

Duke University

DURHAM
NORTH CAROLINA
27708-6143

DUKE STUDENT GOVERNMENT
ATTORNEY GENERAL
BRYAN CENTER 08

BOX 91705
TELEPHONE (919) 684-DUKE
george.fleming@duke.edu

MEMORANDUM

TO: **Freshman Duke Student Government Senate Candidates**

FROM: **George Fleming, DSG Attorney General**
Joe Fore, DSG Executive Vice-President

DATE: **August 27, 2006**

RE: **Election Procedures (revised)**

Thank you for your interest in running for a position in Duke Student Government. The election of DSG Senators will take place on **Tuesday, September 26**.

Attached, please find an election timeline, a declaration of candidacy form, a petition, and a copy of the by-laws governing DSG elections. Additionally, if you wish to submit a campaign flier for approval by the Election Commission, you may attach it as the last page of your packet. Please read the by-laws carefully. **In order to be placed on the ballot, you must have the signatures and telephone numbers of fifty (50) undergraduates in the freshman class.** Signatures must be made on the attached pages below.

The candidacy form must be returned with your petition to the DSG office no later than **7:00 pm on Friday, September 15**. No late petitions will be accepted.

There will be a mandatory meeting for all candidates on **Sunday, September 17 at 7:00 pm**. This meeting will take place in the DSG office, located on the second level of the Bryan Center. We will discuss election procedures, guidelines, budget issues, and answer any questions that you might have.

Finally, I urge you to carefully read the by-laws concerning the election rules. **For this election, campaigning may not begin until 12:01 AM on Tuesday, September 19.** Although campaigning is explicitly defined as “the posting of anything regarding the candidacy of any person and/or speaking to groups of five (5) or more about a candidacy,” violation of the spirit of the by-law also may be subject to sanctions.

You are responsible for knowing the campaign rules; violations will be treated severely. Please refer questions concerning the election to myself or any member of the Election Commission.

Date	Event
Friday, September 1	Election packets made available for freshmen elections
Friday, September 15	Packets due in the DSG office by 7 PM
Sunday, September 17	Candidates Meeting 7 PM DSG Office, Bryan Center
Tuesday, September 19	Campaigning begins at 12:01 AM
Tuesday, September 26	Freshman Elections
Friday, September 29	At large packets due
Sunday, October 1	At large interviews/selection (DSG Office)

Declaration of Candidacy for Duke Student Government

I, _____ (Please Print Name) _____, do hereby declare my candidacy for the office of Duke Student Government Senator.

I am running for committee of (circle one):

Academic Affairs

Athletics and Campus Services

Community Interaction

Student Affairs

I pledge to abide by all DSG election procedures and regulations.

Signature

Date

Telephone Number

Email Address

Campaign Manager (If Applicable)

Manager's Signature

Manager's Telephone Number

Date

Manager's Email Address

DSG Legislative Office Candidate Petition

As a candidate for DSG Senator, you must obtain 50 signatures of Duke Undergraduates in the freshman class. This petition, along with your declaration of candidacy, must be turned in at the DSG office by **Friday, September 8 at 7 pm.**

I support the candidacy of _____ for the position of Senator on the DSG _____ committee.
Print Name

Name

Telephone

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Duke Student Government Election By-Laws

1) Candidacy Qualifications / Declarations and Write-in Candidates

- a) All undergraduate students attending Duke University are eligible to run for DSG Senate or Executive office. Candidates for class officers must be a member of the class for which they are running. Visiting students are eligible if they will be enrolled the entire term of the office for which they are running.
- b) Candidates for DSG Executive, Senate, or a Class office must file a declaration of candidacy with the Attorney General, using candidacy forms provided by the Election Commission. The deadline for these candidacy declarations will be determined by the Attorney General. Candidates for Executive office must submit their declaration with no fewer than one hundred (100) signatures and telephone numbers of undergraduates on a petition supporting their candidacy. Candidates for DSG Senate or class officers must submit their declaration with no fewer than fifty (50) signatures and telephone numbers of undergraduates in the candidate's same class who support their candidacy. Students may sign more than one candidate's petition. The Election Commission will release the names of all candidates who qualified for the election.
- c) Individuals may choose to be write-in candidates for an office, but write-in candidates may not receive any funding for their campaign and may not use personal funds to campaign. Write-in candidates will be held to the same campaign rules as qualified candidates.
- d) If fewer candidates declare for a DSG Senate Election than there are spots available, the unfilled positions shall be declared vacant and shall revert to at-large positions. If no candidates run for an executive office, the position will be filled by the DSG Senate according to its rules. If no candidates run for a class officer position, the appropriate class council will fill the vacancy. No write-in votes will be counted in these circumstances.

2) Campaign Budgeting

- a) The Election Commission will set spending limitations for all DSG Executive, Senate, and Class offices. Any candidate who exceeds these limitations will be disqualified.
- b) DSG will reimburse campaign expenses for Executive office candidates only.
- c) Candidates must submit their budget and receipts to the Election Commission prior to the day of the election.
- d) No student group recognized or chartered by DSG may use any funds to promote or oppose any candidate. The election commission may freeze the budget of any group found to have violated this provision.

3) Campaign Rules

- a) The election commission will set the time and date which campaigning will begin. No candidate may campaign prior to this time. Campaigning shall be defined as the posting of anything regarding the candidacy of any person and/or speaking to groups of five (5) or more students about a candidacy.
- b) Prior to the first day of campaigning for each election, the Attorney General (in consultation with the Executive Vice President and Election Commission) shall draft a policy statement which will govern specific aspects of the election and present the policy to all candidates. The content of this policy statement should address, but is not limited to, campaign budgets, restrictions governing the use of electronic campaigning, group endorsements, and other relevant campaign rules. The specific of the policy shall be left to the discretion of the Attorney General. However, under no circumstances will bribery or tampering be permitted.
 - i) Bribery - Any tangible incentive, reward, or payment offered to an individual or group in exchange for votes. [Legislative intent: Campaign promises that suggest policies or action by the candidate after the election should not be considered bribery.]
 - ii) Tampering - Interfering with any campaign materials so as to subvert the integrity of the electoral process.
- c) Statements made in reference to other candidates must be substantiated by facts. Attacks of a personal nature which cannot be substantiated will be reviewed by the Election Commission and may result in punitive action against the offending candidate..
- d) All candidates must comply with all relevant university policies in conducting their campaign.
- e) All campaign materials displayed to the public must be approved by the election commission. The election commission will approve these materials if they comply with this bylaw and all relevant university policies.
- f) No campaigning may occur while the polls are open. Campaign materials within one-hundred fifty (150) feet of DSG polling places will be removed. Candidates and campaign workers may not be within twenty (20) feet of any DSG sponsored polling site, except to vote.

4) **Enforcement**

- a) Any person may file a written complaint regarding a violation of either the letter or the spirit of any campaign rule(s) with the Election Commission Chair before, during, or after the election. A written complaint must be filed no later than twenty-four (24) hours after the polls have closed. The written complaint must state explicitly which violation(s) allegedly occurred and present all relevant evidence. The accused party will be notified of the complaint and will be permitted to submit a written response to the allegations.
- b) The Election Commission will investigate and rule on all complaints. The commission may invite both parties to state their case, but is not required to do so.
- c) The Election Commission may take punitive action towards candidates or campaigns which have violated campaign rules or the spirit of those rules. The commission may issue punishments up to and including disqualifying a candidate from the election. Possible punishments may include, but are not limited to: budget restrictions, revocation of DSG-sponsored publicity, disqualification of votes, removal from ballot, and referral to the Office of Judicial Affairs.
- d) Decisions of the Election Commission may be appealed to the DSG Judiciary if the appeal is of a procedural nature and based on interpretation of the DSG Constitution or the Election bylaw. Pursuant to the DSG Constitution, judgments by the Election Commission that are subjective and authorized by the by-law may not be appealed and are final. Appeals must be made within twenty-four (24) hours following the ruling of the election commission.

5) **Balloting Procedures**

- a) Polling will be conducted through an internet-based voting system. The operation of the system will be overseen by the Election Commission Chair, and Director of Computing (or equivalent cabinet officer). The polling system will be accessible from any computer with internet access. Public polling stations with laptop computers connected to the internet will be located throughout campus.
- b) Absentee balloting will occur in the DSG Office beginning three (3) days prior to each election. Any individual wishing to vote absentee must provide his/her ACES Personal Information Number (PIN) to an Election Commission member to be entered into the System as having voted.
- c) The polls will be open for no less than twelve (12) hours
- d) No votes may be transferred, no voting by proxy will be allowed.
- e) The election commission will review the election results, rule on any complaints, and certify the winning candidates. These results will be released.

6) **Tabulation of Votes / Run-off Procedure**

- a) The winner of all elections will be determined by a majority. A majority is defined as fifty (50) percent of all votes cast plus one vote. If no candidate receives a majority, the top two (2) candidates will advance to an instant run-off.
- b) In the event of an instant run-off, those students who have voted for a candidate(s) who are not eligible to participate in the runoff election will have their votes redistributed based on their next preference(s). This process will be repeated until a candidate receives a majority, and is declared the winner.

7) **Election Commission**

- a) Fall Election Commission. The Fall Election Commission shall consist of eight (8) members. The Attorney General shall serve as the ex officio chair of the Commission and shall only vote in the case of a tie. The Treasurer and President Pro Tempore of the Senate shall serve as ex officio, non-voting members. The remaining positions shall be comprised of 5 members nominated by the Attorney General and confirmed by the DSG President. All students are eligible except for candidates in the election that the commission will oversee. The commission will determine its rules of procedure.
- b) Spring Election Commission. The Spring Election Commission shall consist of eight (8) members. The Attorney General shall serve as the ex officio chair of the Commission and shall only vote in the case of a tie. The Treasurer and President Pro Tempore of the Senate shall serve as ex officio, voting members. The remaining positions shall be comprised of 5 members nominated by the Attorney General and confirmed by the DSG Senate. All students are eligible except for candidates in the election that the commission will oversee. The commission will determine its rules of procedure.
- c) Any situation not covered in this by-law or any other DSG by-law or the DSG Constitution will be resolved by the Election Commission.

8) **Inauguration of DSG Executive Members**

a) DSG Executive Officers-Elect will be inaugurated by the current Chief Justice along with as many of the President-elect's Cabinet appointments as possible during the last week of classes. They will assume their duties, and the terms of the preceding Cabinet will terminate immediately upon inauguration regardless of whether the position is filled.

b) The following statement shall be the DSG Oath of Office, and shall be used in swearing in Executive Committee members, Judiciary members, etc: (/ indicates a pause)

"I, (name of individual), / swear that I will faithfully execute / the office of (state office), / and that I will to the best of my ability / preserve, protect, and defend / the Constitution of the Duke Student Government."