

## The By-Laws of the Youngstown State University Student Government Association

As amended 26 April 2010

As amended 25 February 2013

As amended 3 September 2013

As amended 2 March 2015

As amended 28 March 2016

As amended 10 October 2016

As amended 13 February 2017

As amended 27 February 2017; Rayann Atway- Parliamentarian, Gabriella Gessler-President

### **Article I: Legislative Assembly**

#### **Section 1: Standing Rules**

1. The Student Government Association Standing Rules shall govern the meetings and activities of the Legislative Assembly.
2. The Standing Rules shall be reviewed by the President and the Parliamentarian upon taking office and they shall make recommendations on the Standing Rules to the Legislative Assembly. The Legislative Assembly shall adopt rules agreeable to it by the second (2nd) general meeting of the fall semester.

#### **Section 2: Meetings**

1. A regular meeting of the Legislative Assembly is defined as either a full meeting of the Legislative Assembly and its Representatives or the meetings of the Standing Committees. The Legislative Assembly and the Standing Committees shall alternate meetings on a weekly basis, unless the Executive Committee decides otherwise, but all meetings shall be held at the same day and time during the week.
2. The Legislative Assembly Rules of Order shall govern all meetings of the Legislative Assembly and committees.

#### **Section 3: Freshman Representatives**

The Executive Committee shall solicit applications for the position of Freshman Representative no later than the fourth week of the fall semester and recommend to the Legislative Assembly students to be appointed to those positions no earlier than the second week of the fall semester but no later than the sixth week of the fall semester. Nominations must be confirmed by the Legislative Assembly.

#### **Section 4: Initiative**

1. For legislation to be brought to the floor of the Legislative Assembly by someone other than the President, Executive Vice President, or a Representative, it should be sponsored by a petition containing not less than

one (1) percent of the current student enrollment of the University (full and part-time) as provided by the Registrar's Office.

2. The legislation would be introduced by the Student Sponsor under New Business, and would be read into the minutes.
3. The Executive Committee shall verify the petitions presented in support of legislation.
4. Such legislation shall be acted upon within a two (2) week period from the date of its introduction on the floor of the Legislative Assembly. If such legislation is not acted upon within that specified period, it shall be automatically placed upon the next regularly scheduled election ballot for approval or rejection by a majority vote of the Student Body.
5. If however, the Legislative Assembly approves such legislation, it shall be considered in effect immediately, unless otherwise specified within the legislation. If the Legislative Assembly neither approves nor tables such legislation, the student sponsors will have the option of referendum action.

### **Section 5: Referendum**

1. The referendum process can be applied to any Student Government Association By-Law, Article of the Constitution, Piece of Legislation, or Student Government Association Program. This process may also be used if the Initiative Process fails.

2. For a referendum to be placed upon the ballot for a referendum vote of the Student Body, the following is needed:

(a) It must be sponsored by a petition containing not less than ten (10) percent of the current Student Enrollment (including name and Student I.D. number, full and part time), as provided by the Registrar's Office.

(b) It must be presented by a Student Sponsor at a full, formal meeting of the Legislative Assembly under New Business and read into the Student Government Association Minutes.

(c) It must be presented to the Legislative Assembly by the Elections Board at least two (2) full weeks before it can be placed upon any Student Government Association sponsored election. The Elections Board shall have the responsibility of verifying the sponsoring petitions.

(d) It shall be the duty and the responsibility of the Chief of Staff and Parliamentarian to inform the Student Body that a referendum vote shall be on the ballot.

3. For approval, the referendum shall require a simple majority of the Student Body voting in that election.

## **Article II: Committee Procedures**

### **Section 1: General Rules**

1. All committees shall present a typed report of their meetings and actions at the next Legislative Assembly meeting. This report shall contain the following:

(a) Name of the committee

(b) Date and time of the meeting

(c) Committee members in attendance/absent

(d) Issues discussed

(e) Recommendations

(f) Outstanding issues sent to the committee yet to be resolved

2. A report is to be read into the minutes as a statement of fact, not requiring consideration by the body. The Legislative Assembly shall consider any recommendations from the committee during committee reports.
3. All committees, except where otherwise specified, shall have the power and responsibility to initiate any project, action, or legislative proposal within the lawfully-defined charge of that committee.
4. Committees shall take a proactive approach to reaching out to the Student Body to discover, consider, and evaluate the issues and concerns that present obstacles to them.
5. Quorum for all standing committees shall be a simple majority of the entire committee.
6. The Parliamentarian shall oversee all committees and act as a liaison between the committees and the executive committee. The Parliamentarian shall not be assigned to any specific committee, but shall be available to answer all questions of procedure during committee meetings, and shall make him/herself available during scheduled committee meetings to assist in any way needed.

## Section 2: Standing Committee Procedures

1. Standing Committee Membership
  - (a) Membership on Standing Committees shall be open to Representatives not serving on the Executive Committee.
  - (b) A Cabinet member, with the approval of the Executive Committee, may serve as an ex-officio member of a Standing Committee appropriate to his/her position.
  - (c) The Executive Committee shall have the power to appoint one (1) non-Student Government Association member to each Standing Committee as a non-voting member.
  - (d) The number of members on a Standing Committee may be variable and does not need to be equitable. There shall always be at least three (3) voting members on a Standing Committee.
2. During each committee meeting, representatives shall report their efforts to further their constituents' interests, both within their concentrations and in general. These reports shall be recorded by the committee chair, but not included in the committee report. Representative reports shall not last for longer than two (2) minutes, unless they engender discussion germane to the committee's charge.
3. Interpretation of the Constitution and By-Laws
  - (a) All questions of interpreting the Constitution, By-Laws, and any other SGA document, shall be determined by the Legislative Assembly, but the matter shall first be committed to the appropriate standing committee or to the Executive Committee.
  - (b) Any student may file with the Parliamentarian a written request for an interpretation of a section of the Constitution, By-Laws, or any other SGA document, which shall be committed to the appropriate standing committee or to the Executive committee.

4. For large, complex issues, Standing Committees shall decide whether the creation of an ad hoc committee would better address the situation.
5. Regular meetings of the committee chairs and the President and Executive Vice President shall take place at a predetermined time and location.

### Section 3: Standing Committees

1. Financial Appropriations Committee

(a) The Financial Appropriations Committee shall review requests for funding from registered student organizations and recommend to the Legislative Assembly, in written legislation, appropriate levels of funding. The Legislative Assembly shall approve, deny, or alter the Committee's recommendation(s).

(b) The Financial Path shall serve as the official guideline for Student Government Association funding of registered student organizations' activities. The Financial Appropriations Committee shall have the power to recommend changes to the Financial Path. Any substantive changes or modifications to the Financial Path must follow the same process as that for amending these By-Laws.

2. Student Life Committee

(a) The Student Life Committee shall discuss and act upon all issues relating to the following concentrations—

1. Student Activities
2. Student Services
3. Diversity

(b) This committee shall also be responsible for the advertising and public relations efforts of the Student Government Association within the University, including but not limited to Facebook, Twitter, Instagram, and signage.

3. Academic Affairs Committee

(a) Academic issues shall be discussed and acted upon by the Academic Affairs Committee, in conjunction with the Academic Senators.

(b) Membership in this committee shall consist of one representative from each college, including Graduate Studies.

4. University Affairs Assessment and Enrichment Committee

The University Affairs Assessment and Enrichment Committee shall discuss and act upon all issues relating to the following concentrations—

1. Finance and Facilities

1. Student Needs

2. University Assessment

2. Technology

3. University Development

#### 4. External Affairs

##### Section 4: Executive Committee

1. The Executive Committee is responsible for ensuring the execution of all actions taken by the Legislative Assembly. This execution includes forwarding legislation to the appropriate parties, establishing meetings with appropriate parties to voice Legislative Assembly concerns, and detailing Student Government Association events. The Executive Committee is further responsible for monitoring and aiding the progress of all Legislative Assembly Representatives, Academic Senators, and committees.
2. Regular meetings of the Executive Committee shall take place at a predetermined time and location.
  - (a) Special meetings shall be held at any time upon the call of the Executive Vice President or any two Executive Committee members.  
  
(b) The President shall chair all meetings of the Executive Committee and shall vote only in the case of a tie.
3. All meetings of the Executive Committee shall be open to any Student Government Association member. Any members in attendance shall have full privileges except that they shall not be permitted to vote in Executive Committee votes.
4. Any person who has been removed from an Executive Committee office shall not be eligible for any Executive Committee position for at least one calendar year.

##### Section 5: Ad Hoc Committee Procedures

1. Ad hoc committees shall be established to address a specific task(s) that, for whatever reason, would be inappropriate to be handled by a particular Standing Committee.
2. Only the Legislative Assembly can restrict membership on an ad hoc committee that it establishes. Such an action must be stated at the time of the committee's creation. Concerned or appropriate individuals from the campus or community shall be encouraged to be members of the ad hoc committee.
3. All ad hoc committees shall exist for the duration of time determined by the enabling document, whether from the President or the Legislative Assembly.

#### **Article III: Academic Senate**

##### Section 1: Attendance

1. Any Academic Senator accumulating two absences per year from a full meeting of the Academic Senate or committee session that are not excused by the Executive Committee shall be removed from the Academic Senate without consideration. After an unexcused absence, the Chief of Staff or his/her designee shall inform the Senator that s/he will immediately be removed if s/he accumulates one more unexcused absence.
2. When deciding all excusals, the Executive Committee shall consider the following mitigating circumstances: unavoidable and isolated academic conflicts, familial emergencies, health.

##### Section 2: Adherence to Academic Senate Policies

All Academic Senators shall abide by the rules and regulations established in the Academic Senate Charter and By-Laws.

#### **Article IV: Public Record**

Records shall be compiled by the President or his/her designee at the end of the fall and spring semesters containing the minutes of each Legislative Assembly meeting and any other records

deemed appropriate by the Legislative Assembly. Additionally, the spring edition shall include up-to-date versions of the Constitution, By-Laws, the Financial Path, and the Standing Rules. This shall serve as the official account of the proceedings of each semester. All SGA public records shall be available to students in accordance with University policy and all applicable laws.

## **Article V: Advisors**

### **Section 1: Number of Advisors**

There shall be at least one faculty and at least one administrative advisor to the Student Government Association. The Chair of the Academic Senate shall also serve as an ex-officio advisor to the body. The Director of Student Activities shall also serve as an advisor to the body. Each shall serve for a full year, including summer, from the time of their appointment.

### **Section 2: Approval of Advisors**

1. The President and/or the Executive Committee shall have the power to nominate individuals as advisors at the first meeting of the Legislative Assembly in the fall semester after completing an application and interview process for the positions during the summer.
2. The Legislative Assembly may choose to approve its advisors for the upcoming year at its last meeting of the spring semester.
3. Once the Legislative Assembly has approved its advisors, those names shall be forwarded to the University President for his/her official appointment to the Student Government Association as advisors for the upcoming year.

### **Section 3: Duties**

1. Advisors shall provide the Student Government Association and its members with advice and guidance on issues and questions relating to the University and the community.
2. Advisors shall ensure a smooth transition between administrations.

### **Section 4: Replacement of Advisors**

Should an Advisor resign from his/her position or be removed by the University President, the Executive Committee shall request the University President to appoint an interim advisor until the Executive Committee can fill that vacancy, if such an appointment would be appropriate.

## **Article VI: Student Trustees to the Board of Trustees**

To be qualified to serve as a student trustee on the University Board of Trustees, a student must be registered to vote in the State of Ohio and must have completed sixteen (16) semester hours at Youngstown State University at the time of application. At the time of nomination, nominees must be able to complete a full term (2 years). Nominees must have and maintain good academic standing and be full-time students.

## **Article VII: Elections**

### **Section 1: Elections Board**

1. Authority and Jurisdiction
  - (a) The Elections Board shall have the jurisdiction to oversee all elections for Student Government Association President and Executive Vice President, Legislative Assembly representatives, and Academic Senators, as well as campaigns for student-sponsored legislation.

(b) The Elections Board has the power to enforce all election rules established by the Student Government Association and to impose sanctions on those candidates who violate the rules and the rulings of the Elections Board.

(c) The Elections Board shall set the timeline for the petition process as deemed appropriate based off of method used for petitions while keeping in mind the deadline for elections.

## 2. Membership

(a) The Elections Board shall consist of one (1) adviser to the Student Government Association and five (5) students. Students will partake in an application process and applicants will be appointed by the Elections Board Selection Committee (Cl. 3, Sec. 1, Art. VII). One (1) of these students shall be chosen by the Elections Board appointees to serve as the Commissioner for the entire academic year. The remaining four (4) appointees become Associate Commissioners.

(b) The adviser shall be granted the same rights and privileges as members of the elections board, including engagement in discussion, but will not be permitted to vote on any matter. All other members of the Elections Board may vote on any matter. Decisions will be made based solely on a simple majority of the vote.

(c) Any Youngstown State University undergraduate or graduate student, who will not be seeking an elected position within the Student Government Association during the upcoming regular election, may serve on the Board.

(d) The Elections Board shall not convene for any purpose unless a majority of the Commissioners and the adviser are present. If necessary, the Elections Board may vote on any matter via private email correspondence. The adviser shall be included in any such discussion, but will not be permitted to vote on any matter.

(e) The President of the Student Government Association shall advertise for positions on the Elections Board beginning the twelfth (12<sup>th</sup>) week of the fall semester until the fourteenth (14<sup>th</sup>) week of the fall semester. If the President is eligible for reelection, the Vice President for Student Life shall assume these duties.

## 3. Elections Board Selection Committee

(a) Five (5) Elections Board appointees shall be selected by the Elections Board Selection Committee (EBSC). The Selection Committee shall be comprised of the President of the Student Government Association, the advisors of the Student Government Association, and two (2) students appointed by the advisors of the Student Government Association.

(b) If the President of the Student Government Association or any student EBSC members intend to run for office in the spring for the following academic year or are currently applying for a position on the Elections Board, they must recuse themselves from the Selection Committee. If this causes the committee to consist of less than three (3) student members, then the advisors of the Student Government Association shall appoint students who are not members of the Student Government Association to fill the vacancies, such that the committee always contains at least three (3) students.

(c) The Elections Board Selection Committee shall select the appointees based upon their ability to perform the tasks delegated to them in a professional, unbiased, and accurate fashion.

(d) The Elections Board Selection Committee shall choose their appointees by the sixteenth (16<sup>th</sup>) week of the fall semester. If any appointees decline the position, the Elections Board Selection Committee shall choose a replacement from the applicant pool.

4. Vacancies

(a) The EBSC, sitting in an emergency session, shall fill all vacancies immediately. If the Commissioner position is vacated, then the EBSC along with the President of the Student Government Association shall select a new Commissioner from the remaining Associate Commissioners and fill the vacant Associate Commissioner position from the remaining applicant pool, soliciting applications if necessary. If the adviser vacates his or her position, one of the other Student Government Association advisers shall fill the vacancy.

5. Independence

(a) An independent and honorable Elections Board is indispensable to promoting student body confidence in the Board. Members should participate in establishing, maintaining, and enforcing high standards of conduct and personally observe those standards to preserve the integrity and independence of the Board. The provisions of these By-Laws are to be construed and applied to further this objective.

(b) Any student, faculty, or staff may bring charges of partiality or impropriety against any Elections Board member to the Student Government Association General Assembly. Any charges must be filed in writing to the President of the Student Government Association, who must then include it in the agenda of the upcoming General Assembly meeting.

(c) After the presentation of evidence and testimony against the member and the member is granted a fair amount of time to address the General Assembly, the General Assembly shall vote on whether that member shall be removed from the Elections Board. A two-thirds majority is required for removal. In the event that a member of the Elections Board is removed, such removal will qualify as a vacancy and will be treated as enumerated in Section 1, subsection 3.

6. Timeline of Procedures

(a) The Elections Board shall convene for their first meeting during the first (1<sup>st</sup>) week of the spring semester.

(b) The Elections Board shall meet with the Student Life Committee during their regularly scheduled committee meeting during the third (3<sup>rd</sup>) week of the spring semester. This will allow the Elections Board and the Student Life Committee to discuss the schedule of events pertaining to the elections, advertising, room reservations, etc.

(c) Throughout the third (3<sup>rd</sup>) and fourth (4<sup>th</sup>) week of the spring semester the Elections Board and Student Life Committee shall continue to plan for any and all events pertaining to the elections.

**Section 2: Candidacy Requirements**

1. To be a candidate for a Legislative Assembly representative or Academic Senate position, a student must:

- File a petition of twenty-five (25) names and Student ID numbers of full or part-time students in their college or fifteen (15) names and Student ID numbers from graduate students for a Graduate Studies position. This petition may be filed via either paper or electronic mechanisms.
- All petitions and declaration of candidacy shall be made available to the student body by the Monday of the fifth (5<sup>th</sup>) week of the spring semester.

(c) Petitions and declarations of candidacies must be submitted to the Elections Board by 5:00PM on the Thursday of the sixth (6<sup>th</sup>) week of the spring semester.

(c) The declaration of candidacy shall, at minimum, require the student to provide their student ID number, college, major(s), status, and GPA. This information must illustrate that the potential candidate is a student at Youngstown State University, is in good academic standing with an overall GPA greater than a 2.5, and will be able to fulfill all of the requirements of the desired position should the candidate obtain the sought position. The Elections Board shall check all

petitions and declaration of candidacy for eligibility and notify candidates of their eligibility by 4:00PM on the Monday of the seventh (7<sup>th</sup>) week of the spring semester.

2. The Presidential and Executive Vice Presidential candidates must run as a ticket, and those students must:
  - (a) File a petition of one-hundred fifty (150) names and Student ID numbers of full or part-time students. This petition may be filed via either paper or electronic mechanisms.
  - (b) The declaration of candidacy shall, at minimum, require the student to provide their student ID number, college, major(s), status, and GPA. This information must illustrate that the potential candidate is a student at Youngstown State University, is in good academic standing with an overall GPA greater than a 2.75, and will be able to fulfill all of the requirements of the desired position should the candidate obtain the sought position.
3. No person that has been impeached by the removal process outlined in Article X of the YSU SGA Constitution shall be eligible for election.
4. Election Rules Meetings
  - (a) All candidates must attend one of the election rules meetings sponsored by the Elections Board and the Student Government Association on the Wednesday and Thursday of the seventh (7<sup>th</sup>) week of the spring semester. The Elections Board may hold an election rules meeting immediately following the deadline for write-in candidates.
  - (b) All candidates, after attending one of the election rules meetings, must sign a statement acknowledging that they have read and fully ascribe to the election rules. This shall be required to be certified as a candidate by the Elections Board.
  - (c) Submission of a declaration of candidacy constitutes an agreement to accept all Elections Board decisions, except as provided in Article VII, Section 1, 4(b) and 4(c), of these By-Laws.
  - (d) All candidates are strongly encouraged to attend the Student Government Association body meeting during the eighth (8<sup>th</sup>) week of the spring semester.
5. Only those students whose petitions and declarations of candidacy have been verified by the Elections Board shall be certified as candidates for the position that they are seeking and are permitted to campaign for that position. While soliciting signatures for their petitions, candidates may discuss their own platforms but may not discuss the platforms of any other candidates.
6. All campaigning shall begin the Monday morning of the ninth (9<sup>th</sup>) week of the spring semester and shall conclude when the polls have officially closed.

### Section 3: Online Electoral Process

1. During the twelfth week of the spring semester, the Elections Board shall open polls for two consecutive days for the student body to elect, from among those certified candidates, their representatives in the Student Government Association and Academic Senate. The online electoral process described in this section of the By-Laws is to be preferred to the paper ballot process for this election, but the Elections Board shall have final authority concerning the election method.
2. The Elections Board shall determine and publicize areas around each polling location in which candidates are not permitted to campaign. Such decisions fall at the full discretion of the Elections Board and are final. This information shall be conveyed to the candidates no later than one (1) week prior to the opening of the polls.
3. Ballots

The Elections Board will be the sole provider of ballots for any election and will be responsible for ballot security.

4. **Voting Procedure**  
During online elections, a student voting will be responsible for the proper spelling of his/her name, E-mail address, student ID number, and his/her personal PIN number.
  
5. **Vote Counting and Automatic Recount**  
Following the closure of the polls, the Elections Board will access the results of the online election. No persons other than the members of the Elections Board, one duly authorized silent observer from the Student Government Association, and one duly authorized, non-student silent observer appointed by the University President may be present at the counting. The silent observers may voice any concern over a discrepancy in the counting method during the acquisition of the vote count.
  
6. **Certification of the Vote Count**
  - (a) After the online poll has been closed, the Elections Board will certify the vote count in the contested races. These certified vote counts shall be sealed by the Elections Board, who shall be their sole overseer.
  
  - (b) The Elections Board shall unseal and release the results only after the deadline for filing a grievance has passed and all outstanding grievances are resolved. Should a grievance(s) be filed prior to the deadline, the Elections Board may decide by a majority vote whether to release the unofficial results of the races that may or may not be affected by the pending grievance.
  
  - (c) Following the certification of all races by the Elections Board, if the University President or designee determines that a clear violation of University policy has occurred within the electoral process, then s/he shall determine the appropriate remedies for the situation.
  
7. **Ties**  
All ties shall be determined by lot, as designated by the Elections Board in consultation with the candidates.

#### Section 4: Paper Ballot Electoral Process

1. During the twelfth week of the spring semester, the Elections Board shall open polls for two consecutive days for the student body to elect, from among those certified candidates, their representatives in the Student Government Association.
  
2. Voting booths must be provided for all Student Government Association- sponsored elections to ensure privacy.
  - (a) The Elections Board shall determine the number and location of the polling area(s), prioritizing fairness to candidates while maximizing voter turnout, subject to Legislative Assembly approval.
  
  - (b) The Elections Board shall determine and publicize areas around each polling location in which candidates are not permitted to campaign. Such decisions fall at the full discretion of the Elections Board and are final. This information shall be conveyed to the candidates no later than one (1) week prior to the opening of the polls.

3. The Elections Board shall obtain a current student directory from the University Registrar at least three (3) weeks prior to the election.
4. Ballots
  - (a) The Elections Board will be the sole provider of ballots for any election and will be responsible for ballot security. Lot shall determine the order of candidates on the ballot.
  - (b) Each candidate or team of candidates for each office shall be listed individually under the office for which they are running. Several spaces shall be allotted for write-in candidates in those races in which the Elections Board has certified write-in candidates. When using a Scantron ballot, each candidate or team of candidates will be assigned a number corresponding to the order in which they are listed on the ballot. One blank space in each office shall be left for voters to select if they choose to vote for a write-in candidate. Voters shall fill in only one circle per line.
  - (c) When Scantron ballots are used, voters will receive a write-in ballot along with the Scantron ballot. Both ballots shall be numbered so that they are identifiable as a pair. For those offices in which there are certified write-in candidates, spaces shall be provided. Only those votes for write-in candidates with the correct spelling of the candidate's name, as officially designated by the Elections Board, will be credited towards the said candidate.
5. Voting Procedure
  - (a) The student voting shall fill in all of the appropriate information in the ledger book provided at each poll location, including the student ID number, college, and signature.
  - (b) Polling officials selected by the Elections Board shall be present at the polls at all times that the polls are open.
  - (c) Poll workers will mark a student's ID with a consistent mark when a student votes, so as not to let any student vote twice.
6. Vote Counting and Automatic Recount
  - (a) Following the closure of the polls, the Elections Board will arrange for the counting of ballots. No persons other than the members of the Elections Board, counters authorized by the Elections Board, one duly authorized silent observer from the Student Government Association, and one duly authorized, non-student silent observer appointed by the University President may be present at the counting. The silent observers may voice any concern over a discrepancy in the counting method during the ballot counting.
  - (b) An automatic recount will be conducted by the Elections Board on any race that is decided by less than ten percent (10%) of the total vote for that race. The first recount shall be conducted in the same fashion as the original count. If the recount numbers differ, a hand recount will be the final arbiter of an election.
7. Certification of the Vote Count
  - (a) After the ballots have been counted to their satisfaction, the Elections Board will certify the vote count in the contested races. These certified vote counts shall be sealed by the Elections Board, who shall be their sole overseer.

(b) The Elections Board shall unseal and release the results only after the deadline for filing a grievance has passed and all outstanding grievances are resolved. Should a grievance(s) be filed prior to the deadline, the Elections Board may decide by a majority vote whether to release the unofficial results of the races that may or may not be affected by the pending grievance.

(c) Only after the deadline for the filing of a recount has passed and all outstanding recounts are resolved to the Elections Board's satisfaction shall the Elections Board certify all races as final and complete.

(d) Following the certification of all races by the Elections Board, if the University President or designee determines that a clear violation of University policy has occurred within the electoral process, then s/he shall determine the appropriate remedies for the situation.

8. Recount Requests and Ties

(a) Any candidate may also request a recount from the Elections Board, in writing, within twenty-four (24) hours of the release of the results. A request for a recount must include justification for the recount. The Elections Board shall determine if the request for a recount is sufficiently justified. If it is, the Board shall conduct a recount. The first recount shall be conducted in the same fashion as the original count. If the recount numbers differ, a hand recount will be the final arbiter of an election.

(b) All ties shall be determined by lot, as designated by the Elections Board in consultation with the candidates.

### Section 5: Campaign Guidelines

1. Campaigning shall be defined as the operation undertaken for promotion and/or solicitation to achieve election to a said position.
2. Candidates shall not campaign in a manner that violates University policies, as outlined in The Code of Student Rights, Responsibilities, and Conduct.
3. The Student Life Committee of the Student Government Association shall schedule events related to the act of campaigning. These include, but are not limited to, debates and open forums for the Youngstown State student body. If a student sitting on the Student Life Committee is concurrently campaigning for either the office of President or Executive Vice-President for the upcoming year, they must recuse themselves from said scheduling.
4. Candidates must abide by the following provisions in posting materials on campus:
  - (a) Only those posters and signs in support of a candidate that have been stamped with the Student Government Association stamp by the Elections Board or their duly authorized agent shall be posted. At the time of stamping, the Elections Board will keep one (1) copy of each item stamped.

(b) Only candidates themselves may bring in their campaign posters and signs to be stamped. A log of all materials stamped and by whom they were stamped shall be kept by the Elections Board.

(c) Candidates are held responsible for all of their stamped campaign material. Stamped materials shall be displayed in any location so long as such a posting is in compliance with University policy.

(d) Items to be displayed must be no larger than eight-point-five (8.5) by eleven (11) inches.

(e) Candidates shall not post stamped materials earlier than four (4) weeks before the election.

4. Candidates shall not campaign in any locations disallowed by the Elections Board.

5. Candidates shall not use libelous or slanderous campaigning.

### Section 6: Grievance Procedures

1. Any student, faculty, or staff member may file a grievance, to the Elections Board, against an individual for violation of any election by-law or University Policy.

2. All grievances must be filed online using the appropriate form located on the Student Government website ([edu](#)) no later than eighteen (18) hours following the closure of the polls. All grievances warranting a hearing will be made available to the public on the Student Government website for the sake of maintaining transparency. Sensitive or personal information of the filer will be omitted. Grievances must contain the following:

(a) The name(s) of the individual(s) filing the grievance, heretofore referred to as the "petitioner".

(b) The name(s) of the individual(s) against whom the grievance is being filed, heretofore referred to as the "respondent".

(c) The rules which the respondent(s) is alleged to have broken, and,

(d) A description of how and when the respondent(s) allegedly violated those rules.

3. Following the receipt of a grievance, the Elections Board shall convene to determine whether the grievance warrants a hearing. If it does, the Elections Board shall immediately notify the respondent(s) that a grievance has been filed and that a response to the grievance must be filed with the Elections Board no later than two (2) hours before the scheduled hearing. The respondent shall receive a copy of the grievance.

4. A hearing shall be scheduled no sooner than twenty-four (24) hours following the notification of the respondent(s).

5. The Elections Board shall oversee and adjudicate all hearings. Each party shall be permitted to have advisement during these hearings.

6. The petitioners shall be permitted an amount of time determined by the Elections Board to present their case. They may present witnesses. Witnesses may be cross-examined by the respondents. The Elections Board may permit redirect and re-cross-examination, so long as both sides have an equal number of times to question the witness. The Elections Board may also question both parties and all witnesses.

7. Following the petitioner's case, the respondent shall present their defense against the grievance and shall be afforded the same opportunities as the petitioner.

8. Following the respondent's case, both sides shall be permitted a short closing statement, with the length to be determined by the Elections Board.

9. Following the closing statements, the Elections Board shall recess the hearing and convene in private for the purpose of deliberating the judgment in the grievance. Any finding must be finalized within twenty-four

(24) hours of the hearing. If the respondent is found to be responsible for the violations brought forth by the petitioner, then the Elections Board shall determine an appropriate sanction for the actions, including but not limited to the following: Removal of campaign literature; suspension of a candidate's campaign privileges; removal of a candidate; cancellation or invalidation of any or all races; referral to the Student Judicial Board. Such sanctions shall be imposed to ensure the fair conduction of the election and restore any imbalance caused by the violations.

10. The Elections Board shall have the power to impose such sanctions on any member of the Youngstown State University undergraduate or graduate community who violates election regulations. This includes campaign workers or supporters who have campaigned for another in any way.
11. If a hearing is conducted, the Elections Board must file a finding that will be posted on the Student Government website for the sake of maintaining transparency. Sensitive or personal information pertaining to the students involved will be omitted.
12. Grievance hearings are separate from the University Judicial process and shall not preclude any further action that may be taken through the University Judicial process.

### **Article VIII: Advertising Policy**

#### **Section 1: Authority**

1. The Student Government Association, through The Code, Article V, Section F, Paragraph 19b, has the power and authority to institute regulations governing individual and registered student organization materials posted on student bulletin boards located in buildings throughout campus (hereafter referred to as "bulletin boards"). These regulations are not applicable to Student Government Association-conducted elections including Homecoming.
2. The Student Government Association does not have the power or authority to stamp materials for posting on or in official University/departmental bulletin boards, kiosks, Kilcawley Center, or residence hall facilities (including Christman Dining Commons) (The Code, Article V, Section F, 19a, c,d).
3. Material not related to registered student organizations or campus activities must be approved by the News Editor, University Relations, prior to distribution or posting (The Code, Article V, Section F, 19e).
4. Homecoming candidates shall abide by the advertising provisions regarding elections contained in Article VII, Section 4 of these By-Laws.

#### **Section 2: Guidelines**

1. Materials posted on bulletin boards do not need to be approved by the Student Government Association. However, the Student Government Association has the right to remove any literature that is deemed inappropriate or offensive by the Executive Committee or the Legislative Assembly.
2. Any literature sponsored and approved by a University department or program shall not be subject to the Student Government Association Advertising Code.

#### **Section 3: Posting of Materials**

1. Only one (1) piece of literature for each event, activity, or message shall be permitted on any one student bulletin board.

2. A student bulletin board shall be defined as a bulletin board not otherwise claimed by another University entity. Student bulletin boards are not necessarily designated as such. As such, individuals and registered student organizations should confirm the ownership of any bulletin board before posting materials.
3. No individual or registered student organization shall cover any other material with their material.
4. Individuals or registered student organizations are responsible for removing their material no later than five (5) business days after the date of the event being advertised. Individuals or registered student organizations that fail to comply with this provision may be subject to disciplinary procedures outlined in The Code, Article VII.
5. The Student Government Association and its designee shall remove any materials found to be in violation of the Advertising Code and shall reserve the right to institute disciplinary proceedings against the individual or registered student organization.

## **Article IX: Student Government Association Awards**

### **Section 1: Process**

1. The President shall appoint a Selection Committee during the spring semester that shall accept and recommend nominees to the President. The President shall make the final decision on all awards.
2. If the President is a nominee for any of the awards, the Executive Vice President shall make the final decision on that award.
3. The Selection Committee shall have the discretion to not recommend nominees for any or all of these awards. The President shall have the discretion not to present any or all of these awards.

### **Section 2: Awards**

1. The Dr. Charles McBriarty Award
  - (a) This award was established by the Student Government Association during the 1992-1993 school year to recognize and remember the commitment and contributions of Dr. Charles McBriarty to students and Student Services during his tenure as Vice President for Student Affairs. Its intent is to recognize individuals within the university community who have a reputation for being exceptionally student-oriented and who possess the traits, ethics, and friendly style exhibited by Dr. McBriarty.
  - (b) A maximum of one (1) full-time employee from administration, the professional/administrative staff, and/or the classified staff shall be presented with this award each year.
2. The Dr. Luke N. Zaccaro Award
  - (a) This is given each year to a student in memory of the late Luke N. Zaccaro, Chair of the Math Department.
  - (b) This award is given to a YSU student, who may or may not be a member of the Student Government Association. The individual should have done something exceptional for the university, Student Government Association, or fellow students during the course of the current year.
3. The Smith-Murphy Award
  - (a) The award shall be given to one (1) full-time faculty member each year.

(b) The recipient shall possess the qualities of Lester Smith and Gratia Murphy, displaying a genuine concern for the well-being and success of the students s/he teaches.

4. The Student Government Association Spirit Award

(a) The Student Government Association shall give this award to a member of the campus or Youngstown Metropolitan community who has displayed enthusiasm for the work of the YSU Student Government Association over the past academic year.

(b) A maximum of two (2) awards will be given to a student, staff or faculty member, alumnus, administrator, or private citizen.

5. The President Cynthia Anderson Lifetime Achievement Award

(a) The recipient of this award shall have exhibited an extended commitment and dedication to serving the student body through various positions in the Student Government Association.

(b) A maximum of one (1) full-time student per year shall be given this award.

6. The John J. Gocala Sr. Service Award

This award was established by the Student Government Association to recognize the commitment and contributions of John J. Gocala during his tenure as YSU Police Chief. Its intent is to recognize (1) one individual within the university community who has gone and continues to go above and beyond the call of duty to serve the first-class reputations and traditions of Youngstown State University. The individual must truly work to preserve the interests of the YSU campus and community.

7. Martin T. "Marty" Manning Award

(a) The Martin T. "Marty" Manning Award, established during the 2010-2011 academic year by the Student Government Association, is in honor of the late Dr. Martin T. "Marty" Manning. The award is in recognition of the superior student-mentoring abilities of Dr. Manning.

(b) The award shall be conferred to a full or part-time student, administrator, faculty or staff member, or alumnus who has exemplified the student-mentoring capacity that Dr. Manning so avidly displayed throughout his Youngstown State University career.

(c) This award shall be conferred no-more than one (1) time per academic year.