

## **THE STATUTES**

## Statute I—Elections

### Section 1. Qualifications

#### A. Candidate Petition:

a. To qualify to run for office, a candidate must submit a petition to the Elections Committee. Petitions shall only contain names that belong to the constituency of that office. The number of signatures required shall be as follows:

- i. For those satisfying all basic requirements for candidacy, including prior experience as defined in Statute I § 1(B), **100 signatures** each for the positions of President, Speaker of the House, Secretary, and Treasurer;
- ii. For those petitioning to override a deficiency in the prior experience requirement for candidacy that is defined in Statute I § 1(B), **250 signatures** each for the positions of President, Speaker of the House, Treasurer, and Secretary;
- iii. **30 signatures** each for the position of Senator.

b. The Elections Committee shall affirm the validity of the petition no later than five (5) days prior to the election. Any candidate without a valid petition will be unable to appear on the ballot and must be informed of this no later than five (5) days prior to the election. No student shall run for or hold two or more offices concurrently except for any of the offices of Senator, committee chair, and Student Budget Advisory Committee member, which may be concurrently run for or held.

c. To be eligible to run, candidates for executive positions shall be required to meet with the chair of the Elections Committee no later than 72 hours before polls open. The chair, in consultation with the Student Government advisor(s), may allow a meeting with the respective outgoing executive member to instead satisfy this requirement as long as the outgoing member is (1) a graduating senior or (2) guarantees in advance of any meetings that they will not be running for re-election to that position. This guarantee shall disqualify a standing officer from re-election to their position.

d. The most recently approved versions of the Spring and Fall Elections Packets will be posted on the Student Government website and remain there until replaced in the following election cycle.

#### B. Executive Officers:

The requirements outlined below shall constitute the basic threshold for candidacy. In the absence of full satisfaction of these requirements, the presumption shall be against approval for candidacy. Contestation of the presumption against candidacy shall require the satisfaction of additional criteria, outlined in Statute I § 1(C), if an undergraduate student is to be considered a viable candidate. The burden of proving qualification in the absence of fulfillment of the basic requirements for candidacy rests with the potential candidate, not the Elections Committee.

- a. President:
  - i. Is an undergraduate student who is not on social or academic probation;
  - ii. Has served at least one academic year in the Student Government Senate.
- b. Speaker of the House:
  - i. Is an undergraduate student who is not on social or academic probation;
  - ii. Has served at least one academic year in the Student Government Senate.
- c. Treasurer:
  - i. Is an undergraduate student who is not on social or academic probation;
  - ii. One of the following:
    - 1. One academic year of experience serving on the Student Budget Advisory Committee; or
    - 2. One academic year of experience as a good-standing Treasurer —deemed by the current Student Government Treasurer and the Student Budget Advisory Committee Advisor — of a current chartered organization on campus with a budget through the Student Budget Advisory Committee.
- d. Secretary:
  - i. Is an undergraduate student who is not on social or academic probation;
  - ii. Has served at least one academic semester in the Student Government Senate.

C. In the Absence of Fulfillment of the Prior Experience Requirement for Executive Candidacy, the Following Conditions Must Be Met:

- a. For President:
  - i. Is an undergraduate student who is not on social or academic probation.
  - ii. An overall academic GPA of at least 3.0.
  - iii. Prior leadership in at least one chartered campus organization and/or university-recognized initiative. In the absence of formal positional leadership, it is incumbent upon the prospective candidate to present a case for an experience they believe constitutes leadership, which will be considered by the Elections Committee in accordance with Statute I § 1(E)(b).

- iv. A clear record of leadership for the academic year in which the election occurs. This requirement shall not be considered fulfilled if the prospective candidate has been removed or stepped down from an organizational leadership or campus employment role due to academic or behavioral concerns.
  - v. One reference from the staff/faculty advisor of one chartered campus organization and/or university-recognized initiative in which the prospective candidate has had leadership experience. This reference will verify that the prospective candidate has satisfactorily fulfilled the expectations of their leadership without incident or dismissal.
  - vi. One reference from a Wake Forest faculty member who has taught the prospective candidate for at least one academic semester. This reference will verify that the prospective candidate has the requisite academic skill set to manage the workload of President without sacrificing academic success.
- b. For Speaker of the House:
  - i. Is an undergraduate student who is not on social or academic probation.
  - ii. An overall academic GPA of at least 3.0.
  - iii. Prior leadership in at least one chartered campus organization and/or university-recognized initiative. In the absence of formal positional leadership, it is incumbent upon the prospective candidate to present a case for what constitutes leadership, which will be considered by the Elections Committee in accordance with Statute I § 1(E)(b).
  - iv. Basic knowledge of Parliamentary Procedure and Robert's Rules of Order, to be measured in a manner determined and made public by the Elections Committee.
  - v. Non-member attendance at at least three Senate meetings in the academic year in which the election occurs.
- c. For Treasurer, only to be viable in the absence of an otherwise qualified candidate:
  - i. Is an undergraduate student who is not on social or academic probation.
  - ii. An overall academic GPA of at least 3.0.
  - iii. One academic year of experience in the Senate as well as attending at least one training hosted by the current Student Government Treasurer and one Student Budget Advisory Committee meeting.
- d. For Secretary:
  - i. Is an undergraduate student who is not on social or academic probation.
  - ii. An overall academic GPA of at least 3.0.

- iii. Prior experience as secretary in a campus organization accompanied by a reference from *either* the student officer to which the prospective candidate reports (such as the organization President) or the faculty/staff advisor.

D. Senators:

- a. Is an undergraduate student who is not on social or academic probation.

E. Executive Exceptions:

- a. If the candidate for President or Speaker of the House has not had one year's experience in the Senate, they must ask that these requirements be waived by a three-fourths majority vote of the Elections Committee, who must address the petition prior to the next Senate (if one is scheduled before the candidate's meeting) and prior to the candidate's meeting. If that student is denied a waiver by the Elections Committee, they may appeal to the Senate at the Senate's next meeting (provided that meeting takes place prior to the candidate's meeting), which may overturn the Committee's decision by a two-thirds majority vote.
- b. A prospective candidate without the requisite prior experience must fulfill the additional requirements outlined in Statute I § 1(C) in order to be considered for candidacy by the Elections Committee and/or to petition the Senate to overrule the Committee.
- c. A candidate cannot petition either the Senate or Elections Committee for the right to run after the candidate's meeting.

## Section 2. Interviews and Nominations

The guidelines covering the selection process for the Student Trustee are set by the Board of Trustees in consultation with the Student Life Committee, not by the Student Government.

## Section 3. Campaigning

- A. Campaigns shall be conducted in a competitive but fair and honest spirit under the honor system. The Student Government Elections Committee may make additions or alterations which do not conflict with these statutes to the regulations by means of a majority vote within the Committee. Any and all changes to campaign regulations must be presented to the Senate in the form of legislation for approval by a two-thirds majority. These changes must be submitted to the Senate for a vote before the Elections Packet is released to candidates. Candidates shall abide by the regulations provided by the Elections Committee and the University posting policy.

- B. The Elections Committee shall give each candidate a set of campaign regulations upon receiving their petition. Public campaigning shall not begin earlier than one week before the election and will be treated as a campaign infraction when campaigning starts no matter how long prior to the campaign it is reported. Public campaigning shall be defined as the use of written, verbal, printed, or electronic/virtual communications to promote one's candidacy in any forum that does not solely consist of approved campaign staff members and/or Elections Committee members.
- C. No candidate shall spend more than the following amounts on their campaign: President, Speaker of the House, Secretary, and Treasurer, \$125 each; Senators, \$40 each. In a run-off campaign, no candidates shall spend more than the following on their campaign (plus any remaining unspent amount from the original election campaign): President, Speaker of the House, Secretary, and Treasurer, \$30 each; Senators, \$10 each. Donations shall be recognized as expenditures when spent. The Elections Committee shall approve itemized lists of expenditures before any officer is installed. Requests for need-based funding assistance up to the appropriate expenditure limit can be made to the Treasurer of the Elections Committee or to the Student Government Advisor(s) up to 72 hours prior to the start of election day. Expenditure reports shall be submitted in the format approved by the Treasurer of the Elections Committee, shall account for all purchases and donations, and shall include:
  - a. Description of the good or service rendered, including purchase location and date.
  - b. Quantity purchased.
  - c. Dollar amount spent.
- D. Negative campaigning will not be tolerated by the Election Committee, and any negative campaigning will result in immediate and appropriate sanctions. Negative campaigning is defined as any personal attack (in electronic format, speech, or writing) on a candidate—i.e., ad hominem attacks. A personal attack is defined as any libelous, slanderous, or otherwise defamatory claim made against a candidate's character or person. Campaigning against a candidate's platform or a given policy is NOT negative campaigning and is acceptable behavior.

#### Section 4. Election Dates and Hours

The Executive Officers and upperclassmen members of the Senate shall be elected in the spring. Spring elections shall be held immediately following Spring Break, with Election Week starting on the first Tuesday after Spring Break and Election Day occurring on the second Tuesday after Spring Break. Freshmen Senators shall be elected in the fall. Fall elections should occur between the third and fifth week after the first day of the Fall Semester. Polls shall be open for 24 hours from 12 PM (noon) until 11:59 AM the following day.

## Section 5. Voting Procedure

- A. Voting in all elections shall take place online by a method approved by the Elections Committee. Student Government will publicize the online location of this procedure. Each student will be permitted to vote only once. Should online voting fail due to technical errors, voting will be rescheduled by the Elections Committee in consultation with Information Systems.
- B. Names shall appear in randomized order on the ballot for each office. Write-in votes for all other positions will be accepted, provided that the student fulfills all qualifications specified in Section I other than presenting a petition. A write-in candidate must have a minimum of ten (10) votes in order to be elected.
- C. Run-off elections shall be promptly held for those offices with only one seat in contention if a majority of voters have not voted for one candidate. Abstentions will not be considered in the total vote count for the purposes of establishing a majority in the elections of executive officers. Write-in votes will only be counted for the purpose of calculating majorities if a write-in candidate has more than 5% of total votes cast. If two or more candidates have tied exactly in their vote totals for first place, they (and only they) will be placed on the runoff ballot. Otherwise, the first and second place candidates (and anyone tied exactly with the second place candidate) — and only these candidates — will be placed on a runoff ballot. No runoff election will allow for the possibility of additional write-in candidates.
- D. The run-off election shall begin no later than 48 hours after the polls close for the first election. If additional runoff elections are needed, they must each be held no more than two school days after the previous runoff. In elections choosing more than one person, the top x candidates (with x equaling the number of offices being filled) will be chosen. If two or more persons in contention for the final seat(s) receive an identical number of votes, they (and no others) shall be subject to a runoff election for that number of seats.
- E. The final results shall be tabulated electronically by the Elections Committee and posted outside the Student Government Office, or else publicly announced through virtual means, immediately upon verification. In the case of an appeal, which must be made within two (2) hours of tabulation, the results for that office shall be withheld until the completion of the appeals process.
- F. In any election or runoff election only involving two (2) candidates, if they both tie exactly, the decision will be referred to the Senate of the Student Government who shall decide the winner based on a majority vote of the Senate membership. In the event the vote referred to the Senate results in a tie, the serving Speaker of the House will serve as the tie-breaking vote. In the event the serving Speaker is also an executive candidate, the decision will instead be referred to the Elections Committee who will decide the winner based on a three-fourths majority vote and advisor(s) advice and consent.

## Section 6. Assuming Office

All officers-elect shall take office no later than the last day of classes of the Spring Semester. Before assuming office, the President-elect shall take the oath of office as administered by the President of the University. The Student Government President shall then administer the oath of office to their fellow officers and to those elected in the fall. The oath of office shall read as follows:

“I, (name), promise to execute the duties and responsibilities of the office of (title of office), to pledge myself to the goals of furthering student welfare, the well-being of the undergraduate University community, and the spirit of the University. I will uphold the Constitution of the Student Government and diligently perform my responsibilities to fellow students.”

## **Statute II - Removal from Office**

### Section 1. Executive Branch

The President, Speaker of the House, Secretary, and Treasurer shall be subject to impeachment for failure to perform duties or for violations of the provisions of the Constitution. Impeachment may also be warranted if evidence of a disqualifying campaign infraction is found after a candidate has been sworn into office. Charges of impeachment may be brought by any member or members of Student Government in the form of a resolution at any given Senate. A majority vote of the full membership of the Senate is required to begin an investigation, which shall be carried out by the Cabinet. The report and recommendation of the Cabinet, subject to the advice and consent of the Student Government advisor(s), shall be presented before the Senate and a “vote for removal” by two-thirds of the total number of members of the Student Government Senate is required for removal from office.

### Section 2. Legislative Branch

Any member of the Senate shall be removed from office for more than two unexcused absences from the Senate, its committees, or a combination of both per semester. Excuses for Senate absences must be submitted to the Secretary within two weeks of the absences, and they shall rule on the validity of the excuse. The removal can be appealed, and the Senator reinstated with a two-thirds majority vote of the Senate if that Senator has not yet been replaced. The Senator must be given notice of their expulsion and at least three subsequent school days to appeal before the replacement process is initiated.

## **Statute III—Replacement**

### Section 1. Permanent



- A. In the case of a permanent vacancy in the Offices of the President, Speaker of the House, Secretary, or Treasurer, an undergraduate-wide election shall be held to fill the position. This will be subject to all normal procedures governing the general Spring elections, except those dealing with the date of the election.
  - a. In the event of a permanent vacancy in the Office of the President, the ranking executive officer, determined first by position [Speaker of the House, Treasurer, Secretary], then by class year [senior, junior, etc.], shall serve as Acting President until an election is held.
    - i. In the event the ranking officer determined in this manner desires to seek candidacy for the Office of President, the staff/faculty advisor(s) will assist in identifying the senior-most [first by position, then by class year] member of the Student Government to serve as Acting President until an election is held. No student desiring to seek candidacy for the vacancy in the Office of President will be eligible to serve as Acting President, and Acting President status will make a student ineligible to fill the vacancy. Members will have one week from the time the vacancy is announced to contemplate their desire to run in the special election, after which this rule will take effect.
- B. In the case of a permanent vacancy in the office of the Chief of Staff, the President shall appoint a new one with the advice and consent of the other Executive Officers.
- C. In the case of a permanent vacancy in the Senate, the Senatorial Appointment Committee shall accept and review applications from prospective Senators, interview prospective Senators if deemed necessary, brief them on the business of the Senate, and submit its suggested replacements to the President, who shall submit one to the Senate for approval for each open spot. Vacancies can be filled by an undergraduate student from any class. The new appointee shall not take office in the respective body until the two-thirds majority approval from the Senate has been granted.

## Section 2. Temporary

In the case of a temporary vacancy in the office of the President, Secretary, or Treasurer during the academic year, or in some emergency situation, that officer shall appoint someone to take their place with the simple majority approval of the Senate.

## **Statute IV – Amendment**

In order that the changing needs of the Student Government may be met, these statutes shall be subject to addition, amendment, or abolition by a two-thirds majority of the Senate.

## **Statute V – Legislative Bylaws**

### **Section 1. Purpose**

The Bylaws that follow these Statutes shall be established to regulate and order the specific functions of the Legislative Branch of Student Government.

### **Section 2. Amendment**

In order that the changing needs of the Legislative Branch are met, these bylaws shall be subject to addition, amendment, or abolition by a two-thirds majority of the Senate.

## **Statute VI – Order of Interpretation**

Whenever there is a contradiction between any two or three Governing Documents that cannot be resolved by reasonably interpreting them in light of each other, the Constitution shall override the provisions of the Statutes and the Bylaws and the Statutes shall override the provisions of the Bylaws. This interpretative instruction may only be altered or amended by a simultaneous amendment of this provision in all three Governing Documents by a two-thirds roll call vote.

Respectfully Submitted,

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