



**Elections and
Disputes
Commission**
Mason Korea
Student
Government

2023 Election Code

Submitted for approval by the Student Senate on November 13th, 2023.

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Article I: Purpose and General Provisions

§ 1.01 The sole purpose of the Election Code is to provide the mechanism necessary to elect student body officers pursuant to the Code of Student Governance and the Constitution. No portion of the Election Code shall be invalidated either solely or partially on the basis of this statement of purpose.

§ 1.02 This document shall be the ruling authority regarding any election for any office within MKSG. It is subject to limitations set forth by federal laws.

§ 1.03 Commissioners shall not endorse, campaign for, contribute to, or in any other manner support any candidate or ticket for any MKSG elected office or any MKSG ballot measure.

A. Commissioners reserve and retain all rights to voting in any MKSG election.

§ 1.04 MKSG is a neutral entity in all MKSG elections.

§ 1.05 The Elections and Disputes Commission will produce a timeline before each election cycle and publish it on the MKSG website.

§ 1.06 All candidates who participate in elections are responsible for abiding by the Election Code and all university policies. Should university policies be violated, the candidate, and not the Commission or MKSG, is responsible for all transgressions.

Article II: Definitions

§ 2.01 These definitions are to be used solely for the purposes of interpreting this document, and should not be applied to any other document that may govern the election process.

- A. "Ballot" shall mean the medium on which a vote is recorded, transmitted, or counted.
- B. "Campaign expenditures" shall mean the cost of any campaign materials that further the
- C. campaign of a candidate.
- D. "Campaign material" shall mean any supplies used by a candidate or candidate's staff that have the primary purpose of furthering the candidate's likelihood of being elected.
- E. "Campaign staff" shall mean any individual(s) who uniquely contribute to a campaign.
- F. "Campaigning" shall mean any public activity by a candidate or individual that has a primary purpose of increasing or decreasing a candidate's likelihood of being elected, including activity on the internet and social media.
- G. "Candidate" shall refer to a single individual running for Student Senate or a group of two individuals running together as an Executive Ticket for Student Body President and Vice President who meets the qualifications as outlined in the Constitution of George Mason University Korea, the Code of Student Governance, and any other relevant governing documents.
- H. "Coalition" shall mean a collective of candidates using a shared pool of campaign resources with the goal of electing members of said coalition. Each member of the coalition is still elected separately.
- I. "Code" shall refer to the Code of Student Governance, as adopted by the Student Senate,

unless specified otherwise.

- J. "Commissioner" shall refer to any commissioner of the Elections and Disputes Commission duly appointed and confirmed by the Student Senate of George Mason University Korea.
- K. "Constitution" shall refer to the Student Body Constitution, unless specified otherwise.
- L. "Defendant" shall mean the party against whom any grievance is filed with the Elections and Disputes Committee.
- M. "Destroying" shall mean completely ruining or removing a form of physical advertisement.
- N. "Elections and Disputes Commission" or "EDC" shall mean the body that oversees everything related to elections, as outlined in Article IV of the Constitution and Title IV of the Code of Student Governance.
- O. "Election Judicial Board" or "EJB" shall refer to the body defined in Title IV, Chapter 2 of the Code of Student Governance.
- P. "MKSG" shall mean George Mason University Korea Student Government.
- Q. "In-kind contributions" shall mean any non-monetary contributions to a campaign, including, but not limited to, posters, food, talents, or services.
- R. "Petitioner" shall mean the party that initiates a grievance hearing before the Elections and Disputes Commission.
- S. "SG Office" shall mean the Student Government Office, Room G405, located within the George Mason University Korea building.
- T. "Slander" shall mean the action of making a false statement damaging to a person's reputation in a substantive way.
- U. "Threat" shall mean a statement of an intention to inflict pain, injury, damage, or other hostile action on someone. Threats can be verbal, written, online, in-person, or in the form of email, text message, or other methods of communication.
- V. "University Building" shall mean any and all buildings owned or leased by George Mason University on any George Mason University campus.
- W. "Voting period" shall mean the time period during which students can access the ballot to vote in MKSG elections.

Article III: Code of Conduct

§ 3.01 Each candidate running for a position in MKSG shall be subjected to this Code of Conduct.

- A. Candidates shall not slander other campaigns, candidates, students, student organizations, student events, faculty members, or staff members at George Mason University Korea.
- B. Candidates shall not make threats against other campaigns, candidates, students, student organizations, student events, faculty members, or staff members at George Mason University Korea.
- C. Candidates shall not apply undue pressure on voters while they are voting.
- D. Candidates shall, to the best of their knowledge, accurately submit all forms and documents required by this code to the EDC.

Article IV: Candidacy

§ 4.01 Candidates shall run for one and only one office per election cycle.

§ 4.02 Students wishing to become a candidate must complete the Election Candidacy Form as designated by the EDC after attending a mandatory candidate meeting. Those who fail to comply with this step shall not be placed on the ballot.

§ 4.03 The completed Election Candidacy Form shall include a candidate's basic contact information and University-related information, a copy of a candidate's PatriotWeb class schedule, a verification of a candidate's class standing, an agreement from the candidate to comply with the Election Code, and any other information the EDC deems necessary.

- E. Mandatory candidate meetings will be made public by the Elections and Disputes Commission. The candidate must sign in at the meeting and provide a unique meeting code on the Election Candidacy Form. Students failing to complete this step shall not be placed on the ballot.
- F. Candidates who are unable to attend a scheduled candidate meeting must meet with a commissioner to gather all related information during the declared Elections and Disputes Commission's office hours. Should attendance at a meeting not occur, the candidate shall not be placed on the ballot.
- G. Upon completion of the requirements of candidacy, as outlined in the Constitution and Code, a student shall be placed on the ballot for the position indicated on their Election Candidacy Form.

§ 4.04 An Advisor of MKSG shall verify that each student applying to be a candidate meets the requirements provided in MKSG's governing documents. Candidates shall not be on academic suspension, probation, or have any recorded honor code violations. Any person failing to meet the requirements shall not be allowed to stand as a candidate.

§ 4.05 After a candidate is verified by an Advisor of MKSG, they will receive an email from the EDC email account acknowledging candidacy status. Those who fail to meet the requirements will receive a notification email. If the student's Election Candidacy Form is incomplete for any reason, they will not be considered a candidate.

§ 4.06 All candidates must meet the minimum qualifications for membership in MKSG as outlined in the Constitution.

§ 4.07 Candidates will be placed on the ballot in a random order determined by the voting software used by George Mason University Korea. The process will be overseen by an Advisor of MKSG to ensure fairness.

§ 4.08 A candidate shall appear on the ballot under the name used on the candidate's Election Candidacy Form. A candidate may request on the form that an abbreviated first name or a nickname be listed on the ballot alongside their last name. Requests will be reviewed by the EDC.

§ 4.09 Students may run as write-in candidates provided that they personally sign and fill out the Write-In Candidacy Declaration Form and agree to the following statement: “I (Insert name of Candidate as presented on a valid Mason Korea ID Card) certify that I meet the qualifications for the position of Student Senator as outlined in the governing documents of MKSG. I am filing as a write-in candidate and understand and agree that my name shall not appear on the ballot. Blank spaces will be provided for write-ins. Misspellings of my name will be evaluated by the EDC for intent, and the EDC will make every effort to ensure I receive all votes intended to elect me, but I will not have any way to appeal the EDC's decisions regarding misspelled write-in votes.”

- A. Write-in candidates must follow all rules provided for candidates as stated within this Election Code.
- B. Write-in candidates are not entitled to nor may they request to submit a candidate statement under Section 4.10.

§ 4.10 Candidates for Senate are entitled to have an at most 300-character statement appear by their names on the ballot. Candidates for Executive Office are entitled to have an at most 600-character statement appear by their names on the ballot. Candidates wishing to submit a statement must submit a Candidate Statement Form. Failure to submit a statement will not invalidate a candidate, but that candidate will not have a statement appear next to their name.

§ 4.11 Any candidate wishing to drop out must do so by sending an email to the official EDC email account stating the candidate's desire to drop out. The deadline for submitting is the start of voting.

Article V: Campaigning

§ 5.01 Campaigning in any form shall not begin until a time designated by the EDC.

§ 5.02 Campaigning that disrupts the normal flow of University business is prohibited and can be stopped by appropriate University officials.

§ 5.03 All candidates are responsible for their campaign staffs. All candidates who have campaign staffs are required to submit a Campaign Staff Roster to the EDC by noon on the first day of campaigning.

§ 5.04 Campaign Endorsement Regulations:

- A. Candidates who claim endorsement from a group or organization, either on-campus or off-campus, must first obtain written consent from the group or organization's leader or executive board. This written consent shall be submitted on a Campaign Endorsement form to the EDC prior to claiming endorsement. Endorsements may be publicized only after the start of campaigning as declared by the EDC (section 5.01).
- B. Candidates shall neither seek nor claim endorsement from any University office or on-campus group that is led by non-students. Candidates shall neither seek nor claim endorsement from MKSG, any member of the EDC, or any current MKSG member acting as part of their official capacity as an elected officer.
- C. Candidates claiming endorsement from current members of MKSG acknowledge that

said endorsement is personal in nature, and in no way reflects the views of others in MKSG or the views of MKSG as a whole. Candidates shall neither advertise nor publicize in any way an endorsement from any current or former member of MKSG where the member's title or office is included.

§ 5.05 Campaign Location Regulations:

- A. Campaigning shall not occur in the SG Office or in the Office of University Life.
 - a. Candidates are not permitted to wear, display, or carry any campaign materials into the SG Office unless the materials are covered or otherwise out of sight. A candidate may enter the SG Office with campaign materials if the sole purpose is to speak with an EDC member regarding the campaign material in question.
- B. Campaigning shall not occur inside any building that operates as part of Incheon Global Campus Housing without prior written approval from the Office of University Life. The approval of an individual Resident Assistant (RA) is not sufficient.
 - a. If a candidate lives in a residence hall, they may put up campaign materials in their room, including any side of the door.
- C. Candidates wishing to use university resources, including, but not limited to, cubes and Student Centers, must adhere to the rules set forth by George Mason University Korea.
- D. Candidates shall not reserve the George Mason statue outside of the George Mason University Korea building for campaign purposes.

§ 5.06 Campaign Materials Regulations:

- A. Candidates shall not litter campus with campaign materials. Candidates shall take all prudent measures to ensure their campaign materials stay affixed to their intended locations.
- B. Candidates must remove all campaign materials from University property within 48 hours of the results being announced. If materials are left up after the deadline, the EDC will refer the candidate(s) responsible to the Office of University Life to have the materials removed at the expense of the candidate(s).
 - a. Candidates are discouraged from chalking in areas that are not directly open to rainfall.
- C. Distribution of campaign materials on cars, bikes, motorcycles, or any other form of transportation used by persons not affiliated with a campaign is prohibited. No campaign material shall be affixed to any vehicles, with the exception of the candidate's own personal vehicle or the vehicles of the candidate's supporters. Persons supporting a campaign must place the campaign material on their own vehicles.
- D. No tangible or electronic campaign material shall be posted or left open on the monitors of any computer at George Mason University Korea.
- E. Candidates shall not deliberately deface, alter, or destroy the campaign materials of another candidate.

§ 5.07 Neutrality Regulations:

- A. There shall be no use of the MKSG logo, the University Logo or George Mason University Branding Guide elements (found online at brand.gmu.edu). This rule shall not apply to campaign materials where the candidate is wearing George Mason University

- branded apparel.
- B. MKSG property shall not be used for campaigning unless designated for that purpose.
 - C. Candidates shall not use any resources found in the Office of University Life for campaigning.

Article VI: Financial Regulations

§ 6.01 Spending limits are as follows:

- D. No ticket for Executive Office shall spend more than \$350 on its campaign.
- E. No candidate for Senate shall spend more than \$100 on their campaign.

§ 6.02 Candidates shall report all campaign expenditures on the Campaign Expense Form.

§ 6.03 Candidates shall report all in-kind contributions on the Campaign Expense Form.

§ 6.04 The cost of any campaign materials that further the campaign of more than one candidate shall be applied to all involved candidates' spending limits. This section applies to coalitions.

§ 6.05 Candidates shall be responsible for reporting all expenditures made by an organization on behalf of the candidate.

§ 6.06 No candidate shall accept donations from any organization that is dependent on university funding. Organizations funded exclusively by student fee money shall not donate to a candidate.

§ 6.07 The EDC may submit a written request for a candidate's updated receipts at any time during an election. These receipts shall be submitted to the EDC within 24 hours of the request.

Article VII: Election Procedure

§ 7.01 Voting shall be confidential.

§ 7.02 Proxy voting shall not be permitted.

§ 7.03 Ballots shall be made available using an online voting method prescribed by University Life. If the office does not supply a voting tool, the EDC shall be responsible for finding system.

§ 7.04 Students may vote for up to six (6) candidates for Student Senate and one (1) Executive Ticket for Student Body President and Vice President during the Fall Election cycle.

§ 7.05 During the Spring Election cycle, students may vote for three (3) candidates for Student Senate. There is no Executive Election in the Spring.

§ 7.06 At the end of the voting period, the EDC shall privately review vote tabulation, under the supervision of an Advisor of MKSG or a higher-ranking administrator from University Life.

§ 7.07 Any person may request from an Advisor of MKSG to view voting data following the certification of results.

§ 7.08 Votes for persons not on the ballot, except filed write-in candidates, will not be tabulated.

§ 7.09 Candidates may file a grievance requesting a recount. The EDC will hear the grievance and rule in favor of a recount if clear and convincing evidence shows an error in the initial tabulation of votes or that a recount may result in a different outcome.

A. This kind of grievance must be filed within 48 hours of the certification of the results.

§ 7.10 After votes are tabulated, the Chair of the EDC shall certify the results, and publicly announce the results by noon the business day following the election.

§ 7.11 The EDC reserves the right to delay the announcement of election results when grievances are still pending, or if there is suspicion of election fraud or vote tampering.

§ 7.12 A copy of the results shall be posted at the entrance to the SG Office and on the MKSG website.

§ 7.13 If it is impossible to determine who shall be elected to an office due to multiple candidates having the same number of votes, the EDC shall announce that simultaneously with the election results. The EDC shall place those candidates who have the same number of votes on a runoff ballot, specifying the office(s) to be filled. Students may vote for as many candidates as there are offices to be filled. Except when there are penalties imposed by the EDC through Article IX of this Election Code, candidacy status from the general election shall carry over to the runoff election. The runoff election shall be held three (3) days after the EDC announces the general election results, beginning at a time determined by the EDC, and the polls shall be opened for twenty-four (24) consecutive hours. At the conclusion of those 24 hours, the polls shall close, and results shall be tabulated and announced in accordance with sections 7.06–7.12 of this Election Code.

Article VIII: Grievance Procedures

§ 8.01 Any student shall be permitted to file a grievance subject to limitations set forth in this Election Code.

A. The EDC shall not file grievances.

§ 8.02 Grievances shall be submitted to the EDC on the Grievance Form during the campaign and election periods or within 48 hours of the certification of the results of the election.

A. Grievances must list which provisions of this Election Code the defendant allegedly violated.

§ 8.03 Upon receipt of a complete and proper Grievance Form, the EDC will set a date, time, and place for the Grievance Hearing and form an Election Judicial Board (EJB) to hear said Grievance.

- A. Grievance hearings shall be held in person, unless the EDC determines a virtual hearing would be appropriate. In the case of a virtual hearing, language in this Article that suggests an in-person hearing shall be ignored.

§ 8.04 Only the petitioner, defendant, and up to one representative of each are permitted to sit at the tables directly in front of the EJB's bench.

§ 8.05 All gallery members are required to remain silent behind the petitioner and defendant tables, unless asked to come forward by an EJB member to testify. Gallery members are prohibited from using cell phones for any purpose during the hearings.

§ 8.06 Parties or their representatives during a hearing may request for an extension to any of the allotted time slots. These requests will be decided by the EJB.

§ 8.07 The EJB shall reserve the right to extend, shorten, or eliminate time slots during the9 Grievance Hearing.

§ 8.08 The EDC reserves the right to remove any persons and/or parties, involved in a grievance hearing, or viewing from the gallery, exhibiting behavior the EDC deems insubordinate, disrespectful, or disruptive.

- A. Any person(s) who are removed during a hearing for exhibiting behavior that violates this section shall forfeit all remaining speaking time to the opposing party.

§ 8.09 In order for the Elections and Disputes Commission to hear a grievance, the EJB must be comprised of at least two (2) commissioners not serving in an ex-officio capacity.

§ 8.10 All defendants are innocent until proven guilty by a preponderance of the evidence.

§ 8.11 Appeals and the appeal process are outlined in the Code of Student Governance.

Article IX: Penalties

§ 9.01 The EDC shall assess and enforce all penalties.

§ 9.02 Violations of this code shall at minimum result in one (1) strike; however, the EDC reserves the right to assess a stronger penalty based on the evidence presented.

§ 9.03 Upon the accumulation of three strikes, the candidate shall be disqualified and removed from the ballot or the office to which they have been elected.

§ 9.04 The EDC may require a campaign to correct an action that is in conflict with a provision set forth in this Election Code. If such corrective action is feasible, it must be completed within a timeframe determined by the EDC.

Article X: Record Keeping

§ 10.01 All electronic communication submitted to the Commission regarding any election matter should be directed to MKSG's official email address (mksg@gmu.edu).

§10.02 The Chair of the EDC shall record all final election results, grievances, and grievance hearings and file them with an Advisor of MKSG as the official and permanent record for the election at issue. Said records shall be available for audit by MKSG or any of its official entities.

§ 10.03 All votes taken by the Elections and Disputes Commission, documents, hearings, and other materials related to MKSG elections are considered public record. Every effort will be made by this Commission to update the MKSG website in a prompt manner. This is including all documentation, evidence, and audio recordings taken during the grievance process.

- A. Solely at the request of University Administration showing just cause, documents may be sealed to protect students, or as required by law to comply with police investigations. Should any material become sealed, the EDC will post a notification to the website reflecting that information.

Article XI: Institution of Ranked-Choice Voting for the Election of Student Body President and Vice President

§ 11.01 This article (Article XI) shall be enacted upon the approval of a ballot measure by a majority of voters in a Fall Election affirming a proposal to institute ranked-choice voting as the method of election for the Student Body President and Vice President of George Mason University.

§ 11.02 The election of Student Body President and Vice President of George Mason University Korea shall be conducted using a ranked-choice voting system.

§ 11.03 The EDC shall prepare ballots for the Fall Election to allow voters to rank their preferred candidates for President and Vice President (appearing as one item) in order of preference (i.e. first ranked being most preferred, second being second-most preferred, third being third-most, etc.). Voters will not be required to rank candidates, and may instead submit only their first choice or abstain from voting altogether.

§ 11.04 When counting ballots for President and Vice President, the EDC shall initially tabulate each ballot as one vote for the highest-ranked Presidential ticket on that ballot (or as an inactive ballot if no selection is made). If a candidate is highest-ranked on more than one-half of the active ballots, that candidate is elected and the tabulation is complete. Otherwise, tabulation proceeds in sequential rounds as follows:

- (1) if two or fewer continuing candidates remain, the candidate with the greatest number of votes is elected and the tabulation is complete; otherwise, the tabulation continues under (2) of this subsection;
- (2) if more than two candidates remain, the candidate with the fewest votes is considered defeated, votes cast for the defeated candidate shall cease counting for the defeated

candidate and shall be added to the totals of each ballot's next-highest-ranked continuing candidate or considered an inactive ballot if no next-ranked selection was made, and a new round begins under § 11.04(1).

§ 11.05 In the event that tabulation reaches an end and the two continuing candidates received the same number of votes, a runoff shall be conducted in accordance with section 7.13 of this code. In the event that, during the tabulation process, two candidates tie for the fewest votes (making them tied for “defeated” status) the tie shall be resolved by lot to determine which is defeated, and a new round of tabulation will begin under § 11.04(1).

§ 11.06 With every round of tabulation, the EDC shall record the number of votes cast for each continuing (or “remaining”) Presidential ticket, and the total number of votes cast in this round of tabulation. These figures are to be published in full when election results are announced.