oral or written contributions by any party may be submitted to the Judicial Commission, unless a majority of the Judicial Commission explicitly authorizes otherwise. The Judicial Commission shall specifically state the additional contributions desired from the parties in such a case.

(b) Procedure

- (i) Submission of briefs
 - (1) Once an indictment has been assigned to be heard in a merit hearing by the full Judicial Commission, the Judicial Commission may require the named defendants of an indictment to file an answer to the indictment.

The deadline for submission of an answer shall ensure that a required answer can be distributed to the members of the Judicial Commission before the full merit hearing on the indictment is held.

- (2) Information contained in the answer may assist the Judicial 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 Judicial Commission will be treated as an admission of that allegation as if it were fact. If the Judicial 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 general format of all oral proceedings in which the parties to a case shall participate, hereinafter "hearings," shall be as follows:
 - a) At the scheduled date and time, the presiding Judicial Commissioner shall call the Judicial Commission to order and open the meeting of the Judicial Commission, including naming the members of the Judicial Commission present and stating the order of cases to be heard at the meeting.
 - b) The presiding Judicial Commissioner shall then call the first case to be heard. The plaintiffs or their representatives, followed by the defendants or their representatives, shall introduce themselves to the Judicial Commission.
 - c) The presiding Judicial Commissioner shall acknowledge all parties or their representatives. Additionally, the presiding Judicial Commissioner shall confirm the issues being argued in front of the Judicial Commission and the respective order thereof for the hearing.
 - d) Once the Judicial Commission is ready, the plaintiff or representative arguing on behalf of the plaintiffs' case shall present their oral arguments.
 - e) Once the arguments for the plaintiffs' case has concluded, or the time allotted for the plaintiffs' case has expired, the defendant or representative arguing on behalf of the defendants' case shall

- present their oral arguments.
- f) Once the arguments for the defendants' case has concluded, or the time allotted for the defendants' case has expired, the presiding Judicial Commissioner shall declare the hearing concluded and the case submitted.
 - g) The presiding Judicial Commissioner shall then proceed to the next case, and so on, until all scheduled cases and matters have been heard, upon which the presiding justice shall declare the Judicial Commission adjourned.
- (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 Judicial 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 Judicial Commission from deciding a case on the briefs.
- (c) Burden of Proof
- (i) The Judicial 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.
- (d) 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.
- (e) 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.
- (f) Disclosure
- (i) If the candidate is found in violation, the Commission shall notify the candidate in writing.
 - (ii) The Chairperson 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 70705. Sentencing

- (a) If a candidate is found in violation of these Bylaws or Charter, for each count that the candidate is found in violation, they shall receive, for a violation of—
 - (i) Section 70704,
 - (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 70606, one (1) penalty per item missing a receipt.
- (iii) Section 70606, one (1) penalty per item missing proof.
- (iv) Section 70606, one (1) penalty per calendar day that the report is late.
- (v) Section 70611, one (1) penalty.
- (vi) Section 70611(f)(1) and Section 70611(f)(2), two (2) penalties per instance where consent is not given.
- (vii) Section 70613, two (2) penalties.
- (viii) Section 70614, three (3) penalties.
- (ix) Section 70615, two (2) penalties per incident of destruction.
- (x) Section 70616, three (3) penalties.
- (xi) Section 70616(a), three (3) penalties.
- (xii) Section 70617(b), six (6) penalties.
- (xiii) Section 70618, six (6) penalties.
- (xiv) Section 70619, six (6) penalties.
- (xv) Section 70620, six (6) penalties.
- (xvi) Section 70621, if because of a failure to comply with Section 70401, three (3) penalties.
- (xvii) Section 70621, if because of a failure to comply with Section 70602, two (2) penalties.
- (xviii) Section 70621, if because of a failure to comply with Section 70604, two (2) penalties.
- (xix) Section 70621, if because of a failure to comply with Section 70605, two (2) penalties.
- (xx) Section 70621, due to any reason not otherwise listed under Section 70806, one (1) penalty.

Section 70706. 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) 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 70807. Disqualification

- (a) Order of Disqualification
 - (i) Any registered candidate who accumulates six (6) or more penalties during a given elections 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 70708. Right to Counsel

- (a) Any candidate has the right to appoint any 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 708. Delegated Graduate Division Elections

Section 70801. Definitions

- (a) The following definitions shall apply to this Chapter, any rule changes, regulation when applicable, or any other official document created or used by any Student Government Association entity:
 - (i) DELEGATION PETITION. — The term “delegation petition” means a document requesting that a Graduate Division registered pursuant to Chapter 107 of the Bylaws, or section thereof, be permitted to administer the election of Student Government Association Senators representing the constituents of that Graduate Division. Delegation petitions must include at least the following items:
 - (A) the proposed date of the election the Graduate Division seeks to administer;
 - (B) the name of the Graduate Division or section thereof which would administer the election;
 - (C) a description of the election procedures to be used;
 - (D) evidence that the election will be conducted in a manner which is open, fair, and consistent with the Student Government Association Constitution, Student Government Association Charter, the Student Code of Conduct and the Statement of Student Rights and Responsibilities;
 - (E) the signature of the highest ranking officer of the Graduate Division named therein, if a section of a Graduate Division is named therein, the signature of the highest ranking officer of the section; AND

- (F) the signature of the current occupant(s) of the Student Government Association Senate seat(s) named therein, if occupied.
- (ii) PETITIONING DIVISION. — The term “petitioning division” means a Graduate Division or section thereof which has submitted a delegation petition for consideration to the Student Government Association Senate. For the avoidance of doubt, a section of a Graduate Division must be a part of the government of that Graduate Division devoted to the administration of elections.
 - (iii) PETITIONED SEAT. — The term “petitioned seat” means a Student Government Association Senate seat which is the subject of a delegation petition or resolution.
 - (iv) DELEGATION RESOLUTION. — The term “delegation resolution” means a resolution by the Student Government Association Senate which adopts a delegation petition.
 - (v) DELEGATION ORDER. — The term “delegation order” means an order issued by the Joint Elections Commission which shall have the full force of law with respect to the election of the Student Government Association Senate seats identified therein.
 - (vi) AUTHORIZED DIVISION. — The term “authorized division” means a Graduate Division or section thereof which is authorized by a delegation order to administer the election of Student Government Association Senate seats named therein. For avoidance of doubt, the term “authorized division” is not mutually exclusive with the term “petitioning division.”
 - (vii) DELEGATED SEAT. — The term “delegated seat” means an Student Government Association senate seat the election of which is to be administered by an authorized division pursuant to a delegation order. For the avoidance of doubt, the term “delegated seat” is not mutually exclusive with the term “petitioned seat.”

Section 70802. Delegation of Authority

- (a) Delegation orders, having the purpose and effect of delegating the authority to administer the election of petitioned seats to the petitioning division shall:
 - (i) Identify the petitioning division which is subject to the delegation order;
 - (ii) Identify the petitioned seats which are subject to the delegation order;
 - (iii) Notify the public and the petitioning division that:
 - (A) The delegation order will ordinarily be valid for one year, AND
 - (B) The conditions for termination of a delegation order under Section 70804 of the Bylaws;
 - (iv) Identify the petitioning division as an authorized division;

- (v) Delegate under Article III, Section 1(d) of the Joint Elections Commission Charter all the functions of the policy commission to the authorized division as a division of the policy commission;
- (vi) Identify the petitioned seats as delegated seats;
- (vii) Exempt candidates for delegated seats and authorized divisions from Part VII of the bylaws except Chapters 701 (the Joint Elections Commission Charter) and this Chapter, AND;
- (viii) Exempt candidates for delegated seats and authorized divisions from the jurisdiction of the Judicial Commission.

Section 70803. Review of a Delegation Resolution

- (a) Upon receipt of a delegation resolution, the Joint Elections Commission shall within five (5) days issue a delegation order authorizing the petitioning division to administer the election of the petitioned seats except as provided in subsection (b) of this Section.
- (b) The Joint Elections Commission shall not issue a delegation order if it finds any of the following:
 - (i) The petitioning division seeks to administer Student Government Association senate seats the constituencies of which are not identical to the constituency of the petitioning division, provided however that in making findings under this subsection when the petitioning division is a section of a Graduate Division, the Joint Elections Commission shall consider the constituency of the Graduate Division under which the section is organized.
 - (ii) The election procedure proposed by the delegation petition is not open, fair, and consistent with the Student Government Association Constitution, Student Government Association Charter, Student Code of Conduct, and the Statement of Student Rights and Responsibilities,
 - (iii) Granting the delegation order would pose a substantial risk that the election of the petitioned seats would not be conducted in accordance with the methods specified in the delegation petition
 - (iv) The election date specified in the delegation petition has passed, OR
 - (v) The delegation petition otherwise lacks any of the defining characteristics of a delegation petition.
- (c) In making findings under this section the Joint Elections Commission
 - (i) Must consider the following evidence:
 - (A) The delegation petition,
 - (B) The delegation resolution,
 - (C) Vote counts for the petitioned seats from the past three (3) Student Government Association elections,
 - (D) Vote counts for positions within the petitioning division from the past three (3) elections, if provided,

- (E) Testimony from the signatories of the delegation petition, or sponsors and cosponsors of the delegation resolution, if provided,
 - (F) Procedural rules for elections for positions other than the petitioned seats within the petitioning division, if provided,
 - (G) Records of disputes regarding electoral process within the petitioning division during the past three (3) elections, if provided,
 - (H) Testimony from any constituent of the petitioning division that elections administered by the petitioning division are closed, unfair, inconsistent with the Student Government Association Constitution, the Student Government Association Charter, the Student Code of Conduct, the Statement of Student Rights and Responsibilities, or otherwise improper, if provided;
- (ii) May consider any other evidence deemed relevant;
 - (iii) Must state the basis for such a finding and the principal evidence relied on if the Joint Elections Commission does not issue the delegation order.
- (d) Findings by the Joint Elections Commission under this Section are reviewable de novo by the Student Court because improper refusal to grant a delegation order is an arbitrary and capricious decision, an abuse of discretion, and not in accordance with law governing the Joint Elections Commission.
- (i) The current occupants of the petitioned seats, the petitioning division, and the sponsor and cosponsors of the delegation resolution shall each have standing to file a Student Court case against the Joint Elections Commission for review of the Joint Elections Commission's findings under 70803(b).
 - (ii) For the avoidance of doubt, if, as a result of judicial review, the Student Court determines that the Joint Elections Commission erred in failing to issue a delegation order, the Student Court may compel the Joint Elections Commission to issue such an order.

Section 70804. Termination and Expiration of Delegation Orders, Notice by the Joint Elections Commission

- (a) Delegation orders shall terminate automatically,
- (i) one year after they are granted,
 - (ii) if, after seven (7) days following the election date specified by the delegation petition, the delegated seat has not been filled,
 - (iii) if the delegated seat is filled and the senator occupying it resigns or is impeached and removed, OR
 - (iv) if the authorized division changes the election procedure to be used in the election for the delegated seat and fails to reinstate the original procedure either within twenty-four (24) hours following notice under subsection (b)(iv) of this section or prior to the election for the delegated seats, whichever is earlier.

- (b) The Joint Elections Commission shall notify a graduate division of the expiration of a delegation order pertaining to that division
 - (i) Thirty (30) days prior to the expiration of the delegation order under subsection (a)(i) of this Section,
 - (ii) Twenty-four (24) hours prior to the expiration of the delegation order under subsection (a)(ii) of this Section,
 - (iii) Immediately following the termination of the delegation order under subsection (a)(iii) of this Section, AND
 - (iv) Immediately following any change to the election procedure to be used in the election for the delegated seats.

Section 70805. Records

- (a) The Joint Elections Commission shall retain a signed copy of each delegation order it issues for a period not less than two years from the date it is issued.
- (b) The Joint Elections Commission shall promptly notify an authorized division that a delegation order authorizing it has been issued and provide the authorized division a signed copy of that order

Chapter 709. Rulings, Judgments, and Orders of the Judicial Commission

Section 70901. Written Decisions

- (a) All substantive decisions of the Judicial Commission, including dismissal of indictments, shall be rendered in writing in the form of orders or judgments of the Judicial Commission, with copies distributed to the parties of the relevant case and made publicly available on the website of the JEC. 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 Judicial 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 Judicial 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 Judicial Commissioner who drafted the written decision along with the Judicial Commissioners joining the decision of the Judicial Commission and, if necessary, which specific parts of the opinion they join, and the Judicial

- Commissioners dissenting from the decision of the Judicial Commission.
- (iv) The opinion of the Judicial 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 Judicial Commission shall be part of the opinion of the Judicial Commission;
 - (v) After the conclusion of the final issue or question, the decision of the Judicial Commission for all issues and questions shall be listed in an extended operative clause;
 - (1) Each decision of the Judicial Commission in which the majority of the members of the Judicial Commission concur in, shall be stated with the vote result and the names of the Judicial Commission in favor and against the decision;
 - (2) Decisions of the Judicial Commission shall be organized in order of the issues or questions addressed in the opinion of the Judicial Commission;
- (b) Dissents
- (i) Any Judicial Commissioner who in whole, or in part, votes against any decision of the Judicial Commission shall be considered in dissent and may if they so choose attach a written dissent to the written decision of the Judicial 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 Judicial Commission may create and promulgate templates of written decisions consistent with the bylaws of the Joint Elections Commission.

Chapter 710. Appeals

Section 71001. Appellate Jurisdiction

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

Section 71002. Appeal Process

(a) Deadline

- (i) A decision of the Judicial 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 petition 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.