

RESOLUTION NUMBER: SBF-6-09

TITLE OF RESOLUTION: Bylaws Article IX Revision

SPONSORS OF RESOLUTION: Jordan Marshall, Senate President Pro Tempore

SECONDED BY:

WHEREAS Article IX of the ASSOU Bylaws is in need of revision,

BE IT RESOLVED THAT Article IX of the ASSOU Bylaws is replaced by the following text: “

Article IX: Elections Procedures and Guidelines

Section I.

The ASSOU Election By-Laws shall govern all elections of the Associated Students of Southern Oregon University. These By-Laws shall insure that all candidates, their campaigns, and all other related activities will be carried out according to the following principles:

- A. The interests of the student body are protected.
- B. Fairness among candidates is to be required.
- C. The educational atmosphere of the University shall not be disrupted.

Section II. Definition of Terms

The terms used in the Election By-Laws are defined as follows:

- A. CAMPAIGN ORGANIZATION: All those persons who act in a candidate's behalf with the candidate's knowledge and permission, or who act on behalf of or against a referendum, initiative, or officer recall.
- B. CAMPAIGN MATERIAL: Any matter, either printed, spoken, or otherwise designed to bring about the election of a candidate to the political office, or to bring about the passage or failure of a referendum, initiative, or officer recall.
- C. WRITE-IN CANDIDATES: All persons who file a petition with the Elections Committee after the petition deadline.
- D. GROUP CAMPAIGN ORGANIZATION: Groups of candidates choosing to run together with a single campaign organization. Any references to campaign organizations applies to group campaign organizations. Each member of the group must individually identify as such to the Elections Committee Chair. Individuals running for precisely the same office may not run together, with the exception of At-Large Senators.

Section III. General Procedures

Fall term Senate elections will be held during the month of October for the election of Senate seats scheduled for the ballot and for all empty seats. Spring term general elections will be held during the month of April (dates will be decided by March 31 by the Elections Committee) for the election of Presidential and Senatorial officers. Winter term special elections will be held on dates determined by the Elections Committee for Senate vacancies. Election must occur in January or February. ASSOU elections shall be supervised by the Elections Committee.

Clause I.

Publicity for the general election shall include:

- A. Notice shall be given to the campus community via all campus email no later than one (1) week before the petition deadline.
- B. Placement of two banners in or about the Stevenson Union two weeks prior to the petition deadline, advertizing the open positions.

Clause II.

Polls shall remain open during normal operating hours for six (6) hours in the Stevenson Union, for three (3) hours in Cascade Commons, for four (4) days on-line, and for any period of time, as deemed necessary by the Elections Committee. The specific polling hours shall be determined by the Elections Committee for each election, with the approval of a majority of the Senate.”

Clause III.

No person shall vote more than once for the same office, referendum, initiative, or officer recall in any election.

Clause IV.

Filing a petition in the Student Affairs office shall constitute declaration of candidacy. The filing deadline is to be set by the Elections Committee, subject to approval by the ASSOOU Senate. The candidate shall be responsible for the accuracy of the petition. Any candidate filing false information will be denied office. The petition shall contain the following information:

The candidate's name, telephone number, email address, position filing for, year in school, number of terms attended, and the number of hours enrolled. Student Affairs will verify that the student is in academic good standing.

Clause V.

The use of campaign organization names shall be governed by the following: Each campaign organization seeking protection from trademark or name infringement must register their name and trademark with the Elections Committee. This committee shall not consider trademarks and other related campaign symbols similar to those already registered. Trademarks registered for previous elections do not apply and are not considered valid once the elections during which they were filed have closed polls.

Section IV. Eligibility Requirements

Clause I. President and Vice President

Candidates running for President and Executive Vice-President are required to run on a combined ticket, no single candidates.

Clause II. Speeches

The Elections Committee will set up a time(s) and place(s) for all candidates to give a speech in a public place or as an online video during or prior to the week of elections so that the students can be familiar with their candidates. All candidates running for the same position will give a speech in the same place and during the same hour, if the speeches are given as a live public speech.

Section V. Campaign Material

Clause I.

Campaign material shall not deface University property nor disrupt the educational environment of the University.

Clause II.

No campaign material may be placed or suspended from trees on University owned or affiliated property.

Clause III.

Campaign materials may be posted only in the following areas:

- A. Residence Hall exterior walls as approved by the Housing Office.
- B. Windows of private homes or living organizations.
- C. The Stevenson Union and Cascade Dining. Clearance from the SU Business Office is required for materials in the Stevenson Union.
- D. Department bulletin boards with the permission of the department chair.
- E. Any area where public notices are allowed to be posted.
- F. Bumper stickers on automobiles are acceptable.
- G. Campaign material may be placed off campus in private buildings only with the consent of the owner or proprietor.
- H. Any questions regarding these rules should be brought before the Elections Committee before the posting of campaign material.

Clause IV.

Campaigning in living organizations shall be subject to the rules and regulations of such living organizations.

Clause V.

Signs will be posted in a nondestructive manner.

Clause VI.

Flyer size must not exceed 11.5 x 14.5 inches and a limit of one flyer per bulletin board.

Clause VII.

Campaigning shall not violate the student conduct code or any Ashland city ordinances.

Clause VIII.

Campaign organizations shall remove all campaign material within seventy-five feet (75') of any primary polling places on the days of elections, polling places include:

- A. Any place where paper ballots are distributed or collected.
- B. The Southern Oregon University main computer lab, all labs located in SOU residence halls, all labs in the SOU library, and the business lab in Central Hall.

Clause IX.

Campaign organizations shall remove all campaign material on the exterior walls or within the confines of any Southern Oregon University computer lab on the days of elections. (Southern Oregon University computer labs are defined by the computing services center).

Clause X.

Campaign organizations shall remove all campaign materials by 5 p.m. on the day following elections.

Clause XI.

No Southern Oregon University list serves may be used for the purposes of campaigning.

Section VI. Campaign Expenses

Clause I.

Total campaign expenses, including the value of donated materials for candidates during all ASSOU elections, shall not exceed the following:

- A. ASSOU President and Executive Vice-President \$400 combined.
- B. Senators \$70 individually.
- C. Campaign organizations for or against a referendum, initiative, or officer recall, \$70.
- D. Group campaign organizations have a total spending limit equal to the sum of the spending limits of the candidates who are members of the group, up to a maximum of \$500.

Clause II.

Each campaign organization shall submit to the committee an itemized report of all campaign expenses to include receipts and a fair market estimation of donated materials/services if requested by the Elections Committee within two (2) weeks (fourteen days) of the election.

Clause III.

Campaign organizations may not be financially supported by off-campus based clubs or organizations and are limited to donated services.

Section VII. Initiatives and Recall Petitions

Clause I.

Any prospective petition must be submitted to the Chair of the Rules Committee before any signatures are collected.

Clause II.

Upon receiving a prospective petition, the Rules Chair shall inform the Student Affairs office and the Chair of the Elections Committee and advise them to begin preparations for a possible election.

Clause III.

Petitions for initiatives or officer recalls must contain the following information:

- A. Printed name
- B. Signature
- C. Student identification number
- D. Date of signature
- E. Date of birth

Clause IV.

Signatures that are older than thirty (30) days at the time they are turned into the Rules Chair for verification shall be invalidated.

Clause V.

Signatures that do not have all of the required information shall be invalidated.

Section VIII. Balloting

Clause I. Ballot format:

- A. Ballots shall be divided into the following sections as applicable: PRESIDENT AND VICE PRESIDENT, DEPARTMENT, LIVING AREA, FRESHMAN, AT

LARGE, and OTHER. The department and living area and other sections shall list each of the Senate positions which belong within them, with the candidates' names following their respective positions.

B. Placement of names during paper balloting shall be in alphabetical order on one half of the ballots and in reverse alphabetical order on the other half of the ballots.

Clause II.

Every campaign organization may have an authorized representative observe the official tabulation of the ballots with the exception of those cast electronically. The person or persons who have been tasked by the Elections Committee to administer electronic balloting shall send a copy of the electronic election results to both the chair of the elections committee and the Vice President of Student Affairs. A printed hardcopy of the electronic elections results shall be stored in the Student Affairs office. Every candidate may have an authorized representative observe the retrieval of the results of the electronic balloting by the Elections Committee Chair.

Clause III.

The results of the election will be announced by the chair of the Elections Committee and posted on the ASSOU bulletin boards and sent out via campus-wide email as soon as they are available. The Elections Committee chair will formally announce the results at the next Senate meeting following the election. Any campaign organization may request a recount by 5 p.m. on Friday of the election week if there is less than a ten percent (10%) margin of victory.

Clause IV. Election of the Candidates:

A. General: Any presidential candidate receiving a majority of the total eligible votes cast for that office shall be elected to that office. If no presidential candidate receives a majority of the total, the candidates who received the two highest number of votes shall run in a run-off election. Candidates running for ASSOU Senate offices shall be elected into office by a plurality.

B. Invalid votes shall include those votes for nonexistent students, write-in candidates who are not registered with the Elections Committee, individuals running alone for President or Executive Vice- President, those which indicate more than one choice for a single office or referendum, initiative, or officer recall, and those for unqualified candidates (ASSOU Constitution, Articles V and VI).

C. An invalid vote voids only the vote that is determined invalid and not any other vote on the ballot upon which the invalid vote is found.

D. Run-off Elections: The run-off election shall be held two (2) weeks following the general election.

E. All ballots will be kept in the Student Affairs Office until two (2) weeks after the election, at which time they will be discarded.

Section IX. Invalidation of Candidacy and Election Results

Clause I. Determination of Candidacy

A. The candidacy of an individual or presidential ticket for a particular election must be determined by the Elections Committee.

B. The Elections Committee may invalidate a candidate at any time up to the start of the election.

Clause II. Rules Violations During the Election

A. During an election alleged elections rules violations may be reported to the Elections Committee Chair. The Elections Committee shall promptly inform the alleged violator of the allegation and immediately investigate the alleged violation.

B. Should the Elections Committee discover a violation it shall inform both the violating party and the alleging party of the violation.

C. Candidates are expected to be available for contact during the election period, so that they may respond to allegations of rules violations.

D. The Elections Committee shall give violators of the rules one business day to rectify violations.

F. After one business day of notice the Elections Committee shall determine if a candidate is still in violation of the rules. If the Elections Committee determines this to be the case, the candidate who has violated the rules is disqualified from candidacy.

G. Alleged violations of the elections rules which may not be rectified are not to be handled by the Elections Committee, but rather by the ASSOU Hearings Board.

Clause III. Judicial Grievances After the Election

A. After the election, all alleged elections rules violations must be registered within two (2) business days of the announcement of the election results. A written complaint must be submitted to the Student Advocate. Said complaint must state the nature of the violation, the alleged violator and the time and place of the violation.

B. All parties involved must be notified by the chair of the ASSOU Hearings Board in writing within two (2) school days of the complaint.

C. The ASSOU Hearings Board must within five (5) days of the complaint convene a hearing.

D. The Hearings Board will take written testimony from both the plaintiff and the defendant. Both the plaintiff and the defendant shall have the right to call witnesses and to cross-examine the witnesses.

E. The judgment of the hearings board shall be issued within two (2) school days of the hearing and shall be considered final and binding.

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FIRST READING: _____

SECOND READING: _____

ACTION OF SENATE: PASSED BY _____ OR, DID NOT PASS BY _____

ACTION OF ASSOU PRESIDENT: