



NORTHEASTERN STUDENT GOVERNMENT ASSOCIATION

BYLAWS

Adopted by vote on

Amended by votes as of

ARTICLE I : MEETINGS

Section 1. Senate Attendance

1. Advance notice of an impending absence shall be submitted to the President of the Senate so that any necessary changes in the agenda can be made.
2. All absences shall, at the discretion of the president of the Senate, or presiding Officer, be declared “excused” or “unexcused”.
3. If a senator is unable to attend a meeting they may send a proxy in their stead and their absence may be excused
 - 3.1 Proxy forms will be available to senators and must be submitted twenty-four (24) hours before the meeting
 - 3.2 Senators are responsible for making sure their proxies are aware of the meeting process and are dressed appropriately.
4. The senate roll shall be called before and after each regular senate meeting. With each roll call missed and deemed as unexcused shall count as a “half absence”.
5. The President of the Senate shall recommend the removal of any student senator after two (2) unexcused absences during the Senator’s term of office.
6. The President of the Senate may bring the situation before the Executive Officers at any time deemed necessary for advisement concerning the matter.
7. After receiving the recommendation from the president of the Senate, the Judicial Committee shall convene to review the recommendation and subsequently issue a ruling on impeachment.
8. The ruling of the Judicial Committee may be overturned by a two-thirds (2/3) vote of the Student Senate.

Section 2. Committee Attendance

1. If possible, advance notice of an impending absence shall be submitted to the Chair of the Committee so that any necessary changes in the Agenda can be made.
2. The absences shall at the discretion of the Chair of the committee, be declared “excused” or “unexcused”.
3. The Chair of the committee shall recommend the removal of any student senator after two (2) unexcused absences during the course of the legislative session.
4. Violation of the Standing Committee Attendance Structure policy to an extent that in the opinion of the committee Chairperson the committee member cannot effectively contribute to the committee and/or Student Senate shall be reported to the President of Senate.

Section 3. Dress Code

1. Appropriate dress for senate meetings shall be “Business Casual”

This is a general overview of appropriate business casual attire. This list shows you what is generally acceptable as business casual attire and what is generally not acceptable:

Slacks, Pants, and Suit Pants: *Slacks that are similar to Dockers and other makers of cotton or synthetic material pants, wool pants, flannel pants, dressy capris, and nice looking dress synthetic pants are acceptable. Inappropriate slacks or pants include jeans, sweatpants, exercise pants, shorts, bib overalls, leggings, and any spandex.*

Skirts, Dresses, and Skirted Suits: *Casual dresses and skirts, and skirts are acceptable. Dress and skirt length should be at a length at which you can sit comfortably in public. Short, tight skirts that ride halfway up the thigh are inappropriate. Mini-skirts, skorts, sun dresses, beach dresses, and spaghetti-strap dresses are inappropriate for Senate.*

Shirts, Tops, Blouses, and Jackets: *Casual shirts, dress shirts, sweaters, tops, golf-type shirts, and turtlenecks are acceptable attire for Senate. Most suit jackets or sport jackets are also acceptable attire for Senate, if they violate none of the listed guidelines. Inappropriate attire for Senate includes any school brandings other than NSU; tank tops; midriff tops; shirts with potentially offensive words, terms, logos, pictures, cartoons, or slogans; halter-tops; tops with bare shoulders; sweatshirts, and t-shirts unless worn under another blouse, shirt, jacket, or dress.*

Shoes and Footwear: *Conservative athletic or walking shoes, loafers, clogs, sneakers, boots, flats, sandals, dress heels, and leather deck-type shoes are acceptable for work. Flashy athletic shoes, flip-flops, and slippers are not acceptable in Senate.*

Hats and Head Covering: *Hats are not appropriate in Senate. Head Covers that are required for religious purposes or to honor cultural tradition are allowed.*

2. Any Senator not in “Business Casual” as determined by the Judicial Committee Chair will not be allowed in the Senate Chambers and will not be counted in attendance.

ARTICLE III : LEGISLATION

- I. Legislation shall be defined as any official document that either bears the full force and effect of the law or carries the full weight and authority of NSGA
- II. All legislation shall be sent to the Vice President before it originates in committee
- III. The Vice President will ensure that legislation that is appropriately submitted is sent to the proper committee within one (1) week
- IV. Committees may recommend legislation one of three ways
 - a. A recommendation of DO PASS shall indicate that the committee responsible for the recommendation has the opinion that said legislation should pass the Senate. Legislation bearing the recommendation of DO PASS shall see the floor of the Senate.
 - b. A recommendation of NO RECOMMENDATION shall indicate that the committee responsible for the recommendation has no official opinion on whether or not the legislation in question should pass the Senate. Legislation bearing the recommendation of NO RECOMMENDATION shall see the floor of the Senate.
 - c. A recommendation of DO FAIL shall indicate that the committee responsible for the recommendation has the opinion that said legislation should not pass the Senate. Legislation bearing the recommendation of DO FAIL shall not be seen on the floor of the Senate.
- V. Legislation must bear the recommendation of either DO PASS or NO RECOMMENDATION by the committee that the Vice President has assigned said legislation to before it can be seen on the floor of the Senate.
- VI. Legislation that has been recommended DO PASS or NO RECOMMENDATION in proper form shall be placed on the agenda by the Vice President within one (1) week, unless all authors of a particular piece of legislation submit a written or electronic note requesting otherwise

- VII. Legislation must bear the names of those who are authors. Only active Senators may author a piece of legislation. Only authors may speak on the floor of the Senate to defend their legislation.
- VIII. An opportunity to debate any piece of legislation shall be provided by the presiding officer
- IX. Roll call votes shall be mandatory for all legislation
- X. Legislation may only be considered if a quorum has been established
- XI. All legislation shall require a majority vote in the affirmative of those voting a present in order to be considered “passed” by the Senate
- XII. All passed legislation will first be sent by the NSGA President to the current NSU President and their Cabinet before any outside distribution
- XIII. The President of NSGA will have the power to veto legislation in full or in part
 - a. The President must issue, within forty-two (42) hours of the veto, a formal statement regarding the reason(s) for the veto
 - b. If a particular piece of legislation is vetoed in whole or in part, then a vote to override the veto shall take place before adjournment of the next possible meeting. If the Senate votes with a two-thirds ($\frac{2}{3}$) vote in the affirmative of those present and voting to override such a veto, then the legislation in question shall be considered “passed” by the Senate

ARTICLE IV: ALLOCATIONS

Section 1. To be eligible to receive funding from NSGA a student organization

1. Must be recognized and in good standing with student affairs and any subsidiary governing body
2. Must be able to provide the Fiscal Affairs Committee and subsequently the Student Senate with adequate information as to why their funding request will have substantial benefit to the entire student body.
3. Must complete a Funding Request Form (see section 3) or if eligible an Emergency Funding Request Form (see section 4)
4. Must submit a Spending Report after spending the allocated funds (See section 5)
5. Should have someone (preferably an executive member or treasurer) available to answer questions from the Fiscal Affairs Committee and Student Senate when their request is being discussed.

Section 2. Funding

1. Funding from NSGA may be allocated for any of the following
 - a. **Promotions** - Promotions include expenses related to advertising an activity such as: TNE advertisements, radio advertising, banners, postcards, leaflets, flyers, and posters that are primarily targeted toward NSU students. All formal printing jobs must be done by NSU

Copy Zone. All advertisements must have the NSGA logo on it in some capacity. The logo can be obtained from the NSGA Office.

- b. **Lecturers, Speakers or Entertainers (LSE)**- Lecturers, Speakers or Entertainers include all funds requested by an organization in order to bring a Lecturer, Speaker or Entertainer to a planned event, including their travel, lodging, per diem and fee to perform. LSE events funded by NSGA must be open to all NSU students at no cost or at the same cost the members of the organization are expected to pay for attendance, not including normal membership dues. Higher admission fees may be charged to faculty, staff, and the community.

Example: Student Finger Painting Club, SFPC, is started and requires each of their members to pay a membership fee of \$10 a year that is put into their organization account. As an organization, the SFPC is planning on bringing a professional European finger painter to NSU to give a demonstration on her technique. The painter charges a \$5,000 blanket fee for all her expenses. The SFPC has received half of the cost needed, \$2,500, from an NSGA allocation. They plan to use the funding in their account and also charge students an admission fee of \$4 to make up for the additional cost. All students attending the event must have paid the \$4 admission fee regardless if they are members of SFPC and have already paid membership dues. **In short: ALL students must be charged the same rate for admission into ALL NSGA funded events regardless of membership status.**
 - c. **Rent or Purchase of Space & Equipment** - Rent of space and equipment includes any costs related to renting rooms or equipment for performances and any other such events. Equipment can include any item that will help a student organization work to improve this campus, benefit students, or enhance Northeastern State University's ability to educate and help the community.
 - d. **Films**- Films include expenses for the rental of movies, documentaries, recorded theatrical shows, or other such events. Films must be educational in nature. Films not of an educational nature will be considered on a case by case basis by the Fiscal Affairs Committees. Rental of movies must have the necessary mandatory viewing license
 - e. **Hotel**- Funds can be spent on hotel during travel.
 - f. **Travel** - Funds may be available for transportation, entrance fees for NSU students.
 - g. **Conference, Registration, or Other Attendance fees** – Funds can be used to pay for student's fees to attend a conference or register for an event. This does not include membership fees if membership is required to attend the event.
2. **NSGA funds may NOT** be allocated for food, decorations, gifts, paid wages, membership dues, t-shirts, or giveaways.
 3. This is not an all-inclusive list of what NSGA funding may and may not be allocated for, any area may be funded at the discretion of the Fiscal Affairs Committee and the Student Senate. NSGA also retains the right to deny funds for anything the Fiscal Affairs Committee or the Student Senate deems not of substantial benefit to the NSU student body.
 4. Events put on using funding from NSGA must mention NSGA in **ALL** advertising, promotional materials, and/or printed materials for said event.

Section 3. Funding Request Form

1. Before a student organization can be considered for funding they must complete a funding request form in its entirety.
2. Funding Request Forms, for the current fiscal year, are to be submitted by the first Friday in September. Any organization not meeting this deadline, **may** still have the ability to receive Emergency Funding (see Section 4)
3. There must be a complete current budget for the student organization included with the funding request form.
4. Student organizations should allow NSGA and NSU a minimum of five (5) weeks to process the forms and provide a check for the allocated funds.

The Funding Request Form is available on the NSGA Hawklife page under the tab labeled "Forms" If you have any question regarding the location of the form or how to properly complete it please visit the NSGA office located in the University Center basement adjacent to the Student Engagement Office.

Section 4. Emergency Funding Request

1. After the first Friday in September (the deadline for funding request forms) if not all funding for student organizations has been allocated the remaining funds will be available for student organizations as Emergency Funding
2. Emergency Funding Request Forms may be accepted until 6 weeks prior to the close of the Fall semester or until all available funding has been allocated.
3. There must be a complete current budget for the student organization included with the Emergency Funding Request Form.
4. Student organizations should allow NSGA and NSU a minimum of five (5) weeks to process the forms and provide a check for the allocated funds.

The Emergency Funding Request Form is available on the NSGA Hawklife page under the tab labeled "Forms" If you have any question regarding the location of the form or how to properly complete it please visit the NSGA office located in the University Center basement adjacent to the Student Engagement Office.

Section 5. Spending Report

1. All student organizations that receive funding from NSGA must submit a completed spending report before the last day in the semester in which the funds were intended for use. Though it is encouraged for organizations to fill out the form as soon as NSGA funds are spent as receipts are required for the form and forgetting to fill out the form may cause your organization to lose the ability to receive funding for the following year.

Example: The Student Finger Painting Club, SFPC, is allocated funding in the beginning of the fall semester for their event being held in the middle of November. They must submit a spending report before the closing of the fall semester. If the SFPC receives funding in the beginning of the year for an event to be held in February at the start of the spring semester, they will not be required to submit a spending report until the closing of the spring semester. Though again, it is encouraged that you fill out the spending report as soon as NSGA funds are spent.

2. Student organizations are required to submit itemized copies of all receipts in which NSGA funds were used with their completed spending report.

3. Spending reports will be reviewed by the Fiscal Affairs Committee and presented before the Student Senate for reviewal

The Spending Report Form is available on the NSGA Hawklife page under the tab labeled "Forms" If you have any question regarding the location of the form or how to properly complete it please visit the NSGA office located in the University Center basement adjacent to the Student Engagement Office.

Section 6. Allocation Process

1. After all Funding Request Forms are received, the Fiscal Affairs committee will convene and, through communication with organization representatives and committee deliberations, draft a complete allocation proposal for the fiscal year.
2. The allocation proposal will be brought, by the Chair of the Fiscal Affairs committee, before the Student Senate for approval.
3. The allocation proposal and all documents relating to the creation of the proposal including but not limited to Funding Request Forms, Student Organization submitted budgets, and minutes taken during the Fiscal Affairs Committee's deliberations must be available for review by the Student Senate at least twenty four (24) hours prior to it being brought before the Student Senate.
4. If any allocation funding remains these funds will be available to student organizations as Emergency Funding.
5. The Fiscal Affairs Committee will hear Emergency Funding Requests as they are received and will present proposed Emergency Funding allocations before the Student Senate for approval.
6. Spending Reports will also be reviewed by the Fiscal Affairs Committee as received and will be presented before the Student Senate for reviewal

Section 7. Misuse of Funds

Any student organization alleged to be in violation of these guidelines will have their requests and use of NSGA funds reviewed by a special committee comprised of the President, the Chief of Staff, the Chair of the Fiscal Affairs Committee, and two members elected from the Student Senate at the time the committee is formed. Any alleged misuse of NSGA funding will also be reported to Student Affairs for potential conduct violations.

1. This committee will notify the student organization in question at minimum one (1) week prior to when the hearing is scheduled to review the organizations use of NSGA funds. The Special Committee will, within reason, try to accommodate the organization while scheduling this hearing.
2. The student organization in question will be asked to send a representative to the hearing to speak on their behalf, and they will be allowed a maximum of three representatives present.
3. The special committee may request any additional information from the student organization deemed relevant to help in determining if any NSGA funding policies were broken by the organization or any of its members.
4. After the hearing the special committee will convene and issue a verdict. The committee has the ability to require student organizations to repay misused funds and the ability to suspend an

organizations ability to request funding from NSGA for up to one calendar year or until misused funds are repaid.

5. Any organization found in violation of the Funding Policies may appeal the decision of the Special Committee by submitting a written appeal request to the Vice President of NSGA. The organization and the appeal will be brought before the Student Senate, at the next regularly scheduled Senate meeting, for reviewal and a vote. After receiving a 2/3 vote of the Senate the decision of the Special Committee will be overturned.

Section 8. **Election Procedures**

I. **DEFINITIONS**

- a. Campaign. The term "campaign" shall mean any individual(s) or planned action(s) working to promote or oppose any candidate or question voted upon by the student body.
- b. Active Campaigning. The term "active campaigning" shall mean any direct distribution of campaign materials or verbal encouragement to promote or oppose a campaign.
- c. Campaign Materials. The term "campaign materials" shall mean any advertisement, document, or device of any kind whatsoever intended to promote or oppose a candidate or question voted upon by the student body.
- d. Harassment. The term "harassment" shall mean continued solicitation to an individual beyond the initial communicated refusal.
- e. Candidate. The term "candidate" shall mean any individual who has satisfied all of the eligibility requirements to run for office in the General Election, and has filed a declaration of candidacy with the Election Commission.

II. **ELECTION TIMELINE**

- a. All election dates are set by the Election Commission and confirmed by the Senate. Traditionally, freshmen senator elections are held as early as possible in the fall semester and Senate/Executive elections are held in March.

III. **ELIGIBILITY TO VOTE**

- a. All students enrolled in at least one credit hour at Northeastern State University shall be eligible to vote for executive and at-large positions.
- b. Students are eligible to vote in elections for student senator positions representing their declared major or class rank.
- c. Eligibility shall be confirmed by the Election Commission.

IV. **QUALIFICATIONS**

- a. Qualifications for Candidacy. The qualifications to run as a candidate for any Northeastern Student Government Association position shall be as established by the Northeastern Student Government Association Constitution.

- b. Anyone on the Election Commission is disqualified from being a candidate in any election that falls during their term of office.

V. NOMINATION OF CANDIDATES

- a. Any person meeting the qualifications of Article II, Section 1.2 of the NSGA Constitution may become an executive officer candidate and any person meeting the qualifications of Article III, Section 2.1 of the NSGA Constitution may become a senator candidate by complying with the requirements outlined in this section.
- b. Declaration of Candidacy.
 - i. The Election Commission shall determine the form of the declaration of candidacy. The declaration of candidacy shall include the name of the student, the student's N Number, and the office being sought by the student. Any person seeking to have their name placed on the ballot as a candidate must do so in accordance with due dates determined and announced by the Election Commission.
- c. Information Meetings.
 - i. Each candidate shall attend the meeting prior to the general election as specified by the Election Commission.
 - ii. An election timeline, expense reports, election rules and regulations and any other relevant information pertaining to the elections shall be made available during this time by the Election Commission.
 - iii. A candidate may be excused from this requirement by the Election Commission
- d. Expense and Contribution Reports.
 - i. Each candidate shall file an expense and contribution report as specified in this packet.
- e. Exceptions.
 - i. Exceptions as to the date and time of a filing requirement under this section may be made by the Election Commission upon determination of reasonable circumstances.

VI. ELECTION SYSTEM

- a. The Elections System is the electronic voting system procured by the Department of Student Engagement and Northeastern Student Government Association.
- b. Responsibility.
 - i. The Election Commission shall be responsible for establishing and maintaining the election system on the days of the elections. The Election Commission shall be responsible for developing specific voting procedures, administering such procedures, and ensuring that voting is carried out in an orderly and impartial manner.
- c. Location.

- i. Voting may take place in University Computing Labs or on any electronic device with access to the election system.
- d. Times of Operation.
 - i. The elections system shall remain accessible for not less than eight continuous hours for each day of the election. The Election Commission shall have the discretion to maintain the Elections System beyond these time requirements.

VII. BALLOTS

- a. Ballot Forms.
 - i. The Election Commission shall provide an electronic ballot, which shall contain spaces for all campus-wide offices to be elected as well as spaces for each referendum or initiative to be voted upon.
 - ii. Candidates shall be listed on the ballot in random order. The name of the candidate shall be printed as requested by the candidate in his or her declaration of candidacy. At a minimum, candidates must use their last name as registered with the University.
- b. The Election Commission shall ensure that all ballots are secure from damage, loss, theft, or alteration.

VIII. VOTING

- a. Voting shall be by online ballot. To receive a ballot, the voter must follow procedures outlined by the Election Commission. The voter must mark the ballot according to the instructions on the ballot.
- b. Tabulation.
 - i. Votes for all offices shall be counted electronically by the elections system. Vote totals shall not be released to anyone prior to the closing of the polls.
 - ii. The Election Commission shall release the vote totals upon any persons request.

IX. CAMPAIGN MATERIALS

- a. Time Limited Materials.
 - i. Tables may be established by candidates who are running for an executive position or an at large senator position beginning immediately after the candidate is confirmed by the Election Commission.
 - ii. All tables are to be removed during the weekends and immediately following the completion of the respective elections.
 - iii. All General Election candidates shall remove campaign materials from campus property by 5:00 p.m. the day following the completion of the election.
 - iv. Items such as stickers, buttons, websites, social media, t-shirts, and other materials not listed in these regulations shall not be restricted in regard to time.
- b. Posters.

- i. Each candidate is only allowed 8 posters to hang up, and will be hung by the Election Commission.
 - ii. Posters should be turned in no later than the deadline set forth by the Election Commission.
 - c. Chalking.
 - i. Chalking. Candidates in the General Election may begin to display chalking after the candidate is confirmed by the Election Commission.
 - ii. Chalking is permitted only on sidewalks. Chalking is not permitted on stairs and any area not generally intended as a pathway for pedestrians.
 - iii. The use of “liquid chalk,” or any other permanent or semi-permanent material is prohibited.
 - iv. No chalking is allowed within 30 feet of the entrance to any building on campus.
 - d. Stickers and Buttons.
 - i. Stickers shall only be placed on personal property.

X. RESTRICTIONS ON DISTRIBUTION OF MATERIALS

- a. Distribution of tangible campaign materials to individuals must be made by an individual. Campaign activities that distribute tangible campaign materials through any form of contact beyond personal interaction are prohibited.
- b. Individuals may not be representing a business at the time of distribution.
- c. Illegal distribution of tangible campaign materials shall include, but is not limited to, canvassing of parking areas, leaving campaign materials unattended or in piles, mass mailings, and indiscriminate scattering of materials.
- d. E-mails containing campaign language shall not be sent to a Northeastern State University Listserv. A candidate running for any office may not post and/or request for a post to be made on any Northeastern State University website, Go NSU page, or other officially managed site.

XI. RESTRICTED MATERIALS

- a. All campaign materials and activities shall conform to the laws of the State of Oklahoma, the ordinances of the City of Tahlequah, Northeastern State University Housing Regulations, and all other rules of the University.
- b. All NSU copyrighted or trademarked logos (e.g. Northeastern State University, the RiverHawk, Rowdy) are not licensed for use in conjunction with any political campaign, including any campaign for any office governed by these regulations. As such, no candidate shall use any such logo on any campaign materials.
 - i. No chalking or outdoor hanging of posters within 50 feet of resident hall complexes.
- c. No campaign materials shall be leaned against or otherwise affixed to campus property.

- d. Unauthorized Removal. No individual shall remove, deface, obscure, or otherwise tamper with the campaign materials of any candidate without authorization.
- e. Class Interference. No campaign activity that disturbs or otherwise interrupts a class shall be permitted.
- f. Harassment. No campaign shall engage in harassment.
- g. Obstruction. Campaigners shall not physically obstruct individuals.
- h. Endorsements. Campaigners may not seek out or use any endorsements from NSU administration, faculty, or staff in their campaigns.
- i. Any activity related to a campaign, except for those approved by the Election Commission, shall not be permitted in the Department of Student Activities.
- j. Any activity related to a campaign, except for those approved by the Election Commission, shall not be permitted in the Office of Northeastern Student Government Association.
- k. No campaign shall promote or engage in activities that are disorderly, lewd, or indecent; breach the peace; or aid, abet, or procure another person to breach the peace on university premises or at university sponsored activities.
- l. Authority to Remove. Election Commission Authority. The Election Commission, or his/her designee, shall have the authority to remove any campaign materials found to be in violation of the regulations noted above, at which time the candidate shall be notified of the violation.

XII. ELECTION DAY ACTIVITIES

- a. Distance Requirement. No ballots may be cast within 25 feet of a campaign table set up. No campaign may provide a device upon which students may vote.
- b. Exception. It shall not be considered a violation for a voter to wear passive campaign material in the form of a shirt, sticker, or other item in the vicinity of the polls or while voting so long as that individual is not loitering.
- c. Authority. The Election Commission shall have the authority to make determinations of loitering or campaigning under this section.

XIII. CAMPAIGN EXPENSES AND CONTRIBUTIONS

- a. Definition.
 - i. The term "campaign expense" shall mean the retail value of any obligations incurred, the retail value of any goods or services donated, and any actual funds utilized to promote or oppose the election of any individual to any office under this code. This definition shall include the value of any discounts not available to the general public and the retail value of any services donated. This definition shall not include any fines assessed under this Code.
 - ii. The full amount of any item that is used by more than one candidate or campaign shall be listed as an expense on each candidate or campaign's expense report.

- b. Personal Contributions Limited. The value of labor by a candidate, professional or otherwise, is not to be expensed or included as personal contributions. Any contribution to a candidate from a business or nonstudent shall count towards the personal contribution limit. The maximum amount any candidate may contribute toward his or her campaign shall be as follows:
 - i. The total amount any Executive Office candidate or Senator candidate may contribute towards a campaign including any contributions from outside sources to the campaign is \$200.00.

XIV. REPORTING REQUIREMENTS

- a. Content. Expense and contribution reports shall itemize all campaign expenses, and the fair market value of each item listed as determined whether by receipt, proof of purchase, or when unavailable. All campaign material must be purchased before the expense report deadline, and no expense can be incurred after the report is turned in. The contribution section of the report shall itemize each amount contributed to the campaign, the name of the donor, and any other information deemed necessary by the Election Commission.
- b. Verification. The Election Commission shall review the expense and contribution reports in order to check for accuracy and completeness. The Election Commission has the authority to make final judgments on cost of items where evidence of cost is absent.
- c. All campaign expense reports must be submitted by the Election Commission before polls close.

XV. COMPLAINTS

- a. Filing Complaints. Any election complaints involving a suspected violation of this Code must be filed with the Election Commission within twenty-four (24) hours after discovery of the suspected violation. Complaints shall be made in such a form that states the name of the filer, the section(s) under which the suspected violation shall have occurred, any evidence to support the complaint, the names and contact information of any witnesses, and shall be signed by the filer.
- b. The party filing the complaint may withdraw their complaint by notifying the Commission in writing.
- c. Notification and Review. The Election Commission shall have forty-eight (48) hours to notify the individual(s) suspected of the violation, the individual(s) filing the complaint, make public the suspected violation, and conduct a review.
- d. Suspension of Timeframe. Upon the removal, resignation or permanent inability of the Election Commission to discharge his or her duties as the Election Commission, there shall be a suspension of the timeframe for filing complaints, reviewing suspected violations, determining violations and appealing violations. This suspension shall cease upon the approval of a new Election Commission.

XVI. REVIEW OF SUSPECTED VIOLATIONS

- a. All actions of the review of suspected violations shall be documented.
- b. Review Process.

- i. The Election Commission shall conduct an investigation of the suspected violation.
- ii. The respondent shall have the opportunity to submit a written response to the complaint, any evidence to support their response, and the names and contact information of any witnesses to the Election Commission. If the respondent chooses to admit the violation in their response, the violation and penalty will still be considered.

XVII. DETERMINATION OF VIOLATION

- a. The Election Commission shall make a determination of whether or not a violation of the code was committed and, in the event that a violation did occur, shall determine a reasonable penalty for the violation.
- b. Violations include but are not limited to:
 - i. Tampering with ballots or the electronic election system.
 - ii. Casting more than one ballot.
 - iii. Allowing a person to cast a ballot in a name other than his/her own.
 - iv. Deliberate submission of false or misleading information or deliberate omission of information.
 - v. Failing to file required documents.
 - vi. Harassment, intimidation, bribery, or fraud with the intent of affecting the outcome of an election.
 - vii. Libelous or slanderous statements or conduct.
 - viii. Intentional actions to mislead or obstruct the Election Commission in the completion of their duties as outlined.
 - ix. Encouraging the commission of a major offense under this Code.
 - x. Failing to comply with rulings or pay restitution.
 - xi. Campaign materials or activities that are disorderly, lewd, or indecent; breach the peace; or aid, abet, or procure another person to breach the peace on university premises or at university- sponsored activities.
 - xii. Violation of any of the rules and regulations set forth in this document
- c. The Election Commission shall notify the respondent, the party who filed the complaint, and make public the determination.
- d. Penalties. In determining penalties, the Election Commission shall consider repeat violations and the number of violations incurred by a campaign. Upon the determination by the Election Commission of an offense, the Election Commission may cause the disqualification of such candidate(s) from the General Election or other penalties as deemed appropriate.
 - i. No fines shall be levied as punishment for any violations committed under this code. This does not include such payments of restitution as may be deemed appropriate in the case of destruction or damage of property.

- ii. In cases of destruction or damage to campaign materials or election equipment by a candidate or campaign, the Election Commission may order restitution for damaged items to those parties whose materials were so damaged.
- iii. Upon determination of an offense committed by a student who is not a candidate, including destruction of or damage to campaign materials or election equipment, the Election Commission may refer the case to the Election Commission for resolution within NSU's student conduct system.
- iv. In assessing penalties, the Election Commission shall consider the severity of the violation or any mitigating factors that may be involved in the situation as well as any cooperation provided by any person so involved.

XVIII. APPEALS OF VIOLATIONS

- a. Any determination of violation made by the Election Commission may be appealed by the complainant or respondent. Appeals must be filed with Judicial Committee within twenty-four (24) hours of receiving notice of the penalty.
- b. Once an appeal of a violation is filed, all individuals listed on the ballot as candidates for that position and the Election Commission shall be notified by the Judicial Committee.
- c. Grounds for Appeal.
 - i. The determination of violation failed to follow written procedures and rules as outlined.
 - ii. There was not sufficient evidence to support the determination of violation.
 - iii. The determination of violation was reached in an unjust manner including but not limited to the presence of bias; unreasonable, arbitrary, or capricious action; or discrimination on the basis of race, religion, color, sex, physical ability, national origin, sexual orientation, or ancestry.
 - iv. The determination of violation denied a student their constitutional rights as identified in the NSGA Constitution.
 - v. The penalty is too harsh or too lenient.
 - vi. There is new evidence that was not known nor could have been discovered at the time of the review.
- d. Any determination of a violation made by the Election Commission shall be valid until the ruling of the Judicial Committee.
- e. Appeals shall be of the record only and any new evidence allowed by Judicial Committee.
- f. The Judicial Committee shall hear the appeal within 24 hours of the appeal being filed.
- g. The "appellant" shall be defined as the person appealing to the Judicial Committee the decision of the Election Commission.
- h. At the completion of the hearing the Judicial Committee shall notify the original complainant and respondent, Election Commission, and make public the decision of the appeal.

XIX. RECORDS

- a. The following elections records shall be kept for a period of five years.
 - i. Documentation and recordings of the suspected violations; notification and reviews; determinations of violations; and appeals.
 - ii. The following elections records shall be kept for a period of one year:
 - Expense reports.