

**By-laws to the Constitution of the Emerson College Student Government
Association**

Ratified September 18, 2012

- 101 - Date of Effect
- 102 - Attendance
- 103 - Standing Committees
- 104 - SGA Voting Procedures
- 105 - SGA Impeachment Procedures
- 201 - Organization Funding
- 301 - Elections
- 302 - Candidacy and Campaigning
- 303 - Online Ballots
- 304 - Ballots
- 305 - Contested Elections

Bylaw 101 Be it enacted by the Emerson College SGA:

Sec. 1 These By-laws shall take effect upon their passage by SGA

Bylaw 102 Be it enacted by the Emerson College SGA the following attendance policy:

Sec. 1 All Executive Council and Senate members shall attend all joint session meetings.

Sec. 2 Shall an Executive Council member or Senate member become unable to attend a joint session meeting, it is his or her responsibility to notify the president of SGA in writing no later than 48 hours before the absence. In extreme cases, an explanation of absence, immediately before or after the absence occurs, may be sent to the SGA President, who will determine if it is an excused or unexcused absence.

Sec. 3 Exceptions shall only be made in extreme circumstances that the president of SGA deems appropriate.

Sec. 4 In the case that any Executive Council member or Senate member has three (3) unexcused absences (is absent without notifying the SGA President) or six (6) excused absences not considered to be exceptional cases by the SGA President, that member will have to appear before the Executive Board to determine the proper disciplinary action, which may include being impeached.

Bylaw 103 Be it enacted by the Emerson College SGA that:

Sec. 1 There will be the following standing committees within the SGA: Financial Advisory Board (FAB), Organizational Recognition and Review Board (ORRB), Freshman Class Committee (FCC), Business Services Review Board (BSRB) and Constitutional Review Board (CRB).

Sec. 2 The FAB and ORRB committees shall be chosen by the committee chair in accordance with the rules and regulations marked in the Treasurer's Handbook and the Organizational Handbook.

Sec. 3 The CRB committee shall be chaired by the Chief Justice, with the Deputy Justice serving as an ex-officio voting member, if one has been appointed. The committee shall be chosen by the committee chair and shall be comprised of at least one student leader from each class and at least one SGA representative.

Sec. 4 The BSRB committee chair shall be the SGA President, with the RHA Commissioner shall being an ex-officio member if one has been appointed, and the committee shall be comprised of at least one student leader from each class.

Sec. 5 The FCC Chair(s) shall be chosen by the incoming SGA President and the committee shall be comprised of freshmen student leaders.

Sec. 6 Upon request by the SGA President, the FCC Chair(s) must report back to the joint session to keep them informed on FCC's progress.

Bylaw 104 Be it enacted by the Emerson College SGA the following voting policies:

Sec. 1 Quorum as defined in the SGA Constitution must be obtained in order to vote on any matter of business.

Bylaw 105 Be it enacted by the Emerson College SGA the following policies regarding impeachments:

Sec. 1 Should the SGA Executive President be the subject of any impeachment proceeding, the chair shall be passed to the Executive Vice President during Joint Session meetings until such time as the impeachment proceedings are concluded.

Bylaw 201 Be it enacted by the Emerson College SGA the following funding policies:

Sec. 1 No member of an SGA sponsored organization may receive any monetary

compensation for duties performed for that organization.

Sec. 2 Funding may not be used to pay for cigarettes, alcohol, paying taxes, or anything illegal (i.e. parking tickets, fines, et cetera). Funding may also not be used for meals/food for closed and/or general meetings without the treasurer's approval. Funding may also not be used for bottled water without the treasurer's approval.

Sec. 3 Organizations are not allowed to use funds to purchase tickets for other school events such as ERA Awards, Senior Banquet, et cetera.

Sec. 4 No donation may be made to any persons or organizations, be it Emerson related or not, whereby the money donated is not entirely raised through a fundraiser.

Sec. 5 No form of gift, such as a gift certificate, exceeding a value of \$25 per person or \$100 per event will be allowed.

Sec. 6 Expenditures of a group's funding may not be used for cash awards.

Sec. 7 SGA-funded organizations must comply with all rules set forth within the Treasurer's Handbook.

Bylaw 301 Be it enacted by the Emerson College SGA the following elections policies:

Sec. 1 The Elections Commissioner shall be the arbitrator of disputes prior to and during elections. The Chief Justice shall be the arbitrator of all post-elections disputes.

Sec. 2 The Elections Commissioner will administer and make decisions regarding the election in accordance with these By-laws.

Sec. 3 Elections packets will be due at least fourteen (14) days prior to the election.

Sec. 4 Candidates will be given at least fourteen (14) days to campaign.

Sec. 5 Polls will remain open for 48 hours. Should there be a problem with the polling process the polls will remain open an extra day, 12am - 11:59pm.

Sec. 6 The violation of elections By-laws or Constitutional laws may be grounds for disqualification of a candidate.

Sec. 7 The Elections commissioner shall consult with the Chief Justice and the Associate Dean of Students to determine disqualification.

Sec. 8 If a disqualified candidate wins the election, whomever has the next highest vote shall be awarded the seat.

Sec. 9 A candidate may not officially withdraw their name from the ballot, and their votes may not be disqualified from the final tally, after the polls have closed.

Bylaw 302 Be it enacted by the Emerson College SGA the following candidacy and campaigning policies:

Sec. 1a. Eligibility to appear on the ballot will be determined by the Elections Commissioner and the Associate Dean of Students working in conjunction within 48 hours of the due date of petitions.

Sec. 1b. In the case of write-in candidates, candidates who received one or more write-in votes will be reviewed by the Associate Dean of Students to determine academic eligibility immediately after the poll results are viewed. If they are deemed academically eligible, they will be informed by the Elections Commissioner via email to their Emerson email address. They will have forty-eight (48) hours from the time of notification, or until the next joint session meeting, whichever period is longer, to return a fifty (50) signature petition to the Office of Student Life. Any elected candidate who does not return a packet within the specified time will be subject to disqualification by the Chief Justice, and any votes garnered by that candidate will be considered null and void.

Sec. 2 Visual campaigning and public campaign mobilization may not begin until the date specified by the Elections Commissioner. This date will be after the due date of election packets.

Obtaining signatures for the required elections packet and ordering supplies does not qualify as campaigning or campaign mobilization.

Sec. 3 Candidates will be given the option to submit a candidate statement, which will be made available to all voters at polling stations.

Sec. 4 All candidates are expected to conduct their campaign behavior in accordance with the Student Code of Conduct. (See the Student Handbook.) Any violation of the Code of Conduct may be subject to disqualification.

Sec. 5 Candidates may not, in any manner, (both directly and indirectly), deface, obstruct or tamper with other candidates' campaign materials. Those who do are subject to disqualification from the election.

Sec. 6 SGA recognized student organizations will not fund or make capital contributions, monetary or material, to any candidate.

Sec. 7 Any postings to Emerson bulletin boards or dining space "table tents" must be in accordance with Emerson posting and stamping guidelines. SGA does not require leafleting materials to be approved. However, leafleting materials must be in accordance with Emerson College policy.

Sec. 8 No student can be forced to vote, and no candidate can observe a ballot as another student votes.

Bylaw 303 Be it enacted by the Emerson College SGA the following online ballot and voting policies:

Sec. 1 Voting will be held online. If the accuracy or security of the website is found by the Elections Commissioner to have been questionable, this may be grounds for a new election. The joint session will decide, based on the Elections Commissioner's recommendation, if the new election will be held online or by paper ballot.

Sec. 2 The website will clearly outline voting directions.

Sec. 3 Competing candidates' names will appear in alphabetical order.

Sec. 4 All ballots, excluding runoff elections, will have a write-in candidate option. If a write-in candidate wins the election and did not submit a 50 student signature petition prior to the election, the candidate will be required to do so by the first joint session meeting after the election, or within 48 hours whichever period is longer. The candidate must also meet all other applicable election qualifications.

Sec. 5 The Dean of Students, the Associate Dean of Students, the Elections Commissioner, and the Chief Justice will be the only parties with access to the voting results before they are officially released. At least two of these parties must be present when the results are accessed. After results are released, any student may view the official voting results data.

Sec. 6 Election results must be made public within two school days of the close of polling. Those to be notified are:

- a. Candidates, both elected and not elected (Via their official Emerson email if no other method of communication is on record.)
- b. Current SGA members
- c. SGA advisors
- d. Dean of Students
- e. The student body

Sec. 7 The Elections Commissioner shall present the results of the election at the first joint session meeting following ballot counting.

Bylaw 304 Be it enacted by the Emerson College SGA the following ballot and voting policies:

Sec. 1 If paper ballots are used, the poll worker will remove any campaign materials in immediate sight of the polls.

Sec. 2 If paper ballots are used, they will be created at least twenty-four (24) hours before the election and will be stored in the SGA office.

Sec. 3 All ballots will clearly outline voting directions. If paper ballots are used, there will be separate ballots for each class and each departmental senator election. Executive candidates will appear on the class ballots.

Sec. 4 Competing candidates' names will appear in alphabetical order. **Sec. 5** If paper ballots are used, poll workers must remain impartial. Candidates may not work the polls. The elections commissioner must remain impartial.

Sec. 6 All ballots will be counted within twenty-four (24) hours of the polls closing.

Sec. 7 All candidates have the option of sending a representative (proxy) to witness the ballot counting or the viewing of online ballot results. Candidates are not allowed at the ballot counting.

The Elections Commissioner is responsible for creating a ballot counting staff if paper ballots are used. Proxies serve as witnesses to the counting.

Sec. 8 Election results must be made public within two school days of the close of polling. Those to be notified are:

- a. Candidates, both elected and not elected (Via their official Emerson email if no other method of communication is on record.)
- b. Current SGA members
- c. SGA advisors
- d. Dean of Students
- e. The student body

Sec. 9 The Elections Commissioner shall present the results of the election at the first joint session meeting following ballot counting.

Bylaw 305 Be it enacted by the Emerson College SGA the following policy regarding contested elections:

Sec. 1 Any currently enrolled Emerson undergraduate may contest any SGA election.

Contention must be made in writing within two school days following the public release of election results. It must be made to the SGA Chief Justice with a copy sent to the SGA President, the SGA Elections Commissioner and the Associate Dean of Students, except in the case that any of the aforementioned are the subjects of any allegations of election

misconduct, in which instance the complainant may elect to inform only the other parties.

The letter must clearly state any and all allegations of election misconduct being levied by the student contesting the election.

Sec. 2 The SGA Chief Justice will be responsible for investigating the accusations.

Sec. 3 The accused and the accuser have the right to appear before the Chief Justice to state their cases and present witnesses on their behalves.

The Chief Justice will not settle the dispute until both the accused and the accuser have had the opportunity to present their cases in such a manner.

If either the accused or the accuser believes the Chief Justice cannot be impartial, they may appeal to the Associate Dean of Students to re-delegate the Chief Justice's duties.

The Chief Justice has the right to transfer authority over elections disputes to the Associate Dean of Students.

Sec. 4 If the Chief Justice finds that the candidate has broken any of the election By-laws or Constitutional laws, the Chief Justice may call for a new election.