

West Virginia University
The Student Assembly - Student Government Association
Assembly Bill: AB-2022-02
**AN ASSEMBLY RESOLUTION TO FURTHER AMEND THE STUDENT
GOVERNMENT ASSOCIATION ELECTIONS CODE**

Short Title:	2022 Elections Code Updates
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Sponsor(s):	Devin Price, Senator Morgan Glass, College Senator (Davis) Azeem Khan, Senator Josh Peters, Senator Addison Wallace, College Senator (CEHS) Theodore Stackpole, College Senator (Chambers)
Contributor(s):	Robert Coleman, Attorney General Hunter Moore, Vice President Sarah Ihlenfeld, Elections Chair Lauren Moore, Chief of Staff of Internal Affairs Sohan Daniel, Chief of Staff of External Affairs
First Reading Date:	3/30/22
Second Reading Date:	4/6/22

Whereas, according to Article VII, Section II of the Student Government Association (SGA) Constitution, “The West Virginia University Student Government Association shall be bound by the West Virginia University Student Government Association Elections Code, which will provide guidelines, rules, and regulations for the Homecoming and Student Government Association Elections. No amendment, varying a change in elections procedures to the Election Code, shall take effect, until an election,”; and

Whereas, according to Article V, Section III of the SGA Bylaws, the purpose of the

Governing Documents Committee is to, “Critically evaluate the relevance and purpose of this organization’s governing documents”; and,

Whereas, upon evaluation of the SGA Elections Code, the members of the Governing Documents Review Committee, collectively voted on the following proposed amendments; and,

Therefore, be it enacted by the Student Assembly of West Virginia University:

Section 1: The following proposed Elections Code amendments set forth by the Governing Documents Review Committee shall take immediate effect:

Article 3.6.3 of the Elections Code Shall be Added as:

“Upon receipt of these Statements, the Committee shall make them available to student media outlets including, but not limited to, the student newspaper, students not taking part in the election, and any other member of the University community requesting them. Both the initial and final Statements shall be published as an accessible repository accompanied by a written statement from the Elections Committee, within 24 hours of submission to the Committee. All Donors and amounts donated, financially and materially, must be transparent.”

Article 6.2.2 of the Elections Code Shall be Amended as:

~~“2. The procedure for casting a vote shall meet all of the following requirements if it shall take place at a physical location:~~

~~a. Locations or substitute locations shall be determined by the Elections Chair and approved by the Judicial Court. There shall be a minimum of three required voting locations. The Mountainlair and the Evansdale Crossing shall be a required location on all dates;~~

~~b. Once a student has selected the candidates for whom they wish to cast a vote, they shall be asked to confirm their choices; and~~

~~c. If a student encounters technical difficulties, they shall be able to contact the poll location attendant and receive a paper ballot if needed.~~

2. Voting shall occur at a minimum of three physical polling locations, of which the Mountainlair and Evansdale Crossing shall be required locations on all dates.

Additional physical locations shall be determined by the Elections Committee.

- a. Polling locations shall be staffed between members of the Elections Committee or designees, as needed, and staff or volunteers from the WVU Student Engagement and Leadership Office, as available and willing, as determined by the Director of Student Engagement and Leadership.
- b. Polling locations shall be open between the hours of 9AM and 9PM, staffed between members of the Elections Committee and staff from the WVU Student Engagement and Leadership Office, as available or willing.
- c. If a student encounters difficulty in submitting a ballot at a polling location, poll location attendants shall make available a paper ballot.
- d. The Elections Chair or their designee, belonging to the Elections Committee, shall make it known and receive confirmation thereof to all candidates or their ticket representatives, the location of any such physical polling location or Help Desk, its hours of operation, and direct any and all questions or concerns of students regarding the procedure of completing and submitting their ballot. The Elections Chair or designated Committee member shall likewise make it known to all candidates that intentionally accessing or viewing a student's ballot, or that failing to attempt to direct a student to the physical polling location or Help Desk, as described above, shall be considered a violation pursuant to Article VII of this Code.”

Article 6.2.3 of the Elections Code Shall be Amended as:

~~“3. The procedure for casting a vote shall meet all of the following requirements if it shall take place via an online platform determined by the Elections Chair and the WVU Student Engagement and Leadership Office:~~

~~a. A link will be sent to currently enrolled emails one (1) day prior to the start of voting through their MIX emails:~~

~~i. Students studying abroad shall receive the WVU ENGAGE link to vote one (1) academic day prior to the start of voting:~~

~~b. The same link will be posted on the WVU Student Government Association website, Instagram, and Twitter, as well as any other official WVU Student Government Association or WVU Student Engagement and Leadership Office social media account, per approval of the WVU Student Government Association Chief Information Officer:~~

~~c. Should technical issues arise with the online voting system before or during active polling, additional physical locations may be established at the discretion~~

~~of the Elections Chair, subject to this Elections Code.~~

3. Students claiming an unspecified University excused absence, or otherwise claiming an inability to attend a polling location during voting hours, shall have the option to request an online ballot from the first day of the academic semester during which the election takes place until the first day of active campaigning.

- a. This option shall be published to official SGA media, and published to the student body upon its availability.
- b. The procedure for casting an online vote shall meet all of the following requirements:
 - i. A link will be sent to eligible voters having claimed the above exception and requesting an online ballot one (1) day prior to the start of voting through their official MIX emails.
 - ii. Should technical issues arise with the online voting system before or during active polling, the Elections Chair shall take all reasonable actions to ensure that all valid votes are collected.”

Article 6.2.5 of the Elections Code Shall be Added as:

“Opt-in, online ballots are available to those claiming a general, University excused absence, or otherwise having an inability to attend a polling location during voting hours.”

Article 6.4.3 of the Elections Code Shall be Amended to Include:

“The official results shall be announced no earlier than the first Friday following voting closure, pending official certification by the Judicial Court.”

Article 7.8.1 of the Elections Code Shall be Amended to Include:

“Upon finding that a candidate or candidates has violated any part of this Elections Code, by either the Elections Committee or Judicial Court, the Elections Committee shall publicize the violation by publishing the designation of the violation, the offending candidate or candidates, the time and place of the violation, and the relevant specific actions taken thereafter, within three (3) hours of arriving at this finding.”

Section 2: Upon passage and approval, this legislation shall be forwarded to:

Mandates:

G. Corey Farris, Dean of Students
Sabrina Cave, Executive Director, Student Enrichment
Dr. Thanh Le, Director, Student Engagement and Leadership (Advisor)
Daily Athenaeum
Amaya Jernigan, Student Body President
Sophia Flower, SGA Secretary
