The Utah State University Student Association election by-laws govern the election of both USUSA candidates and referenda affecting the USU student body. These by-laws derive their authority from the USUSA Constitution Article III, Section 7.

Candidates, campaign committees and supporters, proponents, and opponents of referenda must follow all university policies, and local, state, and federal law.

Definitions

**Active Campaigning:** engaging directly with students with the intent of pursuing their vote. Includes any action where a candidate and/or his/her committee are directly soliciting students for votes (e.g. handing flyers directly to students, etc.)

**Actual Cost:** Actual Cost is defined as the cost presented on an official sales receipt.

**A-frames:** are defined as a freestanding object that must fit in an 8′ x 8′ square.

**Campaign Committee Members:** people who are specifically helping candidates campaign; must be current students from USU.

**Campaign Materials:** any images, text, or physical item with the purpose of garnering attention and increasing awareness for a specific candidate or ballot item.

**Classroom:** any gathering of faculty members and students for the purpose of teaching and learning, authorized by USU or any of its units (See USU Student Code of Conduct Article V.3.C.). This includes, but is not limited to, online Classroom forums, emails lists, and other activities such as field trips and labs.

**Donations:** defined as any monetary contributions or physical good used as Campaign Materials (see Article V.A.3).

**Fair Market Value:** an estimate of the value of property and services based on what an average buyer would pay to an average seller in the market.

**Good Standing (behavioral and academic):**
- Carrying a minimum of 12 credits per semester, or considered a full-time student by the School of Graduate Studies during their entire term of office, including the spring semester of election or appointment.
- Maintaining a USU cumulative GPA at or above 2.5 if the student has completed two or more semesters at USU. If the student has not completed two semesters at USU, then the student's overall college cumulative GPA must be at or above 2.5.
- Maintaining a GPA of 2.5 or higher, for all semesters while in office, including the spring semester of election or appointment. The summer semester shall only count for or against an officer's Good Standing if nine or more credits are taken. However, all summer classes will be calculated into the cumulative GPA.
- Free from academic warning, probation, or suspension.
- Free from major USU Student Code violations and/or student conduct probation.

**Passive Campaigning:** any action where a candidate is NOT directly soliciting students for votes. Students may communicate with organizations and individuals to learn the issues facing students to gain insight as to how to address those issues and concerns.

**Poster:** printed or other types of Campaign Materials on paper to be hung in appropriate buildings on campus. This excludes digital screens.

**Reception:** meeting organized by the Elections Committee where students meet the candidates and ask the candidates questions about their platform and goals.

I. Candidate Requirements
   A. All candidates, including write-ins, shall qualify according to Article III, Section 3 of the USUSA Constitution (the following sections related to eligibility are a summary from the Constitution and should be automatically updated).
   B. Eligibility
      a. No Student Shall be eligible to run or apply for any USUSA office if not in Good Standing. Once in office, any officer who fails to maintain Good Standing will immediately be placed on probation.
      b. If after elections a USUSA officer does not maintain Good Standing in any sense, then the following terms of probation apply.
         i. Probation will last one semester and serve as an opportunity for the officer to regain Good Standing.
II. Any USUSA officers not in Good Standing will be ineligible to receive their USUSA scholarship; however, the monthly stipend is excluded from this restriction. For those officers not receiving a monthly stipend, they will be eligible to receive $1,200.00 for the semester they are on probation.

III. Any USUSA officer who fails to regain Good Standing at the completion of the probation period will be immediately removed from office.

IV. Any appeals to the eligibility criteria may be submitted to the Office of the Vice President for Student Affairs. Any decisions made by this office are final.

V. The USUSA Executive Council will have the authority to place an officer on probation by a 2/3-majority vote if the officer is deemed to have acted in a way that is unbecoming of the appropriate office.

C. Graduate Studies Senator: Candidates running for Graduate Studies Senator must be a current fully matriculated graduate student in the School of Graduate Studies by the filing deadline. Matriculation requires the student to be in Good Standing and taking graduate courses.

D. College Senatorial Positions: Candidates for the office of a college Senator must be registered in the college they wish to represent as of the filing deadline for Declaration of Candidacy in the USUSA Election. Graduate students may run for a senatorial position in their respective college.

E. Write-In Candidates
   a. Upon entering a race, write in candidates must file a Declaration of Candidacy, but are not required to pay the $20 filing fee.
   b. Write-in candidates will not be included in ads, pictures, or biographies paid for by the Elections Committee.
   c. Write-in candidates must notify the elections Committee if they choose to participate in forums and debates during USUSA Elections Week.
   d. Write-in candidates will not be present on the primary election ballot and will only be included on the final election ballot if:
      i. A candidate comes in either first or second in total vote count, is eligible to hold office;
      ii. And reaches or exceeds 10% of the vote total in the respective election. (See EC Bill 2014-06)
   e. Write-in candidates must abide by the election by-laws:

F. Candidate Requirement Appeals
   a. Extenuating circumstances may be cause to appeal candidate eligibility.
   b. The Vice President of Student Affairs Office may grant exception to candidate requirements based on circumstances. Those wishing to appeal candidacy, see TSC 326.

II. Timeline
   A. Deadlines:
      a. A signed Declaration of Candidacy form is required to be an official candidate. The current USUSA officer holding the position should sign the form. If the current officer is unavailable, or is a candidate, then the appropriate USUSA advisor may sign. This form and $20 non-refundable filing fee are due in TSC 326 on the date set by the Elections Committee.
         i. Any student may apply for a waiver of this $20 fee through a written appeal to the Student Involvement and Leadership Center (SILC).
         ii. The $20 filing fee is for processing purposes and publicity by the Elections Committee.
            Cash or checks (payable to USUSA Elections) will be accepted. The filing fee is not included in the total campaign expenditure limit of $200 or $400.
      b. A candidate wishing to withdraw his or her Declaration of Candidacy may do so at any time in writing by submitting it to the Elections Co-Chairs prior to the announcement of final election results. After the Elections Co-Chairs have received the withdrawal, the candidate cannot be reinstated and the $20 filing fee will be forfeited. If after the filing deadline, there are no constitutionally qualified candidates for an office(s), the Elections Committee shall reopen the filing process for that particular office(s), accepting Declaration of Candidacy forms at the date set by the Elections Committee. Notice of the secondary deadline shall be advertised in The Utah Statesman.

   B. Declared candidates must be at the mandatory campaign meeting held by the Elections Committee to review the election policies and procedures. Absence will result in automatic forfeiture of candidacy unless prior approval of the Election Co-chairs. While campaign managers are encouraged to come, they cannot take the place of the candidate.

III. Voting
   A. Plurality to Elect:
      a. The names of the two candidates on the primary ballot receiving the greatest number of votes shall be placed on the final ballot.
      b. In final elections and special elections, the candidate or ballot item that has the greatest number of votes will be declared the winner.
B. Ballots:
   a. The names of all candidates for each office shall be placed on the ballot in alphabetical order by last name, along with a space(s) for write-in candidate(s).
      i. All names of all candidates for each office shall be placed on the ballot in alphabetical order by last name, along with a space(s) for write-in candidate(s).
         1. Permanent nicknames, however, may be approved by the Elections Committee (e.g. Bob for Robert, Sue for Susan, etc.).
         2. Ballots will be accessed via www.vote.usu.edu
   C. Eligibility to Vote:
      a. A voter must be a current student of the Logan Campus of USU.
      i. In USUSA Presidential and select referenda, Elections will be open to all Regional Campus students.
   b. Proxy voting is prohibited.
   c. In senatorial races, students are only eligible to vote for senators of their respective college.
      i. If a student has declared a major in two or more separate colleges, they are eligible to vote for the senatorial candidates running to represent each college. Only matriculated graduate students can vote for the Graduate Studies Senator.
   D. Counting Votes:
      a. Votes shall be tabulated immediately following the closing of the polls.
      b. No ballots will be accepted after the published time of closing. Votes are tabulated and verified by a committee of two student involvement advisors, one staff member of the Information Technology (IT) department, Elections Co-Chairs, and the USUSA President.
         i. In the event that the current USUSA President is running for office, the officer following the line of authority shall take his/her place.
   c. Tie-Breaking Procedures:
      i. Should an exact numerical tie occur between any candidates running for a USUSA elected position, the following procedure has been outlined and established as the method of breaking the tie.
         1. Upon announcement of the final elections results, the tied candidates will be brought together by the Elections Co-Chairs, the current officer in the position of the tied candidates, and at least one of the student involvement advisors to follow these tie-breaking procedures.
         2. The tied candidates will be given one hour to choose, at their discretion, whether they would like to participate in a coin toss by neutral party or in a special one-day election to break the tie.
            a. This election will occur within two weeks of the final announcement, will be on the selected day from 9:00 am to 3:00 p.m., and all election by-laws shall apply (including remaining within the given budget allotment).
            b. If the candidates cannot come to a consensus within the hour given, the choice will be removed and a special one-day election will occur.
      ii. If a second numerical tie should occur between the same candidates, the tie-breaking procedure will be a coin toss by a neutral third party.
   E. On-Campus Voting Locations
      a. Candidates and their Committee Members may not have voting stations at their A-frames. Candidates and their Committee Members may not offer personal devices to students for voting.
      b. The Elections Co-chairs will have voting locations throughout campus for the convenience of students.
   F. Results:
      a. All results are final after votes are tabulated and verified. This extends to candidates, initiatives, referenda, or any other matter submitted to the USU student body for a vote.

IV. Money and Finance:
   A. Campaign Value:
      a. Candidates violating the campaign value limit (overspending) will be referred to the Student Hearing Board.
         i. Executive Council candidates shall not exceed $400.
         ii. Senatorial candidates shall not exceed $200.
      b. Audits
         i. All candidates must submit a complete list of receipts for all campaign expenditures. Donations and fair market materials to the Elections Committee.
         ii. Candidates will be required to have two election audits: one during primary elections and one during final elections. Candidates may be subject to additional audits if deemed necessary by the Elections Committee.
         iii. For items not assigned a Fair Market Value in the Elections Packet, candidates must provide itemized receipts. If a receipt for an item is not available, or if the item has been donated,
it will be assessed at Fair Market Value by the Elections Committee.

iv. These financial statements must be submitted to the Elections Committee by the specified audit deadlines. In the case of failure to submit a financial statement by the specified deadline, the candidate is disqualified.

c. Fair Market Value (FMV)
   i. It is the responsibility of the candidate to obtain from the Elections Committee a FMV for any campaign material not appearing on the list provided at the mandatory candidate meeting.
   ii. Should a candidate feel that FMV has been determined inaccurately or unfairly, they may submit a written appeal to the SILC Director and the Student Advocate VP who will then make a decision. All decisions by the SILC Director and Student Advocate VP will be final. The decision will then be communicated to the Elections Co-Chairs.
   1. If the Student Advocate VP is running for office, the SILC Director will select an elected student body officer to take their place.

V. Campaign Rules:
   A. Neutrality:
      a. Elections Committee Members, current USUSA officers, and Student Hearing Board members are not allowed to wear Campaign Materials or endorse any candidate.
      i. Current USUSA officers running for re-election or new position are exempt from neutrality restrictions.
      ii. Anyone with violations will be sent to the Student Hearing Board for review.
   B. Campaign Committee and Meetings
      a. All meetings held by the candidate prior to the filing deadline must be private and arranged by the candidate specifically for the purpose of organizing a campaign.
      i. Social and electronic media may be used for the purpose of communicating with Campaign Committee Members, but must follow Elections By-laws.
   C. Pre-Filing Deadline Rules
      a. All Active Campaigning is prohibited prior to the filing deadline. However, students may participate in Passive Campaigning (see Definitions).
      i. Published/broadcasted Campaign Materials (e.g. social media, video, flyers, Posters, text messages, emails, radio, etc.) are strictly prohibited.
   D. Post Filing Deadline Rules
      a. Printed Campaign Materials (e.g. Posters, cards, flyers, shirts, etc.) are not to be distributed prior to Elections Week.
      b. Social and online campaigning may begin one week before primary elections being, starting Saturday, February 18, 2017 at 12:01 a.m.
   E. On-Campus Campaigning during Elections Week
      a. Candidates may not stand in front of any door entering the Taggart Student Center (TSC).
      b. Active Campaigning in the TSC, including the patio and plaza, is prohibited except at event at events sponsored by the Elections Committee.
      c. No in-person solicitation or distribution of campaigning materials is allowed in or within 50 feet of any university computer lab entrances or any voting stations, with the exception of the central voting hub located near the A-frames.
      d. No candidate is permitted to engage in Active Campaigning in the library, or on the immediate sidewalks on the east side of the library.
      e. Candidates are strictly prohibited from Active Campaigning in Classrooms.
      f. Candidates are not allowed to engage in Active Campaigning at any official university events that are not sponsored by the Elections Committee.
      g. Sidewalk chalk and stickers are not allowed.
      h. Candidates are prohibited from campaigning in on-campus housing buildings.
      i. No signs, Posters, or banners may be hung on the outside of campus buildings, including residence halls.
      j. Flyers and other Campaign Materials must be handed directly to potential voters.
      k. Posters (reserved for USUSA senatorial candidates, excluding the Graduate Studies Senator only).
         i. Senatorial candidates are allowed four (4) Posters during primaries and an additional four (4) Posters during finals, totaling eight (8) Posters allowed during final elections.
            a. These Posters should be hung in the candidate's respective college only.
            b. Posters are limited to 24"x36" (maximum).
                i. Posters must be hung in each building approved by the individual colleges.
                ii. It is up to the individual senatorial candidates to get permission from their respective Dean's office to hang Posters in the appropriate areas of his or her college.
      l. A-frames On Campus
         i. Two A-frames will be permitted during primary elections. Those same A-frames will be per-
i. Two A-frames will be permitted during primary elections. Those same A-frames will be permitted during final elections, for a total of two (2) A-frames.
   a. A-frames will only be permitted in designated areas, and will be assigned in the order of candidacy declaration. Please see the map included in the Elections Packet for designated A-frame areas. Placing A-frames in all other areas, including off-campus, is prohibited. If there is snow, A-frames must be on grass areas to ensure that facilities can clear walkways.
   b. A-frames cannot be moved without Elections Co-Chairs approval.
ii. A-frames must not lean against or be attached to trees, shrubs, or list posts. No stakes or signs stuck into the ground are allowed.
iii. A-frames must be constructed so they are not a hazard.
iv. USUSA is not responsible for any lost, stolen, or damaged A-frames during the course of Elections.
v. USUSA is not responsible for any damage done to a person or property due to a candidate's A-frame. The candidate will take full responsibility. Candidates must respect each other and not vandalize A-frames or other campaign material. This also applies to Campaign Committee Members.
vi. USUSA candidates and their respective Committee Members are not allowed to have students vote on the candidates and/or Committee Members' smart devices.
vii. Each candidate must use their table only and will not be permitted to share with another candidate.
viii. Each A-frame must display a bylaw reference card in plain sight. Card will be provided by the Elections Committee in advance.
ix. The Elections Committee will provide a central voting hub for students to vote. The hub will be located in the area of the A-frames.

m. Clean-Up
   i. Primary candidates not advancing into final elections are responsible for removal of all Campaign Materials by the appropriate time set by the Elections Committee on the second night of Elections Week following primary elections.
   ii. Final election candidates are responsible for the removal of all Campaign Materials by 9:00 p.m. on the final day of Elections Week.
   iii. A $50 fee will be charged to any candidate who does not clean up all of his/her Campaign Materials by the appropriate time set by the Elections Committee. If the student does not abide by this regulation, the Hearing Board will meet with the student accordingly.
   iv. The Student Hearing Board will investigate any charges of vandalism. USU is not responsible for any acts of vandalism committed by candidates, their campaigns, or their supporters.

n. Copyright
   i. Use of USU, USUSA, and all affiliated organizations' copyrighted material is prohibited.
      a. Any campaign material must comply with copyright laws. Candidates assume full responsibility for failure to comply.
      b. USUSA, USU SiLC, and/or USU claim no responsibility for the illegal use of copyrighted materials by candidates.

VI. Social and Electronic Media:
   A. All social and electronic media Active Campaigning will be restricted from use until Saturday, February 18, 2017 at 12:01 a.m.
      a. Social Media
         i. Candidates and Committee Members may use these platforms as they wish, however, they must comply with timeline rules and must use personal accounts. Use of any official university or departmental social media accounts is prohibited.
         ii. All pages and groups must be kept private until Saturday, February 18, 2017 at 12:01 a.m. Students must opt in before being added to a group.
         iii. Throughout the election process, candidates are not allowed to post on any official university or departmental Facebook pages or groups (e.g. USU, USUSA, College of Humanities and Social Sciences, Huntsman School of Business, etc.).
      b. Election Video
         i. A video will be made by the Elections Committee of the candidates' platforms to be added to the USUSA website and social media accounts.
      c. Election Website
         i. All final candidates' election information (one picture, campaign platform, goals, and qualifications) will be uploaded to the USUSA website.
      d. Email
         i. The use of electronic mail to actively campaign and solicit votes is prohibited. Mass email is
is limited to communicating with Campaign Committee Members who have opted into receiving such communications.

B. Off-Campus Campaigning
   a. Candidates must have the permission of the building or apartment owner/landlord/manager and appropriate tenant(s) prior to displaying or distributing any Campaign Materials.
      i. Campaign Materials must be directly distributed to potential voters with their permission (e.g., materials must be handed to an individual directly and not taped to a door).
      ii. The policy for off-campus banners and signs comes directly from the Logan City Land Development Code Section 17.40 and is included as an appendix to these by-laws (this policy is subject to change).
      iii. Campaigning is limited to apartment complexes and/or residential properties (i.e. no campaigning in businesses, churches, etc.).
      iv. Use of Campaign Materials on vehicles is prohibited.

VII. Violations and Penalties:
   A. Hearing Board
      a. Jurisdiction
         i. Pursuant to Article V of the USUSA Constitution, the USUSA Hearing Board will hear all Election grievances. The Hearing Board will render a decision on each grievance, and will assess a penalty if necessary.
      b. Membership
         i. The USUSA Hearing Board shall consist of the students on the USU Student Conduct Hearing Board.
            a. A quorum of at least five members of the Hearing Board must be present to hear and rule on grievances.
            b. The student members of the Hearing Board Pool shall be appointed by the newly elected USUSA President and approved by a majority vote of the USUSA Executive Council. The former President will assist the newly elected USUSA President during the selection process.
            c. The Hearing Board Pool Chair shall be a student appointed by the USUSA President.
            d. Board members serve a one-year term, although members can be appointed to serve more than one term. All new student appointments to the Hearing Board Pool shall be made on or before July 1 of each year.
            e. One voting member of the USUSA Executive Council will be appointed to the Hearing Board by the President. The members of the Hearing Board shall be subject to the same eligibility requirements as the USUSA officers as outlined in Article III of the USUSA Constitution (see Article III, Section 3) Vacancies shall be filled as needed.
      c. The Violation Process will be as follows:
         i. During Elections Week, any charges of violation of campaign regulations will be submitted in writing to the Hearing Board within 24 hours of the incident, but no later than the closing of the polls.
         ii. If an elections bylaw violation comes to light after the final election results have been announced, a complainant may file a grievance until noon on the day of inauguration.
            a. Prior to the Election, there is no time limit, although the Hearing Board will not meet regularly, and will hear cases on an as-needed basis.
         iii. In the event of a violation, or a grievance being filed, both the accuser and accused must be called before the Hearing Board together. Upon hearing both sides, the Hearing Board will render a decision and assess a penalty if necessary.
         iv. Election results for the office(s) in question will not be made public until all grievances have been heard by the Hearing Board, ruled upon penalties assessed, and the candidate(s) notified of the decision.
         v. Candidates will be responsible for submitting grievances for his/her own campaign.
            a. Any student must file an election grievance who was affected by, or a direct witness to, any violation of election by-laws by campaigns or those campaigning for ballot issues.
            b. The burden of proving that a by-laws violation occurred is on the person filing the grievance.
            c. Explanation of how to file a grievance will be discussed at the mandatory elections meeting.
         vi. Penalties
            a. Penalties from which the Hearing Board may choose are as follows:
               i. Confiscation and/or restriction of Campaign Materials (e.g. only one signs as opposed to two);
               ii. Restrictions on campaign times (e.g. not being allowed to attend town hall meetings or campaign on campus during certain times);
               iii. Budget restrictions;
               iv. Ordering a new election for a particular office pursuant to Article III, Section 1 of the USUSA Constitution;
               v. Disqualification of candidate(s);
         vi. Or fines to be paid if the violation is discovered after the election has already taken place.
            1. Fines shall not exceed the respective candidate's campaign expenditure limit (see Article IV.A.2.a. and IV.A.2.b).