

**STUDENT GOVERNMENT ASSEMBLY
METROPOLITAN STATE UNIVERSITY
OF DENVER**

ELECTIONS CODE

Mission Statement

Election Services branch shall interpret this Code to provide campaigners, Student Government Assembly, and the Metropolitan State University of Denver student body alike the maximum reasonable participation in all elections. Election Services shall remain a fair and impartial body that functions to preserve the integrity of all elections in service to the Metropolitan State University of Denver student body.

Contents

SECTION 1: Definitions 3

SECTION 2: Election Timelines 5

 Election Services..... 5

 General Election..... 6

 Initiative 6

 Special Elections 6

 Violations 7

SECTION 3: Election Procedures 7

 Candidates..... 7

 Referenda, Initiative, or Recall Initiation 8

 Ballot Creation 9

 Campaign Period 9

 Balloting 10

SECTION 4: Election Participants 10

 Candidates..... 10

 Campaign Groups 11

 Referendum Sponsors 11

 Third Parties 11

SECTION 5: Campaigning 11

 Election Services Oversight 12

Conduct.....	12
State Resources.....	12
Communications.....	13
Spending.....	13
Events.....	14
Materials.....	14
SECTION 6: Violations Procedures.....	15
Violations.....	15
Reporting.....	15
Temporary Orders.....	16
Violation Resolutions Options.....	16
Punitive Measures.....	16
Hearings.....	17
SECTION 7: Election Results.....	18
Election Services Authority.....	18
Tabulation.....	18
Certification.....	18
Contestation.....	19
SECTION 8: Appendices.....	19
APPENDIX A.....	19
APPENDIX B.....	20
APPENDIX C.....	20

SECTION 1: Definitions

1. **Advisors:** Any faculty or staff member working in an official capacity to assist the Student Government Assembly [hereinafter “SGA”].
2. **Ballot:** A ballot shall refer to electronic voting.
3. **Campaign Communications:** Campaign communications consist of all person-to-person correspondence, whether directed individually or disseminated broadly to members of a larger group, including, but not limited to, e-mails, letters, mailings, and phone calls.
4. **Campaign Event:** A campaign event shall consist of any public event, whether held electronically or at a physical location, at which the distribution of campaign materials, issuance of campaign communications, and/or a general discussion of campaign parties and positions are part of the planned activity.
5. **Campaign Group:** For general campaigning purposes, a campaign group shall consist of two or more persons working together to support an initiative or candidate during an election cycle.
6. **Campaign Materials:** Campaign materials consist of all physical resources and electronic media used to deliver a campaign message or otherwise express an opinion intended to influence a vote. Campaign materials may be designed for delivery to constituents, posting, or for continual use by campaigners.
7. **Campaigner:** A campaigner includes any specific candidate, referendum sponsor, or third party.
8. **Campaigning:** Campaigning shall mean the actions of any specific candidate, referendum sponsor or third party promoting their agenda in an election.
9. **Candidate:** Candidate shall mean a qualified student standing for an elected position with the Metropolitan State University of Denver SGA.
10. **Candidate Application:** The candidate application must contain the following documents, but may be expanded at the discretion of the Manager:
 - i. Complete Application Packet
 - ii. Faculty/Professor Signature Form
11. **Certification:** Certification shall mean the final and certain results of an election as made public by the Manager in accordance with this code.
12. **Contestation:** For the purposes of this code, contestation shall mean a questioning of the validity of the results, whether in regard to tabulation of votes or conduct of the members of Elections Services.
13. **Election Cycle:** From the first day candidate applications are made available or notice of general or special election is released until the student vote has been certified.

14. **Election Rules:** Refers to all applicable election codes, the SGA Constitution, campus or university policies, or state and federal law.
15. **Initiative Sponsor:** An individual or group who begins the process of bringing forth an initiative or referendum item to be voted on by the Student Body of MSU Denver by following the process outlined in Appendix A.
16. **Information Meeting:** Information meetings shall be Election Services sponsored public events at which interpretations and rulings may be announced, and general information about the campaign process shall be made available to all parties. Candidate packets will be made available for pick-up and drop-off, if downloaded or previously acquired.
17. **In-Kind Donation:** In-kind donations are goods or services that would normally have a monetary value assigned, but have been provided to the campaigner free of charge or at a reduced rate.
18. **Libel:** To publish or print, including pictures, writings, radio broadcasts, television, film or internet publishing, an untruth about another which will do harm to that person or their reputation by tending to bring the target into ridicule, hatred, scorn or contempt of others.
19. **Non-Consumable Resources:** Non-consumable resources shall refer to the use of equipment, space, computer labs, software or other resources that are not depleted by use, and are equally available to any campaigner.
20. **Polling Place:** Polling place shall refer to any location at which a vote may be cast on campus. This may include computer labs, the Access Center, or any other place so designated by Election Services for a given election.
21. **Qualifications/Qualified:** Individuals shall be considered qualified by meeting and adhering to the provisions set forth in this Code, all hiring policies of the University, and the policies of MSU Denver SGA. In addition qualified individuals must not have been found in violation of the SGA Student Code of Conduct.
22. **Referendum Sponsor:** Any person, group, committee, organization or political entity, including the SGA or any part thereof, having participated in drafting, petitioning or other advocacy of any referendum, shall be considered a sponsor of said referendum upon written registration, utilizing the form in Appendix B with the Manager.
23. **Slander:** Oral defamation, in which someone tells one or more persons an untruth about another, which will harm the reputation of the person, defamed.
24. **Spam:** Spam shall refer to the activity of mass e-mailing student contacts and shall include the utilization of: e-mail listings from ConnectU, Blackboard, OrgSync or other list serves for the purposes of campaigning through the mass e-mailing of students whom the campaigner does not otherwise have access to contact.
25. **Student:** The term student shall include all persons enrolled in at least one credit hour at MSU Denver during the relevant semester.

26. **Temporary Election Rules:** Regulations enacted and enforced by the Manager and valid for a single election cycle only. These may vary from election cycle to election cycle at the discretion of the Manager.
27. **Temporary Orders:** Temporary Orders shall require the stop and desist of campaign activity as deemed necessary by the Manager according to the provisions of this code.
28. **Third Party:** Any person or group not affiliated with MSU Denver , participating in the election process for the purpose of campaigning or otherwise publicly expressing an opinion shall be classified as a third party upon written registration, utilizing the appropriate form in Appendix B.
29. **Violation:** Violation shall refer to a finding of responsibility by Election Services for an action in violation of this Code.
30. **Major Violation:** A major violation is one that shows an intentional and/or substantial disregard for fair election procedures. Major violations cause substantial harm to the election process, and usually include ethical abuses. Failure to be aware of applicable rules and codes shall not be considered a defense to an alleged violation.
31. **Minor Violation:** A minor violation is one that may impact fair election procedures. Minor violations may not cause harm to the election process, and usually include actions that can be readily remedied. Minor violations do not require proven harm, but only evidence of actions in opposition to this Code as written. Failure to be aware of applicable rules and codes shall not be considered a defense to an alleged violation.
32. **Violation of Repetition:** Violation of repetition shall mean two separate and distinct incidents of identical violations. A violation of repetition cannot occur without a previous finding of responsibility for an action in violation that is chronologically separate from the second incident. A finding of repetition may occur immediately upon a finding of responsibility for the second identical violation.

SECTION 2: Election Timelines

Election Services

1. The SGA general election shall be held in the spring semester to elect officers for the following term.

2. Changes to the Election Codes should be made within 72 hours before an election cycle begins. Changes should be approved by the Advisor to Election Services.

General Election

1. The Manager shall announce the election to the student body as a whole via official University communications.
2. Candidate applications shall be made available no later than one month after the start of spring semester.
3. Election Services may hold information meetings with dates determined by the Manager.
4. Election Services will accept all paperwork no later than that year's application deadline date. This date must occur one month prior to the first day of balloting.
5. A final list of candidates and any referenda, candidate or recall questions, must be published no later than one week prior to the first day of balloting.
6. The first day of balloting shall be no later than the second Monday of April.
7. The last day of balloting shall be no sooner than five business days following the first day of balloting.
8. Election Services shall issue final certified results, two weeks following the close of balloting, pending the submission of all campaign finance forms from campaigners.
9. In the event that there are unresolved violation allegations or contestations, Election Services shall certify the election by the end of business day on the first Friday following the resolution of all alleged violation and/or contestations.

Initiative

1. Proposed student fee referenda are due to the Budget and Provost offices the first day of spring semester. Please see Appendix A for the appropriate steps to get an initiative or referenda item on the ballot.

Special Elections

1. The Manager shall announce the election to the student body as a whole via official University communications.
2. Candidate applications shall be made available no later than 4 weeks before the first day of balloting.
3. A final list of candidates and any referenda, candidate or recall questions must be published no later than one week prior to the first day of balloting.

4. Election Services shall announce an election and make candidate application available at least four weeks before the first day of voting.
5. Election Services may hold information meetings during the two weeks prior to the due date for candidate application.
6. Election Services shall accept candidate applications and registration for Campaign Events, referenda, and/or initiatives no later than one month prior to the first day of balloting.
7. A final list of candidates and any referenda, candidate or recall questions must be published no later than one week prior to the first day of balloting.
8. Election Services, in consultation with the SGA President, shall set the first day of balloting.
9. Balloting shall last at least three business days, including the first day of balloting.

Violations

1. Election Services will accept violation allegations no later than the following Thursday after Elections Week by 11:59 pm.
2. Election Services shall issue violations no later than end-of-business on the Friday after balloting ends.
3. Election Services shall give notice to all parties to an alleged violation no later than end-of-business on the first Friday following the last day of balloting which shall include the schedule, date, and time of a hearing, if one is needed.
4. If no alleged violations are submitted or all alleged violations are resolved prior to the last day of balloting, Election Services will issue the final certified results to all candidates, the current SGA President and the editor-in-chief of the official school newspaper no later than the Friday following the last day of balloting.
5. Election Services shall hold hearings, as necessary, pursuant to section 6 of this Code.

SECTION 3: Election Procedures

Candidates

1. Students desiring to stand for elected office within the SGA shall have their names placed on the ballot upon fulfillment of the requirements of the SGA Member Handbook and fulfillment of requirements based off of this code:
 - a. President
 - b. Vice President
 - c. Senators

- d. Student Trustee
 - e. SACAB Representative
2. Upon submission of a candidate application, all candidates are required to have:
 - a. Completed application including the role they intend to run for
 - b. Participation in all events hosted by the E.S.
 - c. Collected signatures from faculty members/professors to confirm that the candidate spoke to the class in regards to the election and their candidacy.
 3. Candidate applications shall be available online, in Tivoli 305, and tailored to the specific elected position.
 4. Candidate applications are due no later than four weeks prior to the first day of balloting.
 5. Upon receipt, the Manager shall present copies of all Intent Forms to the appropriate administrative advisor and/or the advisor's designee, for verification of these qualifications. The administrative advisor and/or the advisor's designee, in acceptance of this responsibility, shall provide a written statement affirming each qualified candidate and rejecting each unqualified candidate. Notice of rejection must be provided to the candidate, in writing, within three business days of such rejection.
 6. Any and all personal information submitted to Election Services by students shall be considered released by such students to Election Services for its applicable and appropriate use. However, in the course of such use, no private student information shall be released to any person not a member of Election Services or its advisor without the signed written consent of the student.

Referenda, Initiative, or Recall Initiation

1. The Budget Office and Provost's Office must approve proposed Student Fee Referenda. The Provost's office will then forward the Student Fee Referenda to the Student Fee Review Panel within the SGA to be placed on the ballot.
2. Student Fees must be proposed no later than the two weeks prior to the candidate application deadline.

Ballot Creation

1. Election Services shall generate a ballot and make it available for the public no later than 8:00 am of the first day of balloting. Election Services shall make all reasonable efforts to generate a simple, understandable, fair and impartial ballot; such efforts may include a random or alphabetical selection of the order of candidates for each position and the presentation of referendum language without description or proponent speech. All incumbent candidates shall be denoted as such thereon.
2. Election Services is responsible for ensuring that such language is accurate and impartial and may require revision of the language within reasonable deadlines. If revisions are required Election Services shall notify the sponsoring party within forty-eight hours of the deadline for all corresponding paperwork.
3. Election Services shall hear all complaints regarding the nature of the ballot received in writing with the Manager within three business days of its public availability.
4. The ballot must include a method whereby voters can write in a student's name, which does not already appear, on the ballot.
5. Election Services may solicit volunteers for assistance with the process of balloting, regulation enforcement, and vote counting, and may certify such volunteers as election judges, following an inquiry into such volunteer's impartiality, the Manager shall have final authority to appoint election judges.
6. Election Services may make use of campus and university resources, or other external businesses or organizations in order to ensure that balloting is conducted professionally and accurately. Election Services may allocate funds for such services within their approved budget

Campaign Period

1. Election Services may host campaign information meetings in accordance with these codes for a general or for a special election if needed. Campaigners shall be held responsible for all information provided at such meetings, regardless of the length of their attendance.
2. Candidate applications shall be due from all prospective candidates to the Manager as defined in Section 2 of this code. Election Services shall set and publish the due date of the candidate application upon the announcement of an election.
3. Such a due date may be extended, by a simple majority of Election Services, to a point not later than fifteen days prior to the first scheduled day of the relevant general election, and no later than eight days prior to the first scheduled day of the relevant special election.
4. The due date for Candidate Applications may be extended only upon a finding by Election Services that one or more position(s) in the election will otherwise remain

uncontested and/or unfilled. The submission of all candidate applications constitutes the receipt and understanding of the MSU Denver SGA Election Code.

5. Campaigning shall take place between the filing of the candidate application and /or submission of referenda/initiatives to Election Services and the end of balloting. With respect to special elections in which no candidates will participate, Election Services shall allow a period of time no less than two and no more than four weeks for campaigning.

Balloting

1. Election Services shall set a time period for balloting of not less than five business days for general elections.
2. Election Services shall set a time period for balloting of not less than three business days and not more than five business days during special elections. Subject to the other requirements of this section with respect to balloting, Election Services shall review the results of the election within seven business days of the close of balloting. Subject to this requirement, Election Services shall set a time period for contestation of two business days following the posting of certified results.

SECTION 4: Election Participants

Candidates

1. Election Services shall accept candidate applications from students for the positions of President, Vice President, Student Trustee, SACAB Representative and Senator.
2. The Manager of Election Services will then provide the candidate information to their Advisor to verify candidate eligibility
3. Students who have submitted their candidate applications shall be allowed to register for a Campaign Event following verification of qualifications. Election Services may choose to treat a student as a candidate prior to verification for the purposes of campaigning and/or election process requirements.
4. All students seeking election will be considered candidates upon the first public announcement, or posting that demonstrates intent to be elected to a position in the SGA and all applicable rules shall apply.
5. Candidates in SGA elections are expected to adhere to any and all rules of conduct that apply to members of the assembly. Candidates found in violation of said rules by Election Services, Student Conduct, or University are subject to disqualification upon a finding by Election Services that the candidate's conduct, if already an officer, would be sufficient to warrant removal from office.

Campaign Groups

1. Campaign groups may assemble or disassemble upon the unanimous written consent of the members thereof and upon written notice, utilizing the appropriate form, to Election Services.
2. Election Services may assemble or disassemble a campaign group based on its judgment by simple majority that members exhibit the characteristics of a campaign group or of individuals campaigning based on such members' operation under the provisions of this section. Continued endorsement of one candidate or campaign group for another shall be considered sufficient for such a judgment.
3. While operating as a campaign group, all individual members and the campaign group shall each be held fully and indiscriminately accountable for the conduct of the group.
4. Each individual within a group must adhere to spending limits as defined in section 5 of this code.

Referendum Sponsors

1. Referendum sponsors shall be assembled by Election Services into campaign groups only upon finding by simple majority that their resources are pooled and/or their message and/or presentation is identical.
2. Referendum Sponsors may campaign in a biased manner (vote yes/vote no) only after the Election Manager had received and added the proposed referenda to the ballot.
3. Such as Campus Departments, Referendum Sponsor can spend up to \$500 in campaigning in a biased manner.

Third Parties

1. Upon classification as a third party, Election Services shall notify the party that all election activity must be in compliance of campus, university, and SGA regulations.
2. Individuals considered third parties by these provisions may not share resources or coordinate a joint strategy unless they register as a campaign group or are assembled as one by Election Services.
3. All persons and groups choosing to participate in the campaign and/or election process in any way, lack of status as a candidate, campaign group or referendum sponsor notwithstanding, voluntarily avail themselves of the jurisdiction of Election Services, and are thus subject to each and every provision of this Code and all other policy issued by Election Services.

SECTION 5: Campaigning

Election Services Oversight

1. Election Services shall be responsible for the oversight of all election-related activities, and may investigate any activity on its own initiative or upon request by another party. Election Services may request university assistance in investigating violations or enforcing this Code.

Conduct

1. All parties to an election shall be responsible for full compliance with this Code, all university and campus policies relevant to election proceedings and all state and federal laws applicable to conduct within such proceedings. However, violation shall only be determined by the Manager upon a finding of clear intent and/or failure to be aware of applicable rules.
2. Election Services shall provide a statement or explanation to all parties regarding the general principles of slander and libel, accompanied by a disclaimer of attorney knowledge unless reviewed and approved by a licensed Colorado attorney

State Resources

1. State resources, for the purposes of this section, consist of any materials or equipment paid for by tuition, student fees, or state funds. Except as described in this section, no state resources may be used for any campaign purposes. This requirement shall not apply to physical space, which is not diminished or damaged by its use.
2. Individual Candidates or Campaign Groups shall not accept donations of funds or materials from campus offices or departments. Any non-consumable resources provided for the use of campaigners free of charge shall be assigned a null value for spending purposes.
3. Campus Departments, with the exception of Student Government Assembly, are allowed to use their resources to campaign in an unbiased manner that can help promote the elections and information in regards to specific referenda that can impact Student Life on Campus
4. Campus Departments may not campaign on behalf of students. It is forbidden for a department to campaign on behalf of a student.
5. With respect to resources available to all students indiscriminately, such as the computer labs and student lounges, campaigners may make use of all resources without penalty, provided they do not interfere with normal use by non-campaigners. Any printing in MSU Denver computer labs shall be assigned current lab pricing on all expense reporting.

Communications

1. Campaigners shall comply with all university and campus policies regarding the use of spam and consumer mailing, and with all state and federal law. However, students sharing a pre-existing relationship with the campaigner, such as current classmates, teammates, or club membership, may be included in mass communications unless the student expressly requests not to be.
2. Campaigners shall not use any communication method that intrudes on the privacy of students outside the campus or university electronic forum, such as phone calls and home mailings.
3. No mass emails shall be sent to addresses contained in established campus lists, such as, but not limited to, those independently managed by the Information Technology division of the university or those available on Blackboard, ConnectU, or OrgSync unless a preexisting relationship with the campaigner exists.
4. No campaigning shall take place within fifty feet of the SGA Office, within the confines of the SGA office or within fifty feet of any SGA function or SGA sponsored table or event unless formally sanctioned by Election Services.
5. No campaigning shall take place within fifty feet of any place of balloting. No campaigner shall knowingly approach a student in the process of submitting a ballot, regardless of the location of the student.
6. No candidate shall create a balloting location by directly providing electronic means of voting.

Spending

1. No individual candidate may spend more than \$500.00 on campaign materials and related expenses, no more than \$250.00 of which may come from any single external source. Such limits shall include reasonable assessment of the value of in-kind donations.
2. No referendum sponsor or third party may spend in excess of \$500.00 on campaign materials and related expenses.
3. Campus Departments are allowed to use their resources to campaign/market the election in an unbiased manner.
4. Campus Departments, Campaign Groups and any Referenda Sponsor may not spend more than \$500 in campaigning for a referenda item in a biased manner (Yes Vote/No Vote etc.). Just as individual candidates, an Expense Report Form must be filled and handed to the Election Services by the last day of Ballot Week.
5. Campus Departments are forbidden from contributing to or campaigning on behalf of a student.
6. All expense reporting must be completed by the first day of balloting. While spending may occur during the balloting period, all expenses must be allocated and reported prior to the start of balloting to give Election Services adequate time to verify the accuracy and veracity of the expense reports. A final expense report must be submitted no later than one business day following the close of balloting.

7. Election Services shall designate an e-mail address and a physical location for expense reporting. Each candidate, campaign group, referendum sponsor and third party shall be responsible for providing, by e-mail or paper submission, a list and summary of expenses throughout the entire campaign period.
8. This reporting must describe the sources of all funds and donations and the use to which each is put, as well as provide contact information and/or receipts for verification of these sources. Election Services may provide additional guidelines to direct the formation of such reporting.
9. Any printing in MSU Denver computer labs shall automatically be assigned current lab pricing on all expense reporting. Personal printing, i.e. home printing, shall be assessed in line with current lab pricing. Commercial printing is assigned retail value.
10. All parties to elections may receive donations of money and/or resources in kind from any person except another campaigner or campaign group.
11. In-kind donations must be assigned a reasonable value and deducted from the party's spending limit. Election Services may, upon a finding of an incorrectly calculated value by simple majority, revise any party's assigned value. However, Election Services shall not revise an assigned value without substantial evidence.
12. Donations of non-consumable resources shall be assigned a null value unless a specific fee for such use is paid by the campaigner in receipt, or the donating party.
13. Election Services shall make reasonable efforts to verify and supervise election expenses to ensure compliance with applicable regulations.

Events

1. The hosting of individual(s) and/or groups must be publicly and frequently made clear to all persons attending or participating in each forum. Forums hosted by Election Services, or otherwise purporting impartiality, shall only be conducted provided vigorous and defensible efforts to adhere to a fair and impartial process.
2. Individuals or groups hosting campaign events may not do so using student organization funds without express approval of the governing body of that student organization, as reflected in their constitution.
3. Candidates or campaign groups must include expenses incurred by a campaign event which can be reasonably attributed to the campaign on their expense reports to the Manager of Election Services.

Materials

1. Election Services shall not restrict the freedom of speech in campaigning, except as to require compliance with applicable university policy, campus policy, and state and federal law.

2. Campaign materials shall not be posted in any way that violates campus' posting policies.
3. No campaign materials shall be stored within the confines of the SGA office.
4. No campaigner may remove, destroy, deface, or cover up any campaign material of another campaigner, or in any way hinder campaign efforts. Engaging in these actions will result in a violation pursuant to section 6 of this Code.
5. The Elections Services may not regulate campaigning that takes place off-campus or online, except that it may use such instances as evidence of election violations. MSU Denver resources, such as the e-mail server, incoming or outgoing, and university-provided web space shall be considered on-campus for the purposes of campaign regulations.

SECTION 6: Violations Procedures

Violations

1. Campaigners participating in SGA elections are expected to adhere to any and all codes and rules as written. Failure to comply with this Code, Election Services rules, university and campus policies relevant to election proceedings, and/or state and federal laws applicable to conduct within such proceedings, will result in a violation. Violations shall only be determined by Election Services upon a finding of clear intent and/or failure on the part of the accused to be aware of applicable rules.
2. Dependent upon the severity of the violation, a violation shall be designated as either major, or minor pursuant to this Code.

Reporting

1. Upon discovering a believed violation of any provision of this Code or a Temporary Election Services Rule, an Election Services Coordinator or Manager shall report the violation, utilizing the appropriate violations form, to all other Election Services members. The Manager shall then issue temporary orders, if believed necessary, and shall convene a hearing pursuant to this section of Election Codes.
2. Reports filed by an Election Services member do not require physical evidence, as Election Services members are expected to remain impartial as well as be reliable witnesses.
3. Upon discovering a believed violation of any provision of this Code or a Temporary Election Services Rule, a party to the election or disinterested party may report the violation, utilizing the appropriate violations form, to the Manager. The Manager shall then distribute this writing to all other Election Services members, then, if believed necessary, issue temporary orders, and convene a hearing pursuant to this Code.

4. Complaints not delivered in writing as described herein shall not be considered; additionally, alleged violations lacking substantial evidence may be dismissed at the discretion of Election Services.

Temporary Orders

1. Upon becoming aware of an activity alleged to be in violation of any provision of this Code or an Election Services rule, the Manager may issue a temporary order, calling for the cessation of such activity until a hearing can be convened. The Manager may only issue such order upon the belief that such order is necessary to continue a fair and impartial election, and that such order will not cause harm in itself to a fair and impartial election.
2. Upon the convening of a proper hearing, Election Services may reverse any such temporary orders. Such reversal shall not be considered an indication of any misconduct by the Manager.

Violation Resolutions Options

1. Upon notice of an alleged violation, a campaigner may waive the right to a formal hearing and submit acceptance of responsibility at which point punitive measures shall be assessed.
2. Should a campaigner wish to proceed with a formal hearing, the hearing shall be scheduled and conducted pursuant to this Code.

Punitive Measures

1. Standard punitive measures may include any combination of the following:
 - a. The immediate removal of all materials and/or postings in violation.
 - b. The reduction of an individual/campaign group's spending limit of up to 95%.
 - c. Prohibition from further campaign activities.
 - d. Expulsion from the election process and disqualification.
 - e. Other penalties as designated by Election Services.
2. Election Services shall disqualify a campaigner from further participation in campaigning or in the election itself only upon a finding that the campaigner has committed three separate minor violations, a repetition of two identical minor violations, or one major violation.
3. Campaigners whose spending limits have been reduced below the amount already spent must remove and forfeit materials, at Election Services' discretion, to decrease their total outstanding campaign spending below the new limit

4. Any campaigner found in violation may be required to provide a new statement of spending and must forfeit any such materials to any Election Services member within one business day of such a finding.

Hearings

1. Hearings regarding alleged violations shall be held by Election Services once a week regularly during the campaign period as necessary and up to once daily during the balloting period.
2. All hearings must be resolved no later than three business days following the close of balloting.
3. A majority of Election Services must be present, including the Manager for a hearing to proceed.
4. A hearing regarding an alleged violation may only be held following a minimum of one business day's written notice to the campaigner against whom allegations are made, the party harmed by the alleged activity (if any), and a majority of Election Services members.
5. A hearing shall operate as a normal meeting of Election Services, but shall include, in this order:
 - a. Presentation of evidence of violation by Election Services
 - b. Presentation of the accused party's evidence
 - c. Statements by all accusing persons
 - d. Statements by the accused and all other persons in defense
 - e. Deliberation by Election Services on its finding
 - f. Issuance of a finding; if found responsible, proceed to (g) and (h)
 - g. Deliberation by Election Services on punitive measures
 - h. Issuance of punitive measures
6. Election Services' findings shall be published in writing and made publicly available by the end of business on the day of issuance, and must include findings of fact and violation. Findings of fact shall include a thorough description of all actions found by Election Services to have been taken by the accused. Findings of violation shall include a thorough explanation of Election Services application of policy or law to these found facts.
7. Hearings may be carried over to a second day if necessary.

SECTION 7: Election Results

Election Services Authority

1. As the sole and exclusive arbiter of student elections, Election Services shall not cede any authority over such elections to any administrative body, office or person, except as required by state or federal law.

Tabulation

1. Election Services may count ballots and results during and/or after balloting. All initial counts must be made by a minimum of two Election Services members and/or election judges. For the purpose of counting, advisors may serve as election judges.
2. Following counting, the candidate with the largest number of votes for each of the five elected executive positions (President, Vice President, Student Trustee, and two SACAB Representatives) shall be named the preliminary victor. The seven candidates with the largest number of votes out of all candidates for senator shall be named preliminary victors.
3. In the event that the candidate with the largest number of votes in any of the elected positions is disqualified, the next candidate with the largest number of votes shall be determined the winner for that position.
4. Election Services may also, at its discretion, release partial preliminary results before balloting is complete. All preliminary results must include all questions and positions on the ballot

Certification

1. It is recognized that clear and careful certification of a vote is necessary to the assurance of a fair and impartial election system. As such, Election Services shall not sacrifice the principles of a fair and impartial election in any way in the interest of meeting a certification deadline.
2. The "yes" vote on items that impact student fees must be equal or greater than 3% of the MSU Denver student population in order for Election Services to certify election results
3. For other ballot measure that don't impact student fees, a simple majority "yes" vote by the voters will allow Election Services to certify the election results.
4. Certification of a vote by Election Services shall require a unanimous vote from Election Services members.
5. Election Services is not responsible for any inauguration proceedings.

Contestation

1. Contestations must be filed with the Manager before completion of balloting. Election Services shall consider all contestations within two business days following the release of preliminary results. Election Services shall first consider whether the allegations, if true, would result in measures, punitive or otherwise, that would substantially alter the outcome of the election, then proceed to a modified hearing consistent with the provisions of this code only if it determines in the affirmative by simple majority.
2. Any group of three candidates, three referendum sponsors, or ten students may petition Election Services for a first recount. Upon receiving such a request, in writing, naming one specific position or referendum to be recounted, Election Services shall seek a letter from the company, department, or entity which was used to conduct balloting which certifies that results are accurate.
3. Election Services shall order a new election, to determine a position or referendum, only upon a finding that the democratic process has been substantially and irreparably harmed to the extent that a certifiable election outcome is no longer possible.

SECTION 8: Appendices**APPENDIX A**

1. **Initiative Sponsor:** In order to have a referenda/initiative item to be on the ballot for the student body of MSU Denver to vote on, initiatives/referenda items need to have a sponsor that will follow the rest of this process.
2. **Office of Provost and Budget:** Initiative Sponsor(s) should ensure that their initiative/referenda item is submitted to the Office of the Provost and Budget no later than the first day of the Spring Semester.
3. **Student Fee Review Board:** After the Office of Budget and Provost reviews the initiative/referenda item they will then pass it to the Student Fee Review Board, chaired by the Student Government Assembly (SGA) President.
4. **Election Services Ballot Creation:** Once approved by mid-March from the Student Fee Review Board and the Office of the Provost and Budget the initiative/referenda item language is then given to the Manager of Election Services to be placed on the ballot for the Spring General Election
5. **Board of Trustees:** After the initiative/referenda item has been voted for and the election results are certified the initiative/referenda item is then presented to the Board of Trustees for approval.

APPENDIX B

Referendum/Initiative Sponsor Registration Form

Name: _____

E-Mail: _____

Phone Number: _____

Summary of Referenda/Initiative:

APPENDIX C

Candidate Name: _____

Class Presented in: _____ Date: _____

Professor Name: _____

Professor Signature: _____ Date: _____

Candidate Name: _____

Class Presented in: _____ Date: _____

Professor Name: _____

Professor Signature: _____ Date: _____

Candidate Name: _____

Class Presented in: _____ Date: _____

Professor Name: _____

Professor Signature: _____ Date: _____