



FLORIDA STATE UNIVERSITY
STUDENT GOVERNMENT ASSOCIATION
JUDICIAL BRANCH

Election Commission

Rules of Procedure

E.C.R.P.

Adopted by the Florida State University Student Government Association Election Commission
pursuant to Article IV, Section 8(2)(a) of the Student Body Constitution

Amendment History

These Rules of Procedure were adopted by the Florida State University Student Government Association Elections Commission pursuant to Article IV, Section 8(2)(a) of the Student Body Constitution. The table below records all amendments following initial adoption.

Amendment No.	Effective Date	Rule(s) Affected	Description
1	3/3/26	All	Adoption

Amendments to these Rules shall be adopted by majority vote of the Elections Commission and shall be recorded in this table by the Secretary upon taking effect.

RULE 1. SCOPE, PURPOSE, AUTHORITY, AND DEFINITIONS

Rule 1.1. Scope.

These Rules of Procedure govern all complaints, claims, and proceedings brought before the Florida State University Student Government Association Elections Commission (“Commission”) concerning the administration, conduct, and integrity of Student Government elections.

Rule 1.2. Purpose.

These rules shall be construed and administered to secure the fair, orderly, and timely resolution of election-related disputes, with due regard for the rights of all parties and the orderly administration of Student Government elections.

Rule 1.3. Authority.

The Elections Commission derives its authority from the Florida State University Student Body Constitution and Statutes, including Chapter 703 of the Student Body Statutes. These Rules of Procedure are adopted pursuant to that authority and shall not conflict with superior governing documents or applicable University regulations. Where any provision of these Rules conflicts with the Student Body Constitution or Statutes, the Constitution or Statutes shall control.

Rule 1.4. Construction and Supplemental Authority.

Where these Rules are silent or ambiguous, the Commission shall look to the Student Supreme Court Rules of Procedure, as they exist from time to time, for guidance. Those rules are persuasive authority only. Relevant Florida Rules of Civil or Criminal Procedure may also be consulted as persuasive authority to the extent consistent with the nature of student governance proceedings and election timelines. Neither the Supreme Court Rules nor the Florida Rules are binding on the Commission.

Rule 1.5. Waiver.

The Commission may waive strict compliance with procedural requirements of these Rules upon a showing of good cause, provided such waiver does not prejudice any party or undermine the integrity of the election process. Time requirements imposed by the Student Body Constitution or Statutes are not subject to waiver by the Commission.

Rule 1.6. Definitions.

As used in these Rules:

- (a)** “Commission” means the Florida State University SGA Elections Commission.
- (b)** “Supervisor” means the Supervisor of Elections.
- (c)** “Complainant” or “Petitioner” means a person or entity who files a Complaint with the Supervisor or Commission.
- (d)** “Respondent” means a person or entity named as the subject of a Complaint.
- (e)** “Party” means a Complainant or Respondent in a pending proceeding.
- (f)** “Entity” has the same meaning as used in Chapter 702 of the Student Body Statutes.
- (g)** “Presiding Officer” means the Supervisor of Elections, or the Vice Chair when the Supervisor is recused or unavailable, as provided in Rule 2.3.
- (h)** “Business day” means a day on which the University is open and administrative offices are open, excluding weekends, University holidays, and official University closures.
- (i)** “Election calendar” means the official schedule of election-related deadlines and events established by the Supervisor of Elections for a given election cycle.

RULE 2. JURISDICTION, STANDING, QUORUM, AND PRESIDING OFFICER

Rule 2.1. Subject-Matter Jurisdiction.

The Elections Commission shall have original jurisdiction over all complaints alleging violations of the Student Body Constitution, Statutes, Election Codes, or duly adopted regulations governing Student Government elections, as forwarded by the Supervisor of Elections in accordance with the Student Body Statutes.

Rule 2.2. Temporal Jurisdiction.

The Commission may hear matters arising:

- (a) prior to the commencement of voting;
- (b) during the voting period; and
- (c) after the conclusion of voting, where the alleged violation could have affected the fairness, outcome, or integrity of the election.

Rule 2.3. Presiding Officer.

The Supervisor of Elections shall serve as the Presiding Officer and chair of all Commission hearings. The Presiding Officer must abstain from voting or deliberating on any matter except when necessary to break a tie. In the event that the Supervisor recuses themselves or is otherwise unavailable, the Vice Chair of the Elections Commission shall assume the role of Presiding Officer, in which case the Vice Chair must also abstain from voting except to break a tie. Recusal of both the Supervisor and Vice Chair on the same matter requires escalation to the Commission for designation of an acting chair by majority vote of the remaining members. The Supervisor of Elections shall recuse themselves from any violation or matter coming before the Commission that was originally discovered by the Supervisor.

Rule 2.4. Quorum.

Quorum for any Commission meeting or hearing shall consist of a majority of the current voting members of the Commission, as established by Section 703(1)(a) of the Student Body Statutes. No binding vote or decision may be taken in the absence of a quorum. If quorum is lost during a proceeding, the Presiding Officer shall recess the matter until quorum is restored.

Rule 2.5. Standing.

Standing to bring a complaint before the Commission shall be limited to:

- (a) any candidate certified or seeking certification for a Student Government election;
- (b) any campaign or slate officially registered with Student Government;
- (c) any student eligible to vote in the election at issue who alleges a direct and personal impact from the alleged violation.

Rule 2.6. Real Party in Interest.

All actions shall be prosecuted in the name of the real party in interest. Complaints brought on behalf of another individual or entity must clearly state the basis for such representation.

Rule 2.7. Exhaustion of Administrative Remedies.

Complaints alleging violations of the Elections Code must first be submitted to the Supervisor of Elections pursuant to Section 702(4)(d) of the Student Body Statutes. The Supervisor's intake, review, and forwarding process is a prerequisite to Commission jurisdiction and is not subject to waiver, except that a complainant need not separately exhaust any additional informal remedies before filing with the Supervisor if doing so would be impracticable due to time constraints or risk of irreparable harm to the election process.

RULE 3. COMMENCEMENT OF ACTION, FILING, AND CASE ADMINISTRATION

Rule 3.1. Initiation of Proceedings.

An action before the Elections Commission shall be commenced by the Supervisor of Elections forwarding a complaint to the Commission pursuant to Section 703(2)(f) of the Student Body Statutes, following the Supervisor's intake and review process.

Rule 3.2. Form of Complaint.

All complaints shall be submitted using a form promulgated or approved by the Elections Commission. If no form is provided, the complaint shall be submitted in writing and shall substantially comply with the requirements of this Rule, styled in accordance with the Supreme Court Rules of Procedure governing complaints, or a Florida Civil Complaint.

Rule 3.3. Required Contents.

Every complaint shall include:

- (a)** the name and contact information of the complainant;
- (b)** the name of the respondent(s);
- (c)** a short and plain statement of the relevant facts giving rise to the alleged violation set out in separate, clearly-numbered paragraphs;
- (d)** identification of the specific constitutional, statutory, regulatory, or election rule provisions allegedly violated;
- (e)** a statement of the relief requested; and
- (f)** a certification that the complaint is filed in good faith and not for purposes of harassment or delay.

Rule 3.4. Service.

Upon acceptance of a complaint forwarded by the Supervisor, the Commission shall ensure that reasonable written notice is provided to all named respondents. Proof of service is not jurisdictional, but failure to provide notice may delay proceedings.

Rule 3.5. Time for Filing.

Complaints shall be filed with the Supervisor of Elections within the time limits prescribed by the Student Body Constitution, Statutes, or Election Codes. Where no time limit is specified, the complaint must be filed within a reasonable time under the circumstances, taking into account the election calendar.

Rule 3.6. Deficient Complaints.

The Commission may dismiss a complaint without prejudice if it fails to substantially comply with this Rule. The Commission may allow amendment of a deficient complaint where justice so requires and where time permits.

Rule 3.7. Case Numbering and Docketing.

The Commission shall assign a unique case number to each complaint forwarded by the Supervisor of Elections. Case numbers shall follow the format EC-[YEAR]-[SEMESTER]-[SEQUENTIAL NUMBER] (e.g., EC-26-SP-01). The Commission shall maintain a public docket reflecting each case number, the names of the parties, the date of filing, the current status of the matter, and any final disposition. The docket shall be made publicly available in accordance with the Student Body Statutes and Commission publication obligations.

Rule 3.8. Counsel and Representation.

Parties to a proceeding before the Commission may be represented by counsel. Consistent with the existing rules of the Student Body Supreme Court and applicable Statutes, the Judicial Branch shall make every effort to provide counsel upon request to any party who requests representation before the Commission. Requests for counsel shall be submitted to the Commission in

writing as early as practicable given the election calendar. The Commission may, in its discretion, allow reasonable time for a party to obtain counsel before proceeding, provided such accommodation does not unduly delay resolution of the matter.

RULE 4. RESPONSES, AMENDMENTS, AND PRELIMINARY MATTERS

Rule 4.1. Response to Complaint.

Upon receipt of a properly forwarded complaint, the Commission shall set a deadline for the respondent to file a written response. Unless otherwise directed by the Commission, the response shall be filed within a reasonable time considering the election calendar and the nature of the allegations.

Rule 4.2. Contents of Response.

Every response shall include:

- (a)** an admission or denial of each material allegation set forth in the complaint;
- (b)** a short and plain statement of any defenses; and
- (c)** any objections to jurisdiction, standing, or procedural sufficiency.

Allegations not denied may be deemed admitted for purposes of the proceeding.

Rule 4.3. Failure to Respond.

A respondent who fails to file a timely response may be deemed to have waived the right to contest the allegations. The Commission may proceed on the record before it, dismiss the complaint, or take such other action as justice requires.

Rule 4.4. Amendments.

- (a)** A party may amend a pleading once as a matter of course before the Commission sets a hearing, unless doing so would prejudice another party or disrupt the election process.
- (b)** Additional amendments may be permitted at the discretion of the Commission upon a showing of good cause.

Rule 4.5. Preliminary Objections.

Prior to a hearing, any party may raise preliminary objections, including but not limited to:

- (a) lack of jurisdiction;
- (b) lack of standing;
- (c) untimeliness; or
- (d) failure to state a claim upon which relief can be granted.

The Commission may resolve such objections summarily or defer them until a hearing.

Rule 4.6. Informal Resolution.

At any time prior to a hearing, the Commission may encourage informal resolution of disputes where appropriate, provided that such resolution does not compromise the integrity or fairness of the election.

RULE 5. MOTIONS PRACTICE AND SUMMARY DISPOSITION

Rule 5.1. Motions Generally.

Any party may file a written motion requesting relief from the Elections Commission. Motions shall state with particularity the grounds for relief and the relief sought.

Rule 5.2. Timing and Form.

- (a)** Motions shall be filed within the time directed by the Commission.
- (b)** The Commission may set expedited deadlines for motions where required by the election calendar.
- (c)** The Commission may rule on motions with or without a hearing.

Rule 5.3. Responses to Motions.

Unless otherwise directed, an opposing party may file a written response to a motion within the time set by the Commission. Failure to respond may be deemed a waiver of opposition.

Rule 5.4. Summary Disposition.

- (a) Availability.** At any time after the filing of a complaint and response, a party may move for summary disposition.
- (b) Standard.** Summary disposition may be granted where the Commission determines that there is no genuine dispute as to any material fact and that the moving party is entitled to relief as a matter of governing Student Government law.
- (c) Record.** The Commission may consider pleadings, stipulations, affidavits, and other materials properly submitted in the record.
- (d) Discretion.** The Commission retains discretion to deny summary disposition and proceed to a hearing, even where the standard in

subsection (b) is met, particularly where credibility determinations or election integrity concerns are implicated.

(e) Effect of Denial. Denial of summary disposition shall not preclude a full hearing on the merits.

Rule 5.5. Other Dispositive Motions.

The Commission may, upon motion or on its own initiative, dismiss a matter for lack of jurisdiction, lack of standing, untimeliness, or failure to state a claim. Any such dismissal shall be accompanied by a written opinion stating the rationale, and shall be published publicly within 48 hours of issuance. Any party may appeal a dismissal to the Student Supreme Court as provided in Rule 9.

RULE 6. EMERGENCY AND EXPEDITED RELIEF

Rule 6.1. Availability.

Any party may apply to the Commission for emergency or expedited relief at any time upon demonstrating: (a) an immediate and irreparable harm to the election process or to the party's participation in an election; (b) a likelihood of success on the merits; and (c) that the balance of harms and the public interest favor emergency relief.

Rule 6.2. Procedure for Emergency Applications.

An application for emergency relief shall be filed with the Commission in writing and shall state with particularity the nature of the emergency, the relief sought, and the factual basis for each element in Rule 6.1. The Presiding Officer may, on an emergency basis, take interim action pending a full Commission hearing. Such interim action must be ratified by the Commission at the earliest practicable opportunity.

Rule 6.3. Notice.

The applicant shall make reasonable efforts to notify all affected parties of an emergency application simultaneously with filing. The Commission shall determine the notice and response time available under the circumstances, taking into account the election calendar and the nature of the harm alleged.

Rule 6.4. Duration of Emergency Relief.

Any emergency relief order shall specify its duration. Unless the Commission extends emergency relief following a full hearing, interim orders shall expire upon the conclusion of the full hearing on the underlying matter or within seven (7) calendar days of issuance, whichever is earlier.

RULE 7. HEARINGS

Rule 7.1. Hearings Generally.

The Elections Commission shall conduct a hearing where it determines that material facts are in dispute or that a hearing is otherwise necessary to resolve the matter fairly. The Commission shall hear all appeals and alleged violations in the order in which they were received, unless the Presiding Officer determines that a different order is necessary for the orderly administration of a multi-case session.

Rule 7.2. Scheduling; Five-Business-Day Requirement.

Upon receipt of a complaint forwarded by the Supervisor of Elections, the Commission shall schedule a hearing to take place within five (5) business days. The Presiding Officer shall convene the hearing within this period unless an extension is required by an accommodation under Rule 7.3(b) or by an emergency under Rule 6.

Rule 7.3. Notice of Hearing.

(a) The Commission shall provide written notice of any hearing to all parties at least twenty-four (24) hours prior to the scheduled hearing time. Notice shall include the date, time, location or platform, and subject matter of the hearing.

(b) The hearing time shall not conflict with any scheduled meeting of the Student Senate. If such a conflict exists, the affected candidate or party has until five (5) hours prior to the Commission meeting to notify the Supervisor of Elections, providing documentation of the scheduling conflict. Any excuse granted shall be in accordance with University policy. If no such excuse is provided by the five-hour deadline, the alleged violation shall proceed to default judgment. If a valid excuse is provided, a second Commission meeting accommodating the affected party shall be scheduled and occur no later than one (1) week from the original hearing date.

Rule 7.4. Conflict of Interest and Recusal.

(a) A Commission member shall recuse themselves from any matter in which they have a direct personal, financial, or organizational interest that could reasonably affect their impartiality, or where a reasonable person with knowledge of the facts would question their ability to decide the matter fairly.

(b) A party may move for the recusal of a Commission member by filing a written motion stating the grounds with specificity. The Presiding Officer shall rule on such motions; if the motion concerns the Presiding Officer, the Commission shall rule by majority vote of the non-challenged members.

(c) Recusal does not affect quorum unless the number of available voting members falls below the quorum threshold. In that event, the Presiding Officer shall seek alternate members in accordance with the Statutes.

Rule 7.5. Concurrent Claims.

Where a complaint alleges multiple separate violations of the Elections Code, the Commission shall treat each violation as a distinct claim for purposes of deliberation and disposition. Claims arising from the same conduct or occurrence may be heard together in a single hearing session. The deliberation time limit in Rule 7.10 applies separately to each violation.

Rule 7.6. Public Access.

Hearings shall be open to the public. The Commission shall not close a hearing to the public except upon a finding, stated on the record, that closure is strictly necessary to protect a specific, articulable interest — such as the privacy of a non-party student witness — that cannot be adequately protected by less restrictive means. The Commission shall minimize the scope and duration of any closure.

Rule 7.7. Burden of Proof.

Unless otherwise provided by governing Student Government documents, the complainant bears the burden of proving the alleged violation by clear and convincing evidence.

Rule 7.8. Evidence.

(a) Parties may submit relevant and reliable evidence for the Commission to consider, including but not limited to documents, recordings, photographs, affidavits, and witness testimony.

(b) The Commission is not bound by the Florida Rules of Evidence but may consult them for guidance.

(c) The Commission may exclude evidence that is irrelevant, cumulative, or unduly prejudicial.

(d) All evidence must be formally submitted to the Commission no later than twenty-four (24) hours prior to the hearing. The Commission may allow evidence submitted after this deadline if election integrity or the orderly administration of justice requires it.

(e) Once a hearing date and time are set, the Supervisor of Elections shall provide each party with a link for submitting evidence. Each party is responsible for labeling all evidence in alphabetical order with the case number and designation as Petitioner or Respondent followed by the exhibit designation (e.g., “EC-26-SP-01 Respondent-Exhibit A;” “EC-26-SP-01 Petitioner-Exhibit B”). Labels must be clearly visible and may not obscure the content of any exhibit. Each party shall provide a brief written description of each submitted exhibit, including at minimum what the evidence depicts and its relevance to the case.

(f) Each party must bring to the hearing three (3) physical copies of all evidence that can be reduced to a printed format: one (1) copy for the Commission, one (1) copy for the opposing party, and one (1) copy for the submitting party. For video evidence, the submitting party may provide a flash drive containing the video files.

Rule 7.9. Order of Proceedings and Time Limits.

Unless otherwise directed by the Presiding Officer, hearings shall proceed in the following order and subject to the following time limits:

(a) Opening Statements. Each entity shall present opening oral arguments of no more than five (5) minutes, beginning with the entity who alleged the violation. An entity accused of a violation may plead guilty as a substitute for an opening statement, in which case the Commission may proceed directly to closing arguments.

(b) Case in Chief. Each entity shall present its case in chief by oral argument of no more than ten (10) minutes, beginning with the entity who alleged the violation.

(c) Commissioner Questioning. After the first three (3) minutes of any entity's case in chief, any currently empaneled Commissioner may ask questions of the presenting entity. Questioning time shall not count against the entity's allotted case-in-chief time.

(d) Closing Arguments. Each entity shall present closing arguments of no more than five (5) minutes, beginning with the entity who alleged the violation.

Rule 7.10. Deliberation.

Following the conclusion of closing arguments, the Commission shall adjourn to deliberate. Deliberation shall not exceed one (1) hour per violation. At the conclusion of deliberation, or at any time before the one-hour limit expires, the Commission shall take a final majority vote to determine whether the alleged violation is sustained and the respondent found responsible.

Rule 7.11. Witnesses.

(a) The Commission may permit witnesses to testify in person or remotely.

(b) The Commission may question witnesses directly and may permit reasonable cross-examination by the parties.

(c) The Commission may limit the number of witnesses to ensure timely resolution.

Rule 7.12. Failure to Appear.

A party who fails to appear at a scheduled hearing without good cause may be deemed to have waived participation. The Commission may proceed in that party's absence. A scheduling conflict with a Student Senate meeting, documented and presented to the Supervisor before the five-hour deadline in Rule 7.3(b), constitutes good cause.

RULE 8. DECISIONS, REMEDIES, AND SANCTIONS

Rule 8.1. Deliberation and Decision.

Following the conclusion of a hearing or the resolution of all dispositive motions, the Elections Commission shall deliberate and issue a decision based solely on the record before it. The Commission shall not defer ruling on any matter to a higher body without first rendering a decision. Under no circumstances may the Commission decline to decide a matter for the purpose of having it resolved by the Student Supreme Court or another entity.

Rule 8.2. Form of Decision.

Decisions of the Commission shall be issued in writing. The majority shall write at least one opinion explaining the reasoning for the disposition of the case. Concurring and dissenting opinions may be submitted.

Rule 8.3. Timing of Decision; Immediate Notification; Publication.

(a) Upon taking the final majority vote on any matter, the Commission shall immediately notify all relevant parties and entities of the case's disposition.

(b) The Commission shall submit the written decision, including any concurring or dissenting opinions, to the SGA Webmaster for publication within five (5) business days of the final vote.

Rule 8.4. Available Remedies.

Commission may grant appropriate relief, including but not limited to:

(a) dismissal of the complaint;

(b) issuance of warnings or corrective directives;

(c) imposition of fines or penalties as authorized by governing documents;

(d) disqualification of a candidate or campaign, where expressly authorized; or

(e) other remedial action necessary to protect the integrity of the election.

Rule 8.5. Limitations on Sanctions.

Sanctions shall be proportional to the violation and consistent with governing Student Government documents. The Commission shall not impose sanctions beyond its delegated authority.

Rule 8.6. Enforcement.

Orders of the Elections Commission shall be binding on the parties and enforceable through appropriate Student Government mechanisms.

RULE 9. REHEARING AND APPEALS

Rule 9.1. Motion for Rehearing.

Any party to a proceeding before the Elections Commission may file a motion for rehearing. A motion for rehearing shall be filed within a reasonable time after the Commission issues its written decision, as specified by the Commission or governing Student Government documents. Untimely motions may be denied without consideration.

Rule 9.2. Grounds for Rehearing.

A motion for rehearing shall be limited to the following grounds:

- (a)** newly discovered evidence that could not have been reasonably presented prior to the decision;
- (b)** a material error of law or procedure; or
- (c)** evidence of fraud, misconduct, or irregularity that materially affected the proceeding.

A rehearing shall not be granted merely to reargue matters previously argued or considered.

Rule 9.3. Disposition of Rehearing Motions.

The Commission may grant or deny a motion for rehearing with or without an additional brief or hearing. Granting a rehearing vacates the prior decision to the extent specified by the Commission.

Rule 9.4. Appeals.

Decisions of the Elections Commission may be appealed only as authorized by the Student Body Constitution or Statutes. The Commission must have rendered a final decision on a matter before it may be appealed to the Student Supreme Court; the Commission shall not defer ruling to enable direct Supreme Court review.

Rule 9.5. Record on Appeal.

The Commission shall maintain a complete record of proceedings sufficient to permit review by the Student Supreme Court. The record shall include all pleadings, evidence submitted, minutes or transcriptions, the Commission's written decision and opinions, and a record of any votes taken.

RULE 10. MISCELLANEOUS PROVISIONS AND EFFECTIVE DATE

Rule 10.1. Conduct of Parties and Participants.

No person shall threaten, coerce, intimidate, or otherwise improperly influence any member of the Elections Commission, any party, witness, or other participant in a proceeding before the Commission.

Rule 10.2. Noncompliance with Rules or Orders.

Failure to comply with these Rules of Procedure or with any lawful order of the Elections Commission may result in appropriate sanctions, including dismissal of claims, exclusion of evidence, or other remedies authorized by governing Student Government documents.

Rule 10.3. Severability.

If any provision of these Rules of Procedure is held invalid or unenforceable, such invalidity shall not affect the remaining provisions, which shall continue in full force and effect.

Rule 10.4. Amendments.

These Rules of Procedure may be amended in accordance with the authority granted to the Elections Commission by the Student Body Constitution and Statutes, provided that any amendment does not conflict with superior governing documents.

Rule 10.5. Effective Date.

These Rules of Procedure shall take effect upon adoption by the Elections Commission and shall apply to all proceedings commenced on or after that date, unless otherwise specified.