

Bates College Student Government
Elections and Judiciary Committee Guidelines

(Approved 12/04/06)

Article I: Mission Statement

The Elections and Judiciary Committee (EJC) shall serve to foster a more efficient and open Student Government through the timely running of elections, impartial investigations of rule violations, and maintenance and review of the Constitution and legislation as charged by these guidelines, the Bates College Student Government (BCSG) Constitution and Bylaws, and the Representative Assembly (RA).

Article II: Powers and Responsibilities

1. The EJC will run timely elections as necessary every academic year for all applicable positions of the BCSG as outlined in the BCSG Constitution, Bylaws, and these guidelines.
2. The EJC will investigate all matters of impeachment, censure, and expulsion as charged by these guidelines and present a report on that investigation to the RA.
3. The EJC will investigate all matters pertaining to a violation of the BCSG Constitution, Bylaws, and Robert's Rules of Order when charged to do so by the Representative Assembly or by another body as specified in these guidelines.
4. The EJC will serve as an aid to all members of the BCSG on procedural issues including but not limited to the constitutionality of legislation, institutional history of various issues, and interpretations of current rules and legislation.

Article III: Membership

1. The EJC shall be chaired by the Parliamentarian of the Representative Assembly as specified by the BCSG Bylaws.
2. The EJC must be seated by the first RA meeting of the fall semester.
3. The Student Committee on Committees (CoC) will select six (6) members plus one (1) alternate member from current RA members only as specified by the BCSG Bylaws.
4. The CoC will select members of the EJC based on the following criteria:
 - a. Knowledge of BCSG Constitution, Bylaws, and Rules of Order
 - b. Ability to set aside personal biases
 - c. Ability to handle matters responsibly
 - d. Level of commitment
 - e. Ability to keep matters confidential
5. The Chair shall appoint a Vice-Chair who may take the place of the Chair should he or she be unable to fulfill his or her duties at any time.
6. Should vacancies arise in the EJC, the Chair of the committee shall fill those vacancies by soliciting applications from RA members.
 - a. The Chair must obtain majority approval of the EJC for any candidate to be considered.
 - b. Any selection made by the Chair must be approved by a majority vote of the RA.

7. If both the Chair and Vice-Chair will not be on campus at the beginning of the following academic year, the EJC members who will be present shall elect an Interim Chair at the end of the academic year.

a. The Interim Chair shall assume all powers of the Chair through the election of the Parliamentarian.

Article IV: Duties of Members

1. Members are required to attend all meetings of the EJC, unless excused by the Chair.
2. Members must adhere to all of the EJC guidelines and the BCSG Constitution and Bylaws, and above all must uphold the standards of professionalism and dignity at Bates College.
3. Members running for an office or who are the subjects of an investigation may not participate in related proceedings.
4. Violation of any of these duties is grounds for removal from the EJC, as detailed in Article IX, Section D.

Article V: Committee Operation

- A. A session of the EJC shall extend through the following academic year when the next EJC is sat.
 1. Quorum for meetings of the EJC shall be four (4) members and the Chair.
 2. Quorum requirements for the session are suspended after the last RA meeting of the academic year.
- B. The Chair shall call all meetings of the EJC to order.
- C. All regular meetings of the EJC shall be open to the public.
- D. The agenda for all EJC meetings shall follow the following order:
 1. Public Participation
 2. Reports
 3. Old Business
 4. New Business
 5. Executive Session
- E. Final product of the EJC must be approved by majority vote.
- F. Discharging of legislation and reports must be by majority vote.
- G. Subcommittees may be formed by the Chair at his or her discretion. Membership will be apportioned by the EJC members themselves.

Article VI: General Election Procedures

- A. The Chair shall be the election coordinator but may delegate any or all election responsibilities to other EJC members.

B. Nominations

1. Nominations shall be open to all currently enrolled Bates students studying on campus, with any restrictions described in Article VIII, who are members of the constituency they are nominated to represent.
2. A candidate may nominate themselves or be nominated by another enrolled Bates student.
3. Nominations for all at-large positions (Executive Council, Class Representative, Class Co-Presidents, etc.) shall be open for a period of seventy-two (72) hours.
4. All nominations must be submitted to the election coordinator in written form, or verbally in the context of a forum or meeting.

C. Campaigning

1. Campaigning begins when nominations close and runs through the end of the voting period.
2. All campaigning must be carried out in accordance with the Student Handbook.
3. Candidates must not act in such a manner that it places a voter under duress with regard to their vote, as decided by an EJC investigation.

D. Public Forum/Debate

1. A public forum for all nominated candidates as desired or as specified in these guidelines.
2. The EJC shall organize and run the forum, and the election coordinator shall be the moderator.
3. Each candidate shall be given a period of no more than five (5) minutes to speak.
4. There shall be a question period run at the moderator's discretion.

E. Voting

1. All EJC members must be on-call throughout the voting period, unless excused by the Chair.
2. Voting shall be open for at least forty-eight (48) hours for at-large positions.
3. A public voting area must be set up in front of Commons at lunch and dinner during the voting period. Other public voting locations may be setup at the discretion of the Chair.
 - a. Candidates must remain away from a public voting area or students voting elsewhere when voting is taking place, except to quickly enter and exit the area without lingering. Candidates may vote there, but may not remain.

F. Call for Objections

1. Upon the cessation of voting, the election coordinator shall call for objections.
2. Objections may be based on a violation of any of the election guidelines in this document or in the student handbook.
3. Objections shall be submitted to the Chair in written form and may be lodged up to 48 hours immediately following the end of voting.

4. All objections are confidential, but the objector may be required to testify before the EJC in Executive Session.
5. If an objection is filed, the EJC shall immediately open an investigation.
 - a. Testimony and evidence from the candidate and the objector shall be heard, as well as that of any witnesses called by either party or by the EJC.
 - b. Ruling on an objection shall be by a simple majority vote.
 - c. If the objection against a candidate is found to be valid, their campaign shall be considered forfeit and their ballots shall be discarded.
 - d. For expediency, the EJC is required to carry out investigations in the quickest way possible without causing unfairness to any candidate.
6. Either party of an objection may appeal the EJC's ruling to the RA.
 - a. A 1/6 vote of the RA is required to hear the appeal.
 - b. The appeal must be held in Executive Session and requires the presentation of all relevant evidence by the EJC.
 - c. The RA may grant the appeal by a simple majority.

G. Counting and Certification

1. Counting and certification shall immediately follow the closing of the polls and must be attended by all available EJC members and at least one third-party witness. The ballot count is open to public observation.
2. The winner shall be determined by a plurality of votes.
3. Results must not be released until the end of the objection period.
 - a. Results for races without objections may be released to the student body at the discretion of the Chair.
 - b. Results for races with pending objections must be withheld until the objections are ruled on.

H. Recounts

1. After any election, a recount may be initiated at a candidate's request or by a 1/6 vote of the RA.
2. The recount must be initiated within five (5) academic days of the initial count.
3. The EJC must recount all ballots relevant to the request with a third-party witness present. The witness cannot be one of the involved candidates.
4. The results of the recount must be reported to the RA at the next meeting. If the recount yields a change in the results of the election, then the campus will be notified following notification of the RA.
5. If the EJC strongly feels that there is no need for a recount, it may discharge legislation to the RA overriding the request.
6. Only one (1) recount is allowed for each race in an election.

- I. All elections shall follow these procedures with the exceptions noted in Articles VII and VIII.

Article VII: Voting Methods

A. Garnet Gateway

1. The director of Administrative Computing must be given advance notice of any impending election so that support resources may be allocated effectively.
 - a. Planned elections: at least three (3) weeks prior to the opening of polls.
 - b. Spontaneous elections: as soon as the election is deemed likely but no less than one (1) week prior to the opening of polls.
2. Race information must be submitted to the programmer/analyst assigned to support elections no less than one (1) week prior to the opening of the polls. Race information includes:
 - a. Race description (e.g. President, Senior Class Marshal, etc.)
 - b. The number of candidates that a voter can vote for
 - c. Class restriction (e.g. 2008; if none, ALL)
 - d. Election begin and end dates (midnight on these days)
3. The programmer/analyst will assign race codes and return this to the election coordinator as soon as possible before the end of the nomination period.
4. Candidate information must be submitted to the programmer/analyst by 7 am on the first business day following the close of nominations. Candidate information includes:
 - a. Race
 - b. Student ID (if unknown, they can help find the proper ID)
 - c. Candidate's name to be shown on ballot
 - d. Class year
 - e. Ballot order
5. Five (5) business days should be allowed between the close of nominations and the opening of elections so that the ballots may be tested.
 - a. If necessary, this period may be decreased but may not be less than two (2) business days.
6. Certification shall consist of opening the results file directly from the e-mail sent from the programmer/analyst, adding up any write-in votes, and determining the winners.

B. Paper

1. The EJC shall compile a checklist of students eligible to vote and shall ensure that each student votes only once.
2. Ballots shall contain a description of each position on the ballot and the name and other pertinent information (class year, etc.) of the candidates.
3. E-mail ballots, described under section C, may be used as absentee ballots for students studying abroad.
4. All ballots shall be kept until the end of the objections period.

C. E-mail

1. The EJC shall compile a list of those eligible to vote and their e-mail addresses.
2. At the close of nominations, an e-mail shall be sent to all those eligible to vote containing a description of the position(s) on the ballot, the names and any other pertinent information (class year, etc.) of each candidate, a description of the voting and objection procedures, and contact information for the Chair should a problem arise.
3. The election coordinator shall keep a paper record of all votes cast until the end of the objections period.

D. Forum/Meeting

1. Forums and meetings within which an election is contained may be convened under authority of the EJC.
 - a. All forums and meetings shall be run in accordance with Article VI, Section D of the EJC Guidelines.
 - b. If necessary, the Chair may deputize RCs, JAs, or BCSG officers to conduct elections.
2. The agenda shall be as follows:
 - a. Announcements
 - b. Explanation of Positions, Election Process, and Objection Process
 - c. Nominations (if no other period is defined)
 - d. Speeches by nominees, in the order that they were nominated.
 - e. Questions
 - 1) Afterwards the nominees shall be escorted from the room
 - f. Voting
 - 1) Voting shall follow procedures outlined in Article VI, Section E.
 - 2) At the conclusion of voting, the nominees shall be recalled and the winner announced.
 - 3) Paper ballots or a simple head-count may be utilized, at the discretion of the election coordinator.

Article VIII: Specific Races

A. All races follow the procedures in Articles VI and VII except as noted here.

B. RA Representatives

1. The election of RA members shall be completed at least one week prior to the first meeting of the RA.
2. All RA elections must follow Article I, Section 2 of the Constitution.
3. Class representatives shall be elected via Garnet Gateway. Dorm/House representatives shall be elected via Forum/Meeting.
4. The EJC may hold emergency elections at any time of the year to fill a vacancy of the RA.
 - a. The Chair must be kept up to date of vacancies in the RA.
 - b. The EJC must notify the RA of any emergency elections that will be held.

C. RA Officers

1. The EJC shall have the power to name a Chairperson and Secretary for the first meeting of the RA only. This is done so that a knowledgeable person may run the first meeting.
2. The Chairperson, Parliamentarian, and Secretary of the RA shall be elected at the first meeting of the RA, in that order.
3. The RA officers shall take office immediately upon their election.
 - a. The newly elected officer may elect to defer until the following RA meeting so that they may better prepare.
4. All officer elections shall be run in accordance with Article VII, Section D, with the exception that the following be added to the agenda between “Questions” and “Voting”:
 - a. Deliberation
5. The winner shall be determined by a simple majority.
 - a. If no majority is reached, there shall be an instant runoff between the top two candidates.

D. Class Officers (Co-Presidents and Class Marshals)

1. Class Officers shall be elected via Garnet Gateway by the end of September, simultaneously with Class Representatives.

E. Advisory Committees

1. Advisory Committee members shall be elected by the end of September, simultaneously with Class Representatives.
2. Each class shall elect one student to sit on each of the Deans', Faculty, President's, and Trustees' Advisory Committees.

F. Executive Council

1. The President, Vice President of Student Committees, and Vice President of Student Clubs must be elected no later than January 31st.
2. Nominations will be opened during the first RA meeting of the winter semester.
3. The winner is decided by a plurality of votes.
4. President and Vice President of Student Committees
 - a. A public forum shall be held for the candidates, in accordance with Article IV, Section D.
 - 1) Each candidate for President shall have ten (10) minutes to speak.
 - b. The President and Vice President of Student Committees shall be elected via Garnet Gateway.
5. Vice President of Student Clubs
 - a. The Chair of the Organizational Review Board shall submit to the election coordinator a list of all recognized clubs by the first RA meeting of the winter semester.
 - b. The election coordinator will obtain a list of club presidents from the Student Activities Officer.

- c. Election of the Vice President of Student Clubs shall be one day before the opening of polls for the President and Vice President of Student Committees.
- d. The election shall be held via Forum/Meeting
 - 1) The election coordinator shall notify all club presidents of the date and time of a meeting where a forum and elections will be held by the time nominations close.
 - 2) Each club is allowed one vote.
 - 3) A deliberation period may be added after “Questions” and before “Voting” at the moderator’s discretion.

G. Unspecified Elections

- 1. When an election is required that is not specified in these guidelines, it will be brought before the RA.
- 2. The Chair of the EJC shall notify possible candidates at least twenty-four (24) hours before the RA meeting.
- 3. Voting shall occur via Forum/Meeting, with the insertion of a deliberation period after “Questions” and before “Voting.”

Article IX: Investigations and Judiciary

A. Investigation Procedure

- 1. The EJC must be convened by a majority vote of the RA in order to hold an investigation.
 - a. Investigations of officers for impeachment only require the motion of an RA member and a second, as specified in Article VI, Section 2 of the Constitution.
- 2. The Chair of the EJC has the right to suggest to the RA that an investigation is needed for a particular matter.
- 3. The EJC may only investigate issues that are not in the jurisdiction of any other RA committee. The only exception will be if the RA orders the EJC, by majority vote, to run a particular investigation.
- 4. All matters of EJC investigations are discussed in Executive Session and thus are confidential.
- 5. When the investigation is complete, the EJC will present the RA with a detailed report that the RA may adopt by majority vote.

B. Member Expulsion, Censorship, and Removal

- 1. The Chair of the EJC, after acquiring majority consent from members of the EJC, can suggest to the RA that an RA member be censored or expelled if the EJC feels a member has violated the BCSG Constitution, Bylaws, or Robert’s Rules of Order.

C. Officer Impeachment and Removal

- 1. Officers of the BCSG may be impeached and removed in accordance with Article VI, Sections 1-5 of the Constitution.
- 2. The investigation of an officer will comply with Article IX, Section A.

D. EJC Member Removal

1. A member of the EJC may be removed if a majority of members feel that the individual has violated his or her duties.
2. The removed member may appeal to the RA, which may reinstate the member by majority vote.
3. If substantially new information pertaining to the removal investigation arises, the EJC may address the case again, with the same appeal available to the member.

Article X: Legislative and Constitutional Review

A. Legislative Review

1. It shall be the duty of the EJC to review bills for the following criteria:
 - a. Numbering and/or grammatical errors
 - b. Constitutional conflicts
2. Bills shall be reviewed by a system of rotation. A weekly schedule shall be drawn up whereby the Chair and two members of the Committee will be responsible for reviewing bills each week.
3. The EJC shall encourage RA members to voluntarily submit bills to the EJC before submitting legislation to the RA for consideration.
4. The EJC shall consider changes in three ways:
 - a. If the author of the bill has not yet submitted the legislation, the EJC shall consult in private with the author and communicate the needed changes.
 - b. If the bill is submitted to the Chair of the RA with more than 36 hours before the bill will be considered, then the Chair will forward the bill to be reviewed by the EJC.
 - c. If the bill is submitted less than 36 hours before it is considered, the bill will go directly to the RA floor. The EJC will review the bill during the following week.
5. The EJC shall correct a bill by discharging an amendment to be presented to the RA when the bill in question comes up for consideration. These amendments will have to be approved by the RA to come into effect.

B. Constitutional Review

1. The EJC can be convened at any time to deal with constitutional issues by a majority vote of the RA membership.
2. The EJC shall be required to make a yearly review of the Constitution for conformity with the parliamentary needs of the Student Government. These changes include, but are not limited to, effectiveness, efficiency, clarity, or contradictions.
 - a. The RA must be notified before the review begins, must be given weekly updates, and must be presented with a final report.
 - b. If necessary, changes will be proposed to the RA in the form of constitutional amendments.
3. The Parliamentarian has the right to add constitutional review to the EJC agenda if he or she detects a problem with the constitution.