

NORTH DAKOTA STATE UNIVERSITY 2023-24 STUDENT BODY ELECTION CODE

Created by the Student Court of Justice in accordance with the
Student Body Constitution

Members of the Student Court:

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Approved by North Dakota State University Student Senate on xx/xx/2024

Student Court Contact Information

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100 Scope

The Student Court of Justice, the judicial branch of Student Government, will be the governing body for the North Dakota State University Student Body Election. The Student Court will have the sole responsibility of enforcing and officially interpreting all election procedures. In all cases, the Student Body Election will be subject to the provisions in this Student Body Election Code, as well as the Student Body Constitution, Student Government Code, Rights and Responsibilities of Community: A Code of Student Conduct, North Dakota State University Policy Manual, North Dakota Century Code, and Federal Law.

200 Expectations

The Student Court, through its authority vested by this Election Code and the Student Body Constitution, will ensure the fairness of all elections held before the student body. To ensure this, the Student Court, as an impartial body, will be held to an expectation of neutrality and justice in all electoral proceedings. To protect the validity of the Student Body Elections, the Student Court maintains sole authority and supervision over all electoral processes.

210 Impartiality

The Executive Commissioner of Public Relations and all members of the Student Court are prohibited from joining a campaign team and endorsing or otherwise supporting a candidate running for office, except in the case that the Executive Commissioner of PR or Court member is running for office. In the interest of impartiality, upon submitting the Declaration of Candidacy form, members of Student Government who are Court Justices or the Executive Commissioner of Public Relations must immediately resign their respective positions.

300 Definitions

- A. Student Body. The Student Body refers to any students registered for at least one credit at North Dakota State University.
- B. Senatorial District. A senatorial district is a grouping of related undergraduate or graduate academic programs, or at-large Senators. The Student Court will annually adjust the number of seats per senatorial district according to Article II, Section 2, Subsection C of the Student Body Constitution. See section 400D for a list of the senatorial districts and the number of Senate seats afforded to each.
- C. Graduate and Interdisciplinary Studies. Graduate and Interdisciplinary Studies refers to the academic district to which all individuals whose Campus Connection displays their college as 'Graduate and Interdisciplinary Studies', or 'CGIS'. The list of programs which fall under the scope of Interdisciplinary Studies can be found at https://catalog.ndsu.edu/programs-study/#filter=.filter_37

- D. At-Large Senator. An at-large senator represents the student body as a whole and does not have an academic affiliation within the Student Senate. Any eligible student may run or vote for all available at-large seats.
- E. Candidate. A candidate is a campaign representative who is seeking election, satisfied all of the qualifications to run for office in the Student Body Election, and filed a Declaration of Candidacy within the deadlines contained in the Student Body Election Code (See Section 402 Qualifications for Office).
- F. Ticket. A ticket consists of one presidential candidate and one vice-presidential candidate who file jointly and are elected jointly.
- G. Senate Seat. A Senate Seat is a senatorial position in a senatorial district.
- H. Electoral Race. Electoral races are contests involving one or more candidates running for an office in an election.
- I. Campaign Activity. Any conduct related to promotion of a candidate or the adoption of a constitutional amendment. Campaign activities may be “passive” or “active.”
- a. Active Campaign Activity. Any conduct that is auditory in nature, visually displayed in public forums, **and/or** not able to be displayed on personal property. Example: social media, posters.
 - b. Passive Campaign Activity. Any conduct that is only visual in nature **and** is to be displayed on personal property. Example: a sticker on a laptop case, a sweatshirt or clothing item.
- J. Pre-Campaign Activity. A pre-campaign activity is any conduct intended to develop a campaign team, strategy, or campaign materials.
- K. Campaign Materials. Campaign materials include any advertisements, documents, devices, physical materials, or messaging intended for consumption by individuals outside of a campaign team and related to the election of any candidate or the adoption of a constitutional amendment.
- L. Campaign Expenditures. Campaign expenditures refer to the actual retail value of any obligations incurred, the estimated retail value of any goods and services donated, and any actual funds expended to promote or oppose the election of any candidate or the adoption of a constitutional amendment.
- M. Online Voting System. Online voting system refers to the user interface that allows the casting of electronic votes and the counting of the electronic votes cast.
- N. Emergency Circumstances. Emergency circumstances refer to any events, natural or man-made, which cause the official cancellation of classes at North Dakota State University or closure of the university itself.

- O. Closing of Campaign Period. The time at which all campaign activities must cease, with the exception of the distribution of a statement below.
- a. “Make your voice HERD by casting your vote in the Student Body Elections! Voting closes at 5 PM on [date of voting close]. Follow this link to vote: [provided voting link].”
 - b. Alternative phrasings permitted are limited only to: “Link in bio to vote” or “Click this link to vote.” No other alterations will be permitted.
- P. Online Campaigning. Any content that is or is related to campaigning that can be stored in the cloud and/or accessed via the Internet or cellular services.
- Q. Offline Campaigning. Any content that is or is related to campaigning that is physical in nature or otherwise unable to be accessed or created on the Internet or cellular services.

400 General Election

- A. Definition. The Student Body Election will be held in the spring semester for the purpose of electing the Student Body President, Student Body Vice President, and Student Senators, for amending the Student Body Constitution, and for presenting any initiatives, referendums, or referrals to the Student Body.
- B. Eligibility to Vote. All students enrolled in at least one credit hour of coursework at North Dakota State University, except those primarily enrolled at another institution or taking courses through a collaborative education or dual-credit program, are eligible to vote. A student may cast votes for one presidential ticket and for as many senate seats available in their respective senatorial district, which the Student Court will determine based on the most recent fall semester enrollment summary, found at <https://www.ndsu.edu/data/enrollment/summaries/>
- C. President and Vice President. In the Student Body Election, a presidential ticket, consisting of one presidential candidate and one vice presidential candidate, will be elected.
- D. Student Senators. In the Student Body Elections, a candidate will run according to their senatorial district (see Sections 300B, C, D). Appointment of student senator seats is made in accordance with Article II, Section 2, Subsection C of the Student Body Constitution. See the aforementioned section for instructions regarding the calculation of undergraduate academic senator seats. There are 32 total student senator seats available. The following is an index of the senatorial districts and the senate seats available in each.
- a. Academic Districts - Undergraduate.
 - i. There are 20 undergraduate senator seats available. The distribution of undergraduate academic senator seats is based upon the official NDSU Fall Semester Enrollment Summary for the relevant academic year.

- ii. Each college’s undergraduate seats (out of 20) are distributed according to the number of undergraduates in **each** college compared to the **total** number of undergraduates across **all** colleges.
 - 1. E.g. if there are 2000 undergraduate students attending NDSU, and the College of Arts and Sciences is comprised of 400 undergraduate students, then they comprise 20% of all undergrads, and therefore receive 4 seats, 20% of the 20 available seats.
 - iii. Only undergraduate students within a listed academic college may vote to elect a student senator within that college. Below are the enrollment totals and seat allocations for the 2023-24 academic year. Enrollment data can be found at <https://www.ndsu.edu/data/enrollment/summaries/>
- b. Academic Districts – Graduate and Interdisciplinary
- i. Graduate academic senator seats are set in quantity regardless of enrollment population. There is one (1) seat afforded to each academic college reserved for graduate students.
 - ii. Only graduate students within a listed academic college may vote to elect a student senator within that college.
- c. At-Large District (see Section 300D)
- i. At-large seats are fixed at six (6) regardless of enrollment population. Eligible students of any academic college or undergraduate/graduate status may run for these positions and vote to elect a student senator within this district.
 - ii. In the event that an academic college does not have enough students to warrant the calculated assignment of a senate seat, one will be reassigned from the at-large district, altering the total to 5 at-large seats for that academic year.

District	Seats
Academic - Undergraduate	-
College of Agriculture, Food Systems, and Natural Resources	3
College of Arts and Sciences	5
College of Business	3
College of Engineering	4
College of Health and Human Sciences	5
Academic - Graduate and Interdisciplinary	-
College of Agriculture, Food Systems, and Natural Resources	1
College of Arts and Sciences	1
College of Business	1
College of Engineering	1
College of Health and Human Sciences	1
College of Graduate and Interdisciplinary Studies (See 300C)	1
At-Large District	6

- E. Singularity of Office. No member of the Student Body will be eligible to run in more than one electoral race in the Student Body Election.

401 Election Schedule

The following is a schedule displaying all events and deadlines for the Student Body Election.

Date	Event	Time*	Location*
March 1, 2024 (Friday)	Application Deadline	5:00 P.M.	Student Gov't Office, MU 128
March 1, 2024 (Friday)	Constitutional Amendment(s) Due	5:00 P.M.	Student Gov't Office, MU 128
March 1, 2024 (Friday)	Ballot Measure(s) Due	5:00 P.M.	Student Gov't Office, MU 128
March 11, 2024 (Monday)	Informational Meeting	6:30 P.M.	Heine Room – Student Gov't Office, MU 128
March 11, 2023 (Tuesday)	Verification Period Completed	5:00 P.M.	
March 15, 2024 (Friday)	Eligibility Appeals Due	5:00 P. M.	
March 18, 2028 (Monday)	Campaigning Opens	8:00 A.M.	
March 18, 2024 (Monday)	Official Ballot Posted	N/A	
March 18, 2024 (Monday)	Campaign Team Roster Due	8:00 A.M.	Student Gov't Office, MU 128
March 26, 2024 (Tuesday)	Debate #1	12:30 P.M.	TBD
March 26, 2024 (Tuesday)	Complaint Hearing #1	6:00 P.M.	Heine Room – Student Gov't Office, MU 128
April 2, 2024 (Tuesday)	Campaigning Closes	7:59 A.M.	
April 2, 2024 (Tuesday)	Online voting opens	8:00 A.M.	
April 3, 2024 (Wednesday)	Online voting closes	5:00 P.M.	
April 3, 2024 (Wednesday)	Complaint Deadline	5:00 P.M.	Student Gov't Office, MU 128
April 3, 2024 (Wednesday)	Candidate's Financial Statements Due	6:00 P.M.	Student Gov't Office, MU 128
April 3, 2024 (Wednesday)	Complaint Hearing #2	6:00 P.M.	Meadow Lark Room
April 3, 2024 (Wednesday)	Ballot Counting		
April 3, 2024 (Wednesday)	Unofficial Results Announced	8:00 P.M.	Prairie Rose Room
April 8, 2024 (Monday)	Contests Due	5:00 P.M.	Student Gov't Office, MU 128
April 10, 2024 (Wednesday)	Contest Hearing	5:00 P.M.	Heine Room – Student Gov't Office, MU 128
April 16, 2024 (Tuesday)	Election <i>may</i> be certified	N/A	
April 20, 2024 (Saturday)	Last Date for Revaluation of Electronic Ballots	N/A	

* Rooms and times are subject to change.

402 Qualifications for Office

- A. Eligibility for Participation in Co-Curricular Activities. All candidates must meet the standards of Eligibility for Participation in Co-Curricular Activities as defined by the University in order to hold office. In addition to the standards defined by the Dean of Students at https://www.ndsu.edu/deanofstudents/student_code_of_conduct/eligibility_for_participation_in_co_curricular_activities/, candidates must be currently and primarily enrolled as students at North Dakota State University. Eligibility will be checked after the application is submitted. If a candidate does not meet the standards of Eligibility for Participation in Co-Curricular Activities, said candidate has the option to appeal their eligibility before the eligibility appeal deadline to the Student Affairs and Enrollment Management Office (as stated in Section 401 above). The Student Court is not responsible for any personal or financial losses incurred as a result of ineligibility.
- B. Senatorial District Membership. Each academic district senatorial candidate must be a member of the district and college that they seek to represent. In the case of those seeking to run in the at-large district (Section 300D), candidates must only be eligible to vote per Section 400B. The Student Court will determine membership in an academic district using the academic program listed on an individual's Campus Connection at the time of the application deadline. If a candidate is not enrolled in said district, said candidate will be informed and will have the option to run in an appropriate district before the eligibility appeal deadline. Candidates who intentionally enroll in a particular district for the sole purpose of obtaining a Student Senate seat will be disqualified or removed from office by the Student Court.

Academic district candidates will run to represent, and submit an application, petition, and byline for, the district in which they intend to be enrolled for their primary academic program during the following academic year. In the event a candidate is enrolled in an academic program requiring them to transition from one college to another between semesters (i.e. Undeclared/Exploratory students who declare a major), then the candidate will submit their petition for the college in which they will be enrolled in the fall semester following the election. The candidate will represent this academic district until the end of their term.

At-large district candidates will run to represent, and submit an application, petition, and byline for, the district in which they are seeking office. These candidates are not seeking election under affiliation with any NDSU academic entity, academic college, organization, club, fraternity or sorority, or any other Greek organization. At-large senators seek to represent and engage with the student body as a whole.

- C. North Dakota State University Policy Statement 155. All candidates must adhere to the North Dakota State University Policy Statement 155 on the use of Alcohol and other Drugs by Students, Faculty, and Staff. This policy is available at the following address: <https://www.ndsu.edu/fileadmin/policy/155.pdf>

403 Declaration of Candidacy

- A. Procedure. Any individual meeting the qualifications for office in Section 402 may become a candidate by complying with the requirements outlined in this section. Refer to Section 413 Enforcement for restrictions and consequences.
- B. Application for Candidacy. Each candidate must file an Application for Candidacy as either a physical or virtual copy with the Student Court and sign a statement affirming that said candidate has read, understood, and will abide by the Student Body Election Code. Applications will be made available at least three weeks prior to the application deadline. Applications will be available in the Student Government Office, the Student Activities Office, and in the Appendix of this Election Code.
- C. Informational Meetings. An informational meeting will be held for candidates running for the Presidential/Vice Presidential ticket. At least one member of the ticket must be present. The informational meeting will be held as per the date and location specified in Section 401.
- D. Petitions. All candidates must complete a Petition for Candidacy, which will be provided in a standard format upon application. Petitions for Candidacy will be carried out through a Court-provided petition form.
 - a. Candidates running for the presidential ticket must submit a petition bearing the **verifiable signatures** of 75 students currently and primarily enrolled at North Dakota State University following their application. Presidential petitions must contain the verifiable signatures of at least one student belonging to each of the five primary academic colleges.
 - b. Candidates running for Student Senate seats must submit a petition bearing the **verifiable signatures** of 25 North Dakota State University students. Prospective academic district senators may petition signatures only from students currently and primarily enrolled in the same academic college as the candidate. All academic district candidates may receive signatures from either undergraduate or graduate students within their academic college. Prospective at-large senators may petition signatures from any NDSU student.
 - c. Signed petitions must be submitted to the Court within the allotted time frame as provided in the Appendix. They must be submitted to the Student Court mailbox in the Student Government Office or emailed to grace.mcculloch@ndsu.edu. The Student Court will verify all signatures. Any signatures discovered to have been falsified will result in punishment up to or including disqualification from the election, as deemed appropriate by the Student Court.
 - d. It is strongly recommended to have extra signatures on the Petition of Candidacy. If a petition is submitted with at least the minimum number of signatures and the Student Court rejects enough signatures so that the petition falls below the minimum number of signatures, said candidate will have 48 hours, from when they were notified, to obtain the correct number of signatures for their petition.
 - e. Petitions may not be signed, promoted, or circulated in or directly outside of the Student Government Office.

- E. Application Deadline. The application deadline for all candidates is specified in Section 401. The Student Court will notify the Student Body of the application deadline via the Student LISTSERV at least three weeks prior, during the spring semester. Applications consist of an Application for Candidacy and a Petition for Candidacy. Applications must be returned to the Student Government Office (MU 128) or emailed to grace.mcculloch@ndsu.edu by the application deadline. Failure to submit the applications by the application deadline will prohibit the candidate's name from being placed on the ballot. Application materials will be retained for 30 days following the certification of the election.
- F. Verification Period. Once an Application and a Petition for Candidacy are submitted to the Student Court, the Chief Justice will conduct a verification of eligibility based on University policies. This verification will be completed before a ticket is placed on a ballot and campaigning begins and will be completed within three to five business days after the application deadline. If one member of a Presidential ticket is found to be ineligible, the eligible member may choose to find another running mate and acquire new signatures for the ticket within three additional business days. Once a new Application and a new Petition for Candidacy are submitted to the Student Court, the verification period stated above will take place for a second time. Should a Presidential ticket member be found ineligible for a second time, this verification period will not repeat, and the ticket will be deemed ineligible to participate in the election.

404 Constitutional Amendments

Proposed amendments will be properly filed by the deadline established by the Student Court. Approval of the Student Body Constitution, as stated in Article V, Section 1, must also accompany any proposed amendments. The Student Court will give proper notice of the proposed amendments twice through the Student LISTSERV from the time campaigning starts to the time campaigning closes. Constitutional amendments will require a two-thirds (2/3) affirmative vote of the students voting in the Student Body Election.

405 Polls

- A. Placement. Students will be able to vote at the link provided via the NDSU Student LISTSERV or the Student Government social media pages.
- B. Times of Operation. The online voting system will be available for 33 hours beginning at 8:00 AM on the day specified in Section 401. Voting will end at 5:00 PM on the day specified in Section 401, provided that there have been no major technical difficulties. Should the voting system be unavailable for any period while the election is ongoing, the Student Court may extend the voting period and notify the student body at its discretion. If the period for voting is extended in accordance with this section, the Student Court may modify all deadlines in Section 401 accordingly.
- C. Electronic Polling Procedures. Information Technology Services or the Dean of Students Office will retrieve a final database of the Student Body the day before online voting

begins. Students will be verified by entering their NDSU credentials. Students will be able to vote online once per election using the electronic ballot.

406 Ballots

- A. Order of Candidates. Candidates' names will be drawn at random by ticket or district, as applicable, by two members of the Student Court to determine order on the ballot.
- B. Electronic Ballot Forms. An individual's electronic ballot will contain only the presidential race and the senatorial candidates by which they are represented. Each ballot may contain any relevant constitutional amendments. The individual may cast their vote for as many candidates as there are seats available in their representative district(s).
- C. Security of Ballots. Records of ballots will be deleted 30 days after the certification of an election.

407 Vote Tabulation

- A. Procedure. The Student Court will prescribe the method of counting votes.
- B. Counting and Evaluation of Electronic Ballots. Information Technology Services or the Dean of Students Office will provide the Student Court with access to the voting databases following the close of voting. The Student Court reserves the right to use the database of votes to check for election fraud. The Student Court may disqualify any votes that appear to have been cast in a fraudulent manner or by a student found ineligible to vote. The following information may be recorded for each submitted ballot:
 - a. Identifying information about the computer from which the ballot was cast (Internet Protocol Address).
 - b. The date and time at which the ballot was cast.
 - c. The names of the candidates voted for and the vote for or against each constitutional amendment.
- C. Tie Votes. In electoral races within Student Senate districts, ties will not be broken if there are enough seats available for all tied candidates to be elected. In all electoral races in which the Student Court determines that there is a tie and there are insufficient seats to certify all tied candidates as winners, the tie will be resolved in a runoff election. Any candidate will be allowed to withdraw in order to prevent a runoff election for a particular electoral race.
- D. Vote Required for Election. According to the Student Body Constitution, the vote required for election to any office in the Student Body Election will be a plurality of the votes cast for that office. All candidates on the ballot must receive more than one vote in order to qualify for their elected position. When more than one seat is to be filled within a single district, seats will be awarded to candidates in descending order, according to the number of votes received.

408 Certification of Election

- A. Procedure. Upon tabulation of all votes cast, the Student Court will immediately announce the unofficial results. Before the results may be considered official, the Student Court will certify to the Student Government advisory team that the results are valid and free from any material distortion. The Student Court will certify the elections no sooner than seven (7) business days after the voting closes. After certification, the Student Court will notify all winners of the results.
- B. Partial Certification. In appropriate circumstances, the Student Court may decide to certify some electoral races in the Student Body Election and not others.
- C. Violations. If the Student Court finds that the results of any electoral race have been materially altered by a violation of this Code, the Court will have final authority to determine appropriate penalties for the violations that have occurred. If the Student Court finds that violations of this Code have been substantial enough, it may partially or entirely annul the results of the election.
- D. Contested Election. Any individual who was eligible to vote in any electoral race may contest the results of that race by filing a written complaint with the Chief Justice of the Student Court no later than two business days after the unofficial results have been announced. A contest may only be filed regarding the processes of the election and the results thereof. If a race is contested, the Student Court will conduct a hearing no later than 5 business days after the results have been announced to determine whether the results are valid and free from material distortion. The Student Court will not certify a contested electoral race until a determination has been made. The Student Court may grant a reevaluation of electronic ballots within 14 business days of the election, and a representative of the individual requesting the recount and reevaluation may be present.
- E. Quorum. A quorum of half plus one of the currently serving Student Court Justices must be present in order to certify the election results.

409 Campaign Activities

- A. Guideline Interpretations
 - a. No part of Section 409 will be interpreted in a manner contrary to the text at face value or by the Student Court. Any party with questions about what may or may not be done while campaigning shall be free to ask such questions to any member of the Student Court.
 - b. Any action taken by a campaign after such advice that is contrary to the advice given by the Student Court will be reprimanded appropriately by such Court.
 - c. Any campaign activity not listed in Section 409 will only be permitted with the formal authorization of the Student Court.
- B. General Limitations and Permissions. Campaign activities are restricted to those days set by the Student Court (See Section 401).

- a. All campaign activities must comply with federal, state, and local laws, as well as all rules and regulations of the University and this Election Code.
- b. All campaign activities and materials in residence halls must adhere to Residence Life and residence hall policies and procedures.
- c. All campaign activities and materials in and around the Memorial Union must adhere to Memorial Union procedures and provisions.
- d. All campaign activities and materials must adhere to Facilities Management Guidelines.
- e. All campaign activities requiring permissions or provisions as dictated by the aforementioned bodies (See Section 409B.1-4) must be documented and submitted to the Court with verification of permission(s). The Election Permission Form provided in the Appendix will be used for this purpose and must be turned in to the Student Court within 48 hours of when materials are placed. All public campaign materials must be placed and removed at the discretion of the location's governing body.
- f. All campaign activities or materials that interfere with North Dakota State University courses and business are prohibited. This includes, but is not limited to, pre-existing electronic mailing lists, student organization mailing lists, and unsolicited communication via **email or physical mail**. Campaign teams may create their own electronic mailing list with electronic mail addresses; however, unsolicited campaigning via electronic mail is still prohibited (See Section 409 D.5 for guidelines on LISTSERV communication).
- g. Removing, defacing, obscuring, or otherwise tampering with campaign materials of a candidate or constitutional amendment is not permitted.
- h. Intentionally false or inaccurate campaigning by a candidate that negatively impacts another candidate's reputation is prohibited.
- i. Campaign team members are not permitted to use their personal social media accounts to engage in campaign activities outside of the campaigning period. Posts made on social media for campaigning purposes may not be liked, shared, commented on, etc. outside the campaigning period by anyone on a campaign team. Sponsored or boosted posts must expire before the end of the campaigning period.
- j. Items given away to individuals during campaigning must comply with all offline campaign guidelines (Section 409 E). Giveaway items are restricted to those that contain or display the ticket's brand, logo, names, or symbol. Gift cards, other merchandise, and items that may be redeemed for monetary value are not permitted in order to maintain fairness and accessibility to all campaigns.
- k. Active campaigning and campaign meetings shall not occur in the Student Government Office. Campaign materials may not be created, distributed, stored, or displayed in the Student Government Office.
- l. All presidential tickets are required to attend the informational meeting, the debate, and the unofficial results ceremony. At least one ticket member must be present at each event. In the case of extenuating circumstances where both parties must be absent, communication with the Court is required at least 24 hours in advance, out of respect for all candidates and election participants.

C. Pre-Campaign Guidelines.

- a. Each presidential ticket must submit a campaign roster that recognizes official campaign team members. This document should include the names of the members, their specific titles, a description of their responsibilities, and their signature. This document must be filed with the Chief Justice no later than 8:00 A.M. on the opening day of campaigning. Members of the campaign team must agree to follow the current Student Body Election Code; if violated, the team may be reprimanded at the discretion of the Court. Teams are not responsible for students that are not a part of their campaign team. Tickets are prohibited from asking non campaign team members to campaign for them.
- b. Websites, social networking sites, and other online activities may be created prior to the opening of the campaign period. However, they must not be visible or able to be engaged with in any way to anyone but the campaign team until campaigning opens.
- c. Candidates are permitted to arrange times to meet with campus groups and organizations prior to the opening of campaigning if the meeting times are during official days scheduled for campaigning and tickets do not engage in any campaign activities or promotion prior to the official opening of campaigning. Communication with campus groups and organizations prior to the opening of campaigning should be strictly informational in nature.
- d. Candidates are permitted to assemble campaign teams and gather all necessary materials and information prior to the opening of campaigning.

D. Online Campaign Guidelines. The following activities are permitted within the definition of "Online Campaigning." Regardless of order, these activities are **of equal importance.**

- a. The use of social media platforms accessible to the Student Court, including but not limited to Snapchat, Facebook, Instagram, X, TikTok, Discord, Threads, BeReal, or Reddit, for textual or pictorial campaigning.
- b. Social media posts on the platforms listed above that communicate directly to followers or the general public.
- c. The sharing of one's campaign media pages or posts on the campaign team's personal pages. **Note:** such standards apply to both a campaign's page AND any and all personal pages of the candidate or anyone on the campaign team.
- d. Online advertisements that are either visual or auditory in nature that may lead to a social media platform or campaign website.
- e. Each presidential ticket is allowed to **submit to the Court** one email for review and approval. The Court will then submit the approved email to the NDSU Student Announce LISTSERV to be distributed at the time of the campaign's choosing. These emails must be submitted and approved with a selected dispersal time of **no later than** one hour prior to the closing of official campaigning.

- E. Offline Campaign Guidelines. The following activities are permitted within the definition of “Offline Campaigning.” Regardless of order, these activities are **of equal importance.**
- a. The use of visual advertisements displayed on any surface as permitted by Student Court, NDSU, city, county, state, and federal guidelines.
 - b. The use of buttons, stickers, clothing, or other objects intended to be displayed on any NDSU student’s personal property (See Section 300 for definitions of active and passive campaigning). These objects, once distributed, are considered an act of passive campaigning. Active campaign activities are the campaign's responsibility and are subject to the guidelines of this Code. Passive campaigns are not considered the responsibility of the campaign so long as it remains as such.
 - c. Items to be given away for campaign promotion are limited only to physical campaign materials that cannot be redeemed for monetary value.
 - d. The use of contact tables, poster cases, bulletin boards, televisions, floor graphics, banners, and/or display cases.
 - e. The use of QR or other scannable codes that link to any campaign material.

410 Debates

- A. Attendance. All presidential and vice-presidential candidates listed on the ballot must attend and participate in the debate. Absences may only be permitted by prior communication with and excusal by the Student Court.
- B. General Format. The Student Body Election Debates are only between candidates running for Student Body President/Vice President. The Chief Justice, or another justice of the Student Court, will moderate the debate. The general format for debates will be as follows:
- a. Introduction of candidates by the moderator.
 - b. Each team will be given five minutes to discuss their platform.
 - c. The moderator will ask 5-10 questions to candidates. Each team will then have two minutes to reply. If one team mentions another team in their answer, the team that was mentioned may have 30 seconds to provide a rebuttal. Teams may decline to rebut.
 - d. Each team will be able to ask the other team(s) one question. Each team will be given one minute to format their question. The team that is answering the question will then be given two minutes to respond.
 - e. Questions will be submitted from the audience to the court to be asked. The present Court Justices will review the questions to ensure they are relevant and fair. Each team will be given three minutes to provide a closing statement. The moderator will make concluding remarks and end the debate.
- C. Special Instructions.
- a. There will be one Student Government debate scheduled, to last no longer than two hours. In the event weather or other extenuating circumstances cause this debate to be cancelled, the Student Court is allowed to modify Section 401 to reschedule. The Student Court may schedule additional debates.

- b. One other debate is allowed to be scheduled by official NDSU media outlets (BIN, The Spectrum, KNDS), however at least one Court Justice must help mediate the debate. The Student Court and the media outlets may agree to hold their debates jointly.
- c. In the case of only one team running, the debate will then turn into a question/answer session and will be formatted to have the removal of Section 410, B-D. The remainder of the debate will follow the prescribed pattern.
- d. In the case of two candidates running, the party who states their platform first will be selected at random by the Student Court. The answering orders will then alternate between parties to ensure fairness. This format will constitute the entire debate.
- e. In the case of three or more candidates, the answering orders will be selected at random. When it comes to the point of the debate in which the candidates ask each other questions, team order will be randomly chosen, and the teams may ask a question of every other ticket.

411 Campaign Expenditures

- A. Campaign Budgets. There is a limitation on expenditures for candidates. Expenditures may not exceed the following amounts:
 - a. Presidential Ticket: \$1,250
 - b. Senatorial Ticket: \$300
- B. Budget Enforcement. The budgets will be enforced on a zero-tolerance percentage system. If limitations are exceeded, as stated in Section 411 A., the candidate's vote total will be reduced by the percentage of which said candidate surpassed the limit up to 25%, at which time the candidate(s) will be disqualified. Any money raised during fundraising that surpasses the prescribed limits must not be utilized for campaign purposes. Should these limitations be exceeded, the above reprimand will apply.
- C. Filing. All Presidential candidates are required to file a Candidate's Financial Statement (available in the Appendix), which will include all funds spent by the candidates and donations given to the candidates. All receipts, monetary or nonmonetary, must be included with the statement. Candidates will give a reasonable retail value for any goods and services donated. This statement is to be turned in to the Student Government Office by the deadline given in Section 401. These statements will be available to anyone who wishes to see them and will be destroyed 30 days after the certification of the election.

Senatorial candidates are required to submit a Financial Statement only if they spend or receive money. The Student Court reserves the right to request Financial Statements from any candidate suspected of using said budget.

Failure to disclose campaign expenditures in their entirety may result in forfeiture of office. See Section 412 Enforcement for restrictions and consequences.

412 Enforcement

- A. Scope. All candidates and their campaign teams and constitutional amendments in the Student Body Election are bound by and may be penalized under this Code. Failure to comply with any of these requirements and regulations may result in forfeiture of candidacy, loss of a percentage of votes, monetary penalties, a combination of the previously listed, or other penalties at the discretion of the Student Court.
- B. Complaints. Any eligible voter who reports a violation of the Election Code in the Student Body Election occurring between the time campaigning opens and the time voting closes must file a formal complaint by 5:00 P.M. on the date specified in Section 401. **A complaint must be typed** and refer to a specific campaign activity that violated the Election Code. Standardized complaint instructions can be obtained from any Court Justice or from the Student Court's webpage (www.ndsu.edu/sg/court).
- C. Complaint Hearings. The Student Court will hold two regular complaint hearings during the election process. The Student Court may make preliminary decisions on the complaints heard at the first complaint hearing but will make all final decisions regarding sanctions after the final complaint hearing. The Student Court will make any decisions resulting in a loss of a percentage of votes before any vote totals are disclosed to the Court. The hearings will be held at the times and locations specified in Section 401.

Any complaints needing the immediate attention of the Student Court will be dealt with at a convenient time. Students with such complaints must contact the Chief Justice of the Student Court immediately to schedule a special complaint meeting. The Student Court may issue a preliminary injunction prior to any hearing. For complaints requiring immediate attention, try the following:

- a. E-mail the Chief Justice at grace.mcculloch@ndsu.edu
 - b. Speak with the Chief Justice in the Student Government Office.
 - c. Contact any other Justice of the Student Court.
- D. Campaign Sanctions. Following the due process prescribed in Section 412C, should the Student Court find that a ticket has failed to comply with Election Code, sanctions may be applied based on the severity of the offense at the discretion of the Student Court. The degrees of severity and their standardized vote penalties can be found below, accompanied by an example of each. These examples are not comprehensive, and the degrees of severity are based on precedent to guide the Court in making consistent decisions when resolving Election Code infractions.

Severity	Example	Vote Penalty
1	Failing to disclose a member of a campaign team.	1-3%
2	Posting campaign materials on social media after campaigning closes.	5-7%
3	Violating Memorial Union or Residence Life, etc. guidelines.	10%
4	Violating federal law or University regulations.	Forfeiture of candidacy

- E. Contests. Any individual who was eligible to vote in an election may file a **typed**, formal contest with the Student Court no later than 5:00 P.M. on the date specified in Section 401, following the announcement of the unofficial election results. The plaintiff will list the Student Court as the defendant on the complaint form. Standardized forms for this purpose can be obtained from the Chief Justice of the Student Court. Please refer to Section 409 D for further information on contested elections.

500 Runoff Elections

- A. Events Requiring. In the event of a tie (as defined in Section 407 C), a runoff election will be held.
- B. Runoff Elections. Runoff elections will be subject to all provisions of this Student Body Election Code, except that no additional time for campaigning will be allowed for candidates in a runoff election.
- C. Candidates Eligible. If a runoff election is held for the presidential electoral race, only the tickets receiving the two highest vote totals will be named on the ballot. In all electoral races in which the Student Court determines that there is a tie and there are insufficient seats to certify all tied candidates as winners, all tied candidates who have not conceded will be named on the ballot. If a runoff election must be held in a district that had more than one Student Senate seat available in the general election, students will be able to vote for as many candidates on the runoff election ballot as there are unfilled seats in that district.
- D. Timeline. Any runoff election will be held within a timeframe of five to ten business days after the day of the closing of voting specified in Section 401. Voting in a runoff election will be conducted electronically, with voting opening at 8:00 A.M. and closing at 5:00 P.M. the same day. Voting times may be extended in a similar manner used for the general election as specified in Section 405 B.
- E. Singularity of Office. In the case of a special election, candidates must run for the same electoral seat sought in the general election.

600 Special Elections

- A. Definition. A special election will be held in April for the purpose of electing any position left unfilled in the general election due to major technical problems or other justifying circumstances, as determined by the Student Court. A special election will also be used in case of problems with constitutional amendments.
- B. General Limitations. No additional campaigning will be allowed by candidates.
- C. Polling Procedures. Polling procedures will follow the same guidelines as they would under normal circumstances.

700 Emergency Circumstances

In the event of emergency circumstances, the Student Court may make modifications to scheduling, and the Chief Justice will notify all candidates and the Public Relations Commissioner as necessary.

800 Retention and Destruction of Records

All forms, applications, and records resulting from the Student Body Elections that contain personal information about individuals will be destroyed within 30 days of the certification of the last election. A record of the individuals who ran for each office and their vote totals may be retained for historical purposes only.

900 Window of Jurisdiction

This Election Code pertains only to individuals who have provided a signature stating that they understand the rules of the Student Body Election Code.

This Election Code will remain in effect until it is replaced with a new Election Code.

1000 Amendments

This Election Code may not be amended between the dates of February 11th, 2024, and May 11th, 2024.

APPENDIX

CANDIDATE CHECKLIST
North Dakota State University
2023-2024 Student Body Elections

Name(s) _____

Deadline: March 1st, 2024, 5:00 PM, Student Government Office (MU 128)

Completed Application for Candidacy – must be signed by the candidate(s)

Completed Petition Form – at least **25** signatures for senate ticket, **75** for presidential ticket.

Attendance Required* – Informational Meeting

March 11th, 2024, 6:30 PM. NDSU Student Government Office (MU 128) Heine Room

Deadline: March 18th, 2024, 8:00 AM, Student Government Office (MU 128)

Campaign Team Roster

Attendance Required* - Debate

March 26th, 2024, 12:30 PM. TBD, likely MU Food Court

Deadline: April 3rd, 2024, 6:00 PM, Student Government Office (MU 128)

Completed Financial Statement

Attendance Required* - Unofficial Results Ceremony

April 3rd, 2024, 8:00 PM (time subject to change), Prairie Rose Room

*required only for Presidential tickets

APPLICATION FOR PRESIDENTIAL CANDIDACY

Office of Student Government

Applications Deadline: Monday, March 1, 2024 by 5:00 PM

Applications must be turned into the Student Government Office (MU 128) or emailed to Chief Justice Grace McCulloch at grace.mcculloch@ndsu.edu

Position: **STUDENT BODY PRESIDENT**

NAME (EXACTLY as will appear on ballot): _____

LOCAL PHONE NUMBER: _____

STUDENT ID: _____

E-MAIL ADDRESS: _____

CLASS: GRADUATE STUDENT SENIOR JUNIOR SOPHOMORE FRESHMAN

My signature below denotes that I have read and understand the following statements:

- I understand that my/our academic and conduct eligibility will be checked for verification purposes.
- I understand that any violation of the established rules and regulations for this election will result in a penalty assessed by the NDSU Student Court.
- I understand that these violations will be dealt with on an individual case-by-case basis.
- If I commit such a violation, I will promptly accept any penalties assessed, including fines, punishments, and/or a request to withdraw my/our candidacy.
- I have read, understand, and will abide by the Student Body Election Code.

(Signature of Presidential candidate)

(Date)

This application must be submitted alongside a petition bearing the signatures of 75 North Dakota State University Students, including one from each of the five primary academic colleges. Only one petition must be submitted for each presidential/vice presidential ticket.

APPLICATION FOR VICE PRESIDENTIAL CANDIDACY
Office of Student Government

Applications Deadline: Monday, March 1, 2024 by 5:00 PM
Applications must be turned into the Student Government Office (MU 128) or emailed to Chief
Justice Grace McCulloch at grace.mcculloch@ndsu.edu

Position: **STUDENT BODY VICE PRESIDENT**

NAME (EXACTLY as will appear on ballot): _____

LOCAL PHONE NUMBER: _____

STUDENT ID: _____

E-MAIL ADDRESS: _____

CLASS: GRADUATE STUDENT SENIOR JUNIOR SOPHOMORE FRESHMAN

My signature below denotes that I have read and understand the following statements:

- I understand that my/our academic and conduct eligibility will be checked for verification purposes.
- I understand that any violation of the established rules and regulations for this election will result in a penalty assessed by the NDSU Student Court.
- I understand that these violations will be dealt with on an individual case-by-case basis.
- If I commit such a violation, I will promptly accept any penalties assessed, including fines, punishments, and/or a request to withdraw my/our candidacy.
- I have read, understand, and will abide by the Student Body Election Code.

(Signature of Vice-Presidential candidate)

(Date)

This application must be submitted alongside a petition bearing the signatures of 75 North Dakota State University Students, including one from each of the five primary academic colleges. Only one petition must be submitted for each presidential/vice presidential ticket.

APPLICATION FOR SENATORIAL CANDIDACY
Office of Student Government

Applications Deadline: Monday, March 1, 2024 by 5:00 PM
Applications must be turned into the Student Government Office (MU 128) or emailed to Chief Justice Grace McCulloch at grace.mcculloch@ndsu.edu

This application must be submitted alongside a petition bearing the signatures of 25 North Dakota State University Students. **If running in an academic district, these signatures must be petitioned from those in the same academic college as the candidate.** These may be from undergraduate or graduate students for all positions.

Position: **STUDENT SENATOR**

NAME (EXACTLY as will appear on ballot): _____

SENATORIAL BYLINE: (please list up to three of your affiliations **on campus at NDSU**, which may include majors and minors, clubs, currently held leadership positions, Greek Life affiliations, etcetera. This will appear on the ballot)

LOCAL PHONE NUMBER: _____

STUDENT ID: _____

E-MAIL ADDRESS: _____

CLASS: GRADUATE STUDENT SENIOR JUNIOR SOPHOMORE FRESHMAN

SPECIFY SENATORIAL DISTRICT:

___ At-Large Senator

___ Undergraduate Senator – College of _____

___ Graduate Senator – College of _____

My signature below denotes that I have read and understand the following statements:

- I understand that my/our academic and conduct eligibility will be checked for verification purposes.
- I understand that any violation of the established rules and regulations for this election will result in a penalty assessed by the NDSU Student Court.
- I understand that these violations will be dealt with on an individual case-by-case basis.
- If I commit such a violation, I will promptly accept any penalties assessed, including fines, punishments, and/or a request to withdraw my/our candidacy.
- I have read, understand, and will abide by the Student Body Election Code.

(Signature of Senatorial candidate)

(Date)

CANDIDATE'S FINANCIAL STATEMENT

Office of Student Government

Financial Statements Due: Thursday, April 3, 2024, 6:00 PM

Financial Statements are to be turned into the Student Government Office (MU 128) or emailed to Chief Justice Grace McCulloch at grace.mcculloch@ndsu.edu

THIS FORM IS DUE NO LATER THAN THE TIME SPECIFIED ABOVE.

- Expenditures for the Student Body President and Vice President campaign activities may not exceed \$1250.00 gross on behalf of the team.
- Expenditures for Student Senator campaign activities may not exceed \$300.00 gross.
- All receipts, monetary or non-monetary, or anything else relating to finances should be stapled with this form, and an itemized list should be given in the space provided below.
- If any material is donated, put a 'no' in the receipts column and give an estimated value.

Product/Service Description	Receipt (Y/N)	Amount

TOTAL DOLLAR VALUE OF RECEIPTS _____

The above figures are complete and accurate to the best of my knowledge.

Signature of Presidential Candidate
(or Senatorial Candidate if applicable)

Date

Signature of Vice-Presidential Candidate

Date

ELECTION PERMISSION FORM

This form gives you permission to place election materials in or on campus. Such materials include but are not limited to: those attached to trees and materials displayed by being staked into the ground. This form must be filled out and signed by the respective facility or department.

Campaign/election activities that require this form are mentioned in the 2023-2024 Election Code. If you are campaigning off-campus, this form must be signed by the manager/owner of the facility in which you are campaigning.

This form must be turned in to the Chief Justice directly, via email (grace.mcculloch@ndsu.edu), or placed in the Chief Justice’s mailbox in the Student Government Office. The mailbox is in the back-left of the Student Government Office (if entering through the front door). This document should be turned in within 48 hours of campaign materials being placed.

Date: _____ / _____ /2024

Name of Candidate(s) _____

Name of Facility/Department _____

Please include both a contact’s name and position title on the following line.

I, _____ , _____ ,

give the previously mentioned candidate(s) permission to

This can be verified by contacting me at:

_____.

Signed: _____

PETITION FOR CANDIDACY
Office of Student Government

We, the undersigned, support the candidacy of _____,

for the position of _____.

We are also members of the same academic district as the candidate. (NOT APPLICABLE in the case of Student Body Presidential Ticket or At-Large Senator Ticket)

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