

# ASSOCIATED STUDENTS OF IDAHO STATE UNIVERSITY

## ELECTION CODE

AMENDMENTS THROUGH SEPTEMBER 2010

### ARTICLE I—PURPOSE AND INTENT

#### Section 1—Purpose

The Election Code provides for the conduct of all ASISU Elections.

#### Section 2—Equal Protection

The Election Code is intended to insure that each candidate is afforded an opportunity for election equal to that of any other candidate for that office, and proponents and opponents of referenda and propositions are afforded an equal opportunity for their respective victory.

### ARTICLE II—THE ELECTION COMMISSION

#### Section 1—Purpose and Scope

- A. Control of all ASISU elections and related activities shall rest with the Elections Commission.
- B. The authority of the Elections Commission shall be limited in scope to only those duties stated in the ASISU Constitution, by-laws, Election Code, and those duties essential and imperative in carrying out the same.

#### Section 2—Membership and Terms

- A. The membership of the Elections Commission shall consist of the Elections Commissioner, the Deputy Elections Commissioner, the Elections Publicity Coordinator and two additional Commission members. One ASISU Senator shall be an ex-officio member of the Elections Commission.
- B. The terms of all members of the Elections Commission shall commence upon their appointment and expire upon the appointment of a new Elections Commissioner.

#### Section 3—Appointment of Elections Commission

- A. The Elections Commissioner shall be appointed by the ASISU president and approved by a majority vote of the ASISU Senate. Other Elections Commission members shall be appointed by the President upon recommendation of the Commissioner and approved by a majority vote of the Senate.
- B. If the President does not appoint and the Senate does not confirm an Elections Commission by the eighth regular Senate meeting of the Fall Session, no official business shall be considered until they do so.
- C. In cases where the Commissioner resigns, the ASISU President shall appoint and the Senate must confirm a new Commissioner within two regular Senate meetings.

#### **Section 4—Conduct and Removal of Members of the Elections Commission**

- A. The Commissioner may be removed from office before the expiration of his/her term by order of the ASISU President or a two-thirds (2/3) vote of the Senate for gross dereliction of duties.
- B. Any member of the Elections Commission may be removed from office before the expiration of his/her term by the Commissioner for gross dereliction of duties.
- C. No member of the Commission shall publicly or officially support or oppose any ASISU candidate while serving on the Commission.

#### **Section 5—Duties of the Elections Commissioner**

- A. To take the complete administrative charge for all details of the ASISU elections and the Elections Commission.
- B. To recommend for appointment additional members of the Commission.
- C. To advise the Senate on the financial and practical impact of any legislation which may affect the Elections Commission or various elections.
- D. To enforce all election rules and issue warnings for violations of the ASISU Election Code.
- E. To ensure election materials are cleaned up and that no election activity causes physical harm or damage to the ISU campus.
- F. To assist the other members of the Commission when necessary.
- G. To carry out such other functions and duties as required under the ASISU Constitution, by-laws and the Election Code.

#### **Section 6—Duties of the Deputy Elections Commissioner**

- A. To assist the Commissioner, to be responsible to him/her, and to aid in all Commissioner duties.
- B. To assume the duties of the Commissioner in the event of the resignation, removal, temporary or permanent disability of the Commissioner to perform his/her duties, until such time as a replacement is selected.
- C. To act as the primary liaison between all candidates and the Commission.
- D. To conduct, or delegate the conduction of, the Candidates' Meeting.
- E. To maintain a file of all Commission records, papers, forms, reports or statements filed by each candidate, party, or group.
- F. To assist the other members of the Commission when necessary.
- G. To carry out such other functions and duties as required under the ASISU Constitution, Election Code and by-laws.

#### **Section 7—Duties of the Publicity Coordinator**

- A. To assist the Commissioner and to be responsible to him/her.
- B. To provide extensive publicity of the candidate filing period and election, in such a manner to ensure that all elements of the university community will receive equal notice.
- C. To provide for the creation of the Voters' Guide.
- D. To assist other members of the Commission when necessary.
- E. To carry out other functions and duties as required by the ASISU Constitution, Election Code and Bylaws.

## **ARTICLE III—MECHANICS OF THE ELECTION**

### **Section 1—Election Dates**

- A. ASISU Election dates shall be set by the ASISU Senate by the tenth (10<sup>th</sup>) regular Senate meeting of the Fall Session, upon recommendation of the Elections Commission.
- B. If the Senate does not determine the election dates by the tenth regular meeting of the Fall Session, the Senate may not consider any official business until they do so.

### **Section 2—Voting Procedures**

- A. Students may vote online from a computer of their choice throughout the entire voting period.
- B. Online voting shall include a system to verify that the individual is an ISU student and pays the ASISU fee and Student Activities fee. The online system shall include a safeguard against voting more than once and shall provide adequate safeguards to avoid election fraud. The Commission shall determine the adequacy of online voting safeguards.
- C. Paper ballots shall be available upon request in the ASISU office.
- D. Accessing the online voting database shall be prohibited during the voting period.
- E. The event of a computer system failure or compromise of the election system as verifiable by the system administrator, the election will commence on the repair of the computer system. The time will be determined by the Commission.

## **ARTICLE IV—VOTERS' GUIDE**

### **Section 1—Purpose**

The Voters' Guide shall provide an opportunity to candidates, parties, proponents and opponents of propositions to express their opinions on the elections, and for information to be disbursed to the electorate about the ASISU, the voting procedures, and the candidates and propositions.

### **Section 2—Specifications**

The Voters Guide shall include candidate statements, the full text of all propositions and proposed constitutional amendments, an explanation of voting procedures, an explanation of how preferential voting works and a description of the duties of the Senate and Executive offices.

### **Section 3—Distribution**

The Voters' Guide shall be published online and linked from the ASISU website.

## **ARTICLE V—CANDIDATES**

### **Section 1—Eligibility**

- A. Each candidate must meet the requirements of eligibility for the office for which they are running as stated in the ASISU Constitution.
- B. The Commission shall verify the student status of each candidate.
- C. All candidates declared ineligible to run shall be notified by the Commission.
- D. All candidates must have a minimum 2.0 cumulative GPA to run for office.

### **Section 2—Candidate Name**

- A. A candidate must use his/her name as registered with Idaho State University, or a shortened version of their registered name, on the ballot.
- B. The Deputy Commissioner shall verify the validity and legality of all candidate names, as submitted on the filling form by the candidates, and shall inform all affected candidates of any problems or inconsistencies.

### **Section 3—Filing**

- A. The Filing Period for candidates shall open at the discretion of the Elections Commission, no less than 14 days before the filing deadline.
- B. All candidates appearing on the ballot must indicate their desire to run by completing an official Candidate Filing Form during the Filing period. The Candidate Registration Form shall be provided by the Commission and made available to the public.
- C. Candidate Filing Forms must be filed with a representative of the Commission.
- D. A candidate can withdraw from the election at anytime.
- E. A candidate shall only seek one office per election.

### **Section 4—Candidate Filing Form**

Each candidate appearing on the ballot shall file a Candidate Filing Form with the Elections Commission during the Filing Period. The Candidate Filing Form shall include:

- A. The candidates name as it appears on their ISU Bengal Card, and their name as it is to appear on the ballot.
- B. The office the candidate is seeking.
- C. The candidates party (if any).
- D. Contact information of the candidate.
- E. The name and contact information of the candidate's campaign chairperson (if applicable).
- F. A statement signed by the candidate that he/she is responsible for all information contained in the Election Code and information that will be presented at the Candidate's Meeting.

### **Section 5—Petitions**

- A. Those who wish to run on an executive ticket and have their names appear on the ballot must have a petition signed by no fewer than one hundred-fifty (150) currently enrolled ISU students.

- B. Those who wish to run for a position on the ASISU Senate and have their name appear on the ballot must have a petition signed by no fewer than thirty (30) currently enrolled ISU students. Each candidate must garner the thirty (30) signatures from ISU students currently enrolled in the college the candidate is running to represent.
- C. Those who wish to run for the position of Idaho Falls Campus Vice President and have their name appear on the ballot must have a petition signed by no fewer than fifty (50) currently enrolled ISU students that are enrolled in at least one course on the Idaho Falls campus.
- D. All petitions must be submitted to the Commission the Monday before the Candidates' Meeting.
- E. The petition must have the position that the candidate is seeking clearly identified on each page of the form. If the candidate files for a position other than the one stated on the form, the form is declared invalid and he/she must then obtain a new petition.

### **Section 6—Candidate Statement**

- A. A 500 word statement for the Voters' Guide may be submitted to the Commission if running on an executive ticket, or a 250 word statement if seeking a position on the ASISU Senate or as Idaho Falls Campus Vice President. These statements shall be included in the Voters' Guide.
- B. Write-in candidates and their candidate statements shall not appear in the ASISU Voters' Guide.
- C. The candidate shall submit the statement to the Commission at the same time the Candidate Packet is due.

### **Section 7—Write in Candidates**

- A. All write-in candidates shall be subject to all campaigning rules and regulations as prescribed in the Election Code.
- B. Write-in candidates for the ASISU executive offices must run as a ticket.
- C. Write-in ballots for the ASISU executive offices must be marked as a ticket in order to be counted.
- D. When writing or typing in a candidate, the name of the candidate must be legible and valid.
- E. Determination of voter intent will be based on names as they are spelled in official ISU records from the Registrar.

### **Section 8—Campaign Deposits**

- A. All executive tickets shall submit a one hundred dollar (\$100) refundable posting deposit (not counted as a campaign expense) to the Commission by the Point of No Return at the Candidates' Meeting, or the ticket is not eligible to run. This deposit will be forfeited by tickets that fail to remove their campaign materials by the day immediately following the last day of the voting period, by 10:00 pm.
- B. Write-in executive tickets that actively campaign (i.e., post signs, make flyers, etc.) must submit a one hundred dollar (\$100) refundable posting deposit (not counted as a campaign expense) to the Commission before the ticket's active campaigning begins (i.e. before they hang one sign, pass out one pamphlet, etc.). This deposit will be forfeited by tickets that fail to remove their campaign materials by the day immediately following the last day of the voting period, by 10:00 pm.
- C. All Senate candidates and candidates for the office of Idaho Falls Vice President shall submit a fifty dollar (\$50) refundable posting deposit (not counted as a campaign expense) to the Commission by the Point of No Return at the Candidates' Meeting, or the candidate is not eligible to run. This deposit will be forfeited

by candidates that fail to remove their campaign materials by the day immediately following the last day of the voting period, by 10:00 pm.

- D. All write-in Senate candidates and write-in candidates for the office of Idaho Falls Vice President shall submit a fifty dollar (\$50) refundable posting deposit (not counted as a campaign expense) to the Commission before the candidate's active campaigning begins (i.e., before they hang one sign, pass out one pamphlet, etc.). This deposit will be forfeited by tickets that fail to remove their campaign materials by the day immediately following the last day of the voting period, by 10:00 pm.

## **ARTICLE VI—PARTIES AND ENDORSEMENTS**

### **Section 1—Definition**

A party is any group of two or more persons who mutually agree to use the same party name.

### **Section 2—Party Registration**

- A. Any students who wish to register a party with the Elections Commission may do so by informing the Elections Commission, in writing, of the creation of their party.
- B. Parties shall govern themselves in a manner party members see appropriate.
- C. Each party must inform the Elections Commission of their party's Chairperson.

### **Section 3—Party Name**

- A. If the Elections Commission determines that the name of parties are similar enough to confuse the voters, the party name registered at the earliest date shall retain the name, and the other party shall choose another.
- B. No party may include as a part of its name, the name of, or reference to, any student, faculty or staff of Idaho State University without presenting the express written permission of that person.
- C. Nor may any party include, or reference, the name of any registered student group or organization.

### **Section 4—Party Filing Requirements**

- A. The party chairperson, or the his/her agent, must also complete a Party Filing Form, which shall contain the following information:
  - 1) The name of the party.
  - 2) Names and contact information for two persons authorized to act on behalf of the party. One of these must be the party chairperson.
  - 3) The names of all candidates authorized to run with the party for that election.
- B. If a party has not filed with the Elections Commission by the Point of No Return in the Candidates' Meeting, then all candidates for that party shall be reclassified as independents.
- C. A party may file only one candidate for each executive office.

### **Section 5—Party Statement**

- A. Parties will be allowed a 300 word party statement in the ASISU Voters' Guide.
- B. Parties shall submit their respective party statements to the Commission at the same time the Candidate Packet is due.

### **Section 6—Party Campaign Deposits**

All parties shall submit a one hundred dollar (\$100) refundable posting deposit (not counted as a campaign expense) to the Commission by the Point of No Return at the Candidates' Meeting, or the party is ineligible to actively campaign for its candidates. This deposit will be forfeited by parties that fail to remove their campaign materials by the day immediately following the last day of the voting period, by 10:00 pm.

### **Section 7—Endorsements**

- A. The ASISU Logo cannot be used by a candidate or party on campaign materials.
- B. ASISU committees, boards or programs shall not officially or unofficially endorse candidates.
- C. ASISU employees are free to endorse candidates as individuals but may not speak on behalf of the organization when doing so.
- D. ASISU office staff shall not campaign for candidates while at work.
- E. Recognized ASISU student organizations and clubs may officially endorse a candidate of their choice, provided the endorsement is issued according to official club rules.
- F. ASISU student organizations and clubs may forward any statement by any candidate to their members at the organization's or club's discretion.
- G. ASISU student organizations and clubs may not spend any ASISU funds for campaigning purposes.
- H. Candidates are required to obtain organization and club endorsements in writing.
- I. Claiming an endorsement of an individual, group, organization, or party without consent is prohibited.
- J. Fusion endorsements (a candidate being endorsed and supported by more than one party) are allowed, but do not expand spending abilities.

## **ARTICLE VII—THE CANDIDATES MEETING**

The Deputy Commissioner shall hold a mandatory Candidate's Meeting at 6:30pm on the Friday of Candidate Filing Period. All candidates are responsible for all information that is disseminated at the meeting. New rules and information not contained in the Election Code may be presented at the Candidate's Meeting.

### **Section 1—Function of the Candidates Meeting**

- A. To acquaint all candidates with the basic structure, functions and authority of the ASISU and of the Election Code.
- B. To discuss problems which have arisen in past elections.
- C. To discuss ASISU Supreme Court decisions and policies regarding elections, specifically the list of punishable infractions and their respective punishments.
- D. To discuss administrative details of the election.

### **Section 2—The Point of No Return**

The Point of No Return shall be the point in the meeting when party affiliation and candidates' names on the ballot can no longer be changed.

## **ARTICLE VIII—THE BALLOT**

### **Section 1—Executive Offices**

- A. The candidate's party affiliation (if any) shall follow his/her name on the ballot.
- B. The determination of the order in which the candidate names shall appear on the ballot shall be made as follows:
  - 1) The roll of all candidates running for office shall be called in any order determined by the Commissioner.
  - 2) Each name shall then be read separately and a number drawn at random from a container. This number shall be read aloud and recorded by a member of the Commission.
  - 3) The ballot shall list the candidates in the order resulting from the number assigned to each ticket.

### **Section 2—Senate Offices**

- A. The determination of the order in which the candidate names shall appear on the ballot shall be made for the Senate candidates as follows:
  - 1) Each candidate's name and an affiliated party shall be read separately and a number corresponding to his/her ballot position shall be drawn at random from a container; this number shall be read aloud and recorded by a member of the Commission.

### **Section 3—Form of Ballot**

- A. A ballot shall be provided which allows voters to list executive tickets and candidates for IF Vice President in order of preference. The ballot shall allow the voter to list up to five (5) candidates for each race, or the total number of candidates, whichever is less.

## **ARTICLE IX—BALLOT TABULATION**

### **Section 1—Ballot Tabulation**

- A. Ballot tabulation shall commence immediately after polls close.
- B. Ballot tabulation shall be supervised by the Commissioner and the de facto Senate member of the Commission.
- C. After ballot tabulation, the preliminary and uncertified results of the elections shall be released by the Commissioner as soon as possible.
- D. The election results for all elected positions, as declared by the Commission, shall become effective, certified and official after being approved by the ASISU Senate at the first Senate meeting following the election.
- E. The election results for all elected positions may be certified separately from all other propositions.

## **Section 2—Handling of Incomplete and Invalid Votes**

- A. A vote shall be declared invalid, and excluded from the counting in a particular race, only if there is not one distinguishable preference, determined according to this section, including if the ballot is blank, either in whole or for a particular race. The invalidity of a vote in one race shall not affect its validity in another race.
- B. Valid, but incomplete, ballots shall be dropped from further consideration in counting procedure at the point where all or part of the vote's value must be allocated to its next preference, and there is not further distinguishable preference level.
- C. If preferences are skipped on a ballot, lower preferences shall be raised to close the gap. Thus, for a ballot with a first and third but no second preference, the candidate listed as the third preference shall be counted as the second preference.
- D. If a particular preference has been assigned to more than one candidate, that preference shall not be counted and shall be treated as skipped preference by the procedure described above.

## **Section 3—Executive Race**

The executive ticket winner shall be determined by the traditional winner take all system. The ticket receiving the highest number of votes shall be elected.

## **Section 4—Senate Races**

Senate winners shall be determined by the traditional winner takes all system. Those candidates receiving the highest numbers of votes shall be elected, depending upon the number of Senate seats in each respective college.

## **Section 5—Ties**

- A. In the event of a tie for a contested position, the Commission shall hold a one-week run-off election to determine the winner. The run-off election shall be subject to all existing rules and regulations and the Elections Code.
- B. The voting date(s) of all run-off elections shall be determined and publicized by the Commission.

# **ARTICLE X—CAMPAIGN RULES**

## **Section 1—Purpose and Authority**

The rules and regulations set forth in this Article govern the election. All questions as to the interpretation of the rules and regulations will be brought forth to the Commission for specific interpretation. Any violations of rules pursuant to the election will be subject to fines and may result in the removal of the candidates name from the ballot.

## **Section 2—Temporary Rules**

Temporary rules may be implemented by the Commission where an urgent situation necessitates temporary additions, amendments, or a suspension of a portion of this Election Code, provided all candidates are affected equally. A temporary rule shall not take effect until approved by a majority vote of the ASISU Supreme Court, with at least three (3) members present and voting. Temporary rules shall be posted in a designated area of the Pond Student Union so that all candidates have access to them.

### **Section 3—Active Campaigning**

- A. The term 'active campaigning' shall be defined as the distribution of campaign literature, the hanging of signs, holding campaign events, online communications, publications or social networking sites, or similar campaign activities on campus.
- B. Active campaigning for all candidates, parties, student organizations, those that supporter or oppose any ballot questions, or agents of any political candidate or group shall not begin until after the Candidates' Meeting is adjourned. Active campaigning shall not be allowed by candidates or parties that have not turned in all of the required election materials and paid the required deposits.

### **Section 4—Email**

- A. Unrestricted use of campus mail, online campus bulletins or any campus mailing facility, including email, for the mass distribution of campaign material or advertising are prohibited. Unlawful mass distribution of campaign material on emails or boards is defined as email that does not meet any of the following conditions:
  - 1) The author has a pre-existing relationship with the recipient(s).
  - 2) The author has permission from the leadership of an organization to use that organization's email list.
  - 3) The author is a member of the organization he/she is emailing.

One authorized email message by each registered executive ticket will be allowed. This email message will be delivered to the ASISU membership by the ASISU student government.

One authorized email message by each registered senatorial candidate will be allowed. These email messages will be delivered to each candidate's constituencies by the ASISU government.

### **Section 5—Posting Rules**

- A. No campaign activity shall be environmentally harmful to any part of ISU grounds or facilities.
  - 1) No campaign material shall be attached to any tree or utility pole. No campaign activity shall leave behind any damage to any part of ISU grounds or facilities.
  - 2) No campaign material shall be attached to any glass door, safety equipment or any place that would obstruct safe and normal movement.
  - 3) Littering on campus is prohibited. Campaign materials such as handbills shall be distributed directly to students.
  - 4) Campaign materials shall not be place on car windshields.
  - 5) Campaign posters or other campaign materials shall not cover any other campaign materials that belong to another candidate or party.

- 6) If ground stakes are used for campaign materials, they shall not be larger than two inches in diameter.
- 7) Campaign material shall not be placed within five (5) feet of any border of any sidewalk on campus.
- 8) The candidate is responsible for any damage which may occur from the Commission removing signs that are in violation of these election rules.
- 9) In the event a violation results in property damage, candidates will be required to make full financial restitution.
- 10) The Commission shall present further campaign poster and sign restrictions at the Candidates' Meeting.

## **Section 6—Campaign Finance Rules and Regulations**

### **A. Intent and Definitions**

- 1) Campaign material is defined as material initiated by a party or candidate, with the intent to contact voters publicly, that explicitly speaks, pleads or argues in favor of the election or defeat of a candidate or party.
- 2) Further, materials that are controlled by a candidate's campaign or party that mention a candidate's name or the office a candidate is seeking, shall be defined as explicitly speaking, pleading or arguing in favor of the election of a candidate. It, therefore, shall be included in the definition of campaign material.
- 3) Email, voluntary labor and telephone calls will be assessed a cost of zero.
- 4) Accordingly, material that only explicitly advocates a non-campaign function of a party or does not advocate any function of a party shall not be included in the definition of campaign material.
- 5) Any material produced by a group or organization not run by a candidate or party, which is not controlled by a candidate or party, which does not receive funding from a candidate or party, that is not operating under a specific agreement between the producer of the material and a candidate or party shall not be included in the definition of campaign material. Such independent advocacy shall not be anonymous. All independent advocacy material must clearly indicate who produced and provided funding for the material.

### **B. Spending Limits**

- 1) Executive officer candidates and parties which act in coordination with the candidate are allowed to spend up to one thousand dollars (\$1,000) on their ASISU campaign.
- 2) Senate candidates and parties which act in coordination with their candidate are allowed to spend up to three hundred dollars (\$300) on their ASISU campaigns.
- 3) Candidates for the office of Idaho Falls Vice President may spend up to three hundred fifty dollars (\$350) on their ASISU campaigns.

### **C. Reporting of Campaign Expenditures**

- 1) It shall be the responsibility of the candidates and their parties which act in coordination with the candidate to record and report expenses used for their campaigns on a Campaign Expenditure Report provided by the Commission. Two copies of the Campaign Expenditure Report must be provided to the Commission by the candidates and parties.

- 2) All candidates and parties shall provide the Commission with a receipt for the purchase of all campaign material within twenty-four (24) hours of the material's use in the campaign.
- 3) If candidates and parties are unable to provide a receipt, they may indicate such and instead provide an estimate of the materials fair market value.
- 4) Receipts must be provided beginning with the Candidate's Meeting and thereafter.
- 5) The Commission shall have the responsibility of determining fair market value for any campaign material not accompanied by a receipt. The interpretation of fair market value may be appealed to the Supreme Court.
- 6) Campaign materials that count as part of a candidate's spending must have been produced or authorized by the candidate or party which act in coordination with the candidate.
- 7) Any campaign material advocating more than one candidate shall have its costs divided equally among all candidates listed on the material.
- 8) Receipts must include information on what was purchased and the amount spent.

### **Section 7—Ethical Violations**

- A. Any person, party, candidate, proponent or opponent of a proposition found to have committed the serious ethical breaches stated in this section shall be subject to punishment by the Commission and possibly the Supreme Court.
  - 1) Willfully violating a lawful order from the Commission or the Supreme Court.
  - 2) Intentionally falsifying information on any Commission forms or the Voters' Guide.
  - 3) Registering fictitious or bogus party names similar to those already in existence with the intent to create confusion.
  - 4) Using ASISU authority, facilities, funds or resources, including the ASISU office, for campaign purposes, including the use of space in the Student Union or other university buildings for the long term or bulk storage of campaign materials.
  - 5) Badgering or threatening witnesses subpoenaed for a Supreme Court hearing or the Supreme Court Justices themselves.
  - 6) Obstructing an investigation by the Commission.
  - 7) Exceeding the campaign finance spending limits.
  - 8) Placing campaign literature in areas where one does not have permission.
  - 9) Engaging in any active campaigning as defined in the Election Code before the end of the Candidates' Meeting.
  - 10) Systematically or repetitiously and willfully destroying, defacing, covering, moving or removing posters, signs, banners, ect. of ASISU groups, candidates or parties.
  - 11) Persistently blocking any entrance to a building or space.
  - 12) Filing malicious, frivolous or charges in bad faith against any candidate or party. If a candidate or party engages a third party to file such charges, all parties involved shall be held responsible.
  - 13) Posting campaign literature of any candidate or party on restricted bulletin boards or any structure or natural feature on campus.
  - 14) Willfully placing or leaving campaign material in any university building, including classrooms, computer labs, the library and on chalkboards.
  - 15) Failing to clean-up all campaign materials.

## **Section 8—Campaign Conduct**

- A. All candidates of a party shall be considered equally guilty of a Campaign Rules Violation by an agent of the party acting within the scope of delegated authority.
- B. A candidate, but not his/her party, shall be considered guilty of a violation of the Elections Code by an agent of that candidate acting within the scope of delegated authority.
- C. A candidate or party may deny the action of any individual who violated the Elections Code by denying said violator is his/her agent within twenty-four (24) hours after the violation has been discovered and reported by the Commission to the party chairperson or candidate.

## **Section 9—Enforcement**

As with any other violation of the ASISU Election Code, the Commission shall be responsible for investigating alleged violations of these rules, imposing fines and punishments, issuing censures and prosecuting serious rules violations which would result with a candidate's name being removed from the ballot.

## **ARTICLE XI—ELECTION COMPLAINTS**

**Section 1**—During the campaigning period and election, any student with standing has the right to file a complaint in regard to the conduct of election procedures to the Elections Commission.

- A. After the close of an election, any complaint or protest filed must follow guidelines outlined in the ASISU Constitution and bylaws.

**Section 2**—If the Commission finds that a candidate or party has consistently and repeatedly violated the Election Code and other campaign rules and regulations, the Commission has the authority regarding the reparations, including disqualification of candidates and parties. A copy of the official charges shall also be submitted to the candidate or party chairperson.

**Section 3**—The ASISU Supreme Court has final authority regarding the disqualification of candidates and parties.

**Section 4**—Any candidate who wishes to contest the election results must submit in writing an explanation of the grievance to the Supreme Court and the Commission within three (3) school days of the official announcement of the election results by the Commission.

## **ARTICLE XII—PROPOSITIONS**

### **Section 1—Definitions**

- A. A proposition is an initiative or referendum as defined in the ASISU Constitution in Article X.
- B. A proposition may be a constitutional amendment, creation of a by-law, a statement of position of the student body, or any other poll that is binding or non-binding on the ASISU.

## **Section 2—Primary Proponent(s) of a Proposition**

- A. A Primary Proponent of a proposition is any student that submits an initiative petition to the Commission. The Primary Proponent is responsible for the conduct of the campaign in support of the proposition.
- B. If the proposition is a referendum, the Senate sponsor(s) and/or the ASISU President shall be the Primary Proponent(s).

## **Section 3—Proponents of a Proposition**

A Proponent of a Proposition is any person, including the Primary Proponent(s) of a Proposition, who acts in support of a proposition by delegation, either explicitly or implicitly, of one or more of the Primary Proponents of said proposition. This shall include any person who circulates or attempts to circulate an initiative petition. This shall not be construed as to include individuals who act in support of a proposition independently and without the knowledge of the Primary Proponent(s).

## **Section 4—Primary Opponent(s) of a Proposition**

- A. After the verification of an initiative petition or referendum, the Commissioner shall inform the following individuals, in the following order, that they may claim the role of Primary Opponent.
  - 1) ASISU President
  - 2) All other ASISU elected officers
  - 3) Any registered party chairpersons
  - 4) Any registered student
- B. The Primary Opponent may then submit to the Commission a statement for the Voters' Guide.

## **Section 5—Opponents of a Proposition**

An Opponent of a Proposition is any person, including the Primary Opponent(s) who acts in opposition to a Proposition by delegation, either explicitly or implicitly, of one or more of the Primary Opponents of that proposition. This shall not be construed as to include individuals who act in opposition to a proposition independently and without the knowledge of the Primary Opponent(s).

## **Section 6—Proposition Statement**

- A. A statement of each proposition must appear on the ballot and be no more than two (2) sentences in length.
- B. The first sentence may state the issue to be voted on in an unbiased manner. The last sentence shall be a neutrally worded question to which an answer of "yes" or "no" is appropriate.