

Article V: Elections

- I. Election Schedule for the Purpose of Electing ASEWU Government Members
The ASEWU general election shall be completed by the end of the first complete week of May.
- II. Qualifications for Office
 - A. All candidates for the ASEWU Council shall have and maintain at least a two point five (2.5) cumulative grade point average at the university. (“Cumulative grade point average” shall be calculated based on the student’s grade point average of his/her entire higher education career.)
 - B. Graduate and undergraduate candidates must be enrolled in and complete six (6) credit hours the quarter prior to their election (excluding summer quarter).
 - C. Candidates for ASEWU president, ASEWU executive vice president, and ASEWU finance vice president shall have a minimum of three (3) quarters as a full time student at a higher education institution, which is to occur within three (3) years prior to the scheduled election, and at least one (1) quarter of attendance at the university immediately prior to the election of office.
- III. Filing
Only students who meet the qualifications for office will be listed on all election ballots.
- IV. Votes Cast
 - A. All votes shall be cast by secret ballot.
 - B. Voting data, both electronic and paper media, shall be kept secured for six (6) months after the election.
 - C. For each election, eligible students shall be allowed to vote once.
- V. Inclement Weather
Should there be an occasion—such as due to weather conditions, natural disaster, or unsafe conditions on campus—which necessitates the closure of school, the election process will be postponed one (1) week.
- VI. Interpretation of Results
 - A. The two (2) candidates who are qualified and received the highest number of votes for each office in the primary shall have their names entered on the final election ballot. In the case of a tie for the second highest number of votes for that office, the candidates who are qualified shall have their names entered on the final election ballot. Write-in candidates shall have the option of removing their names from the ballot.
 - B. In order to be elected into office, a candidate must receive a minimum of 40% of the vote.
 - C. Should no candidate receive a plurality of at least forty (40%) percent in the final election, a run-off election shall be held one (1) week after the final election between the two (2) persons who are qualified and received the highest number of votes in the final election. Only ballots for those two (2) persons shall be

This document is contained in the ASEWU Constitution. This article represents only one section of that document. It was approved by the general student population during the ASEWU primary elections on April 9-11, 2019 and ratified by the ASEWU Council on April 18, 2019. Approval by the EWU Board of Trustees was on October 4, 2019.

counted. In the case of a tie for the second highest number of votes in the general election, those candidates who tied will be placed on the special election ballot.

- D. Should no candidate receive a plurality of a least forty (40%) percent in a run-off election, the ASEWU Council shall select the winner from between those entered on the run off election ballot with a two-thirds ($\frac{2}{3}$) majority vote of the ASEWU Council members at its next meeting.

VII. Special Elections

- A. A special election may be called by a three-fourths ($\frac{3}{4}$) vote of the ASEWU Council.
- B. Special elections will follow the same rules as that of the primary and general elections proceedings.

Bylaw: 2018-19/202
Disposition: Passed
Date of Disposition: November 6, 2018
Date Introduced: November 2, 2018

An act relating to the ASEWU student election schedule.

Be it enacted by the ASEWU Council that:

SECTION 1: Purpose

To establish a timeline for candidacy applications and polling times for student elections during the academic year.

SECTION 2: Filing for Candidacy

Filing for candidacy shall be open for at least nine (9) business days; open no later than the ninth week of winter quarter and close no later than the tenth week of winter quarter.

SECTION 3: Candidacy Information Sessions

At least two (2) information sessions for candidacy applicants shall be held by the director of elections or designee no later than the last scheduled day of filing.

SECTION 4: Primary Elections

Primary elections shall open at 8:00 a.m. on the second Tuesday of spring quarter and close at 10:00 p.m. on the second Thursday of spring quarter. Changes to election days may be approved with a two-thirds ($\frac{2}{3}$) majority vote by the ASEWU Council no later than the last Council meeting of winter quarter.

SECTION 5: General Elections

General elections shall open at 8:00 a.m. on the fourth Tuesday of spring quarter and close at 10:00 p.m. on the fourth Thursday of spring quarter. Changes to election days may be approved with a two-thirds ($\frac{2}{3}$) majority vote by the ASEWU Council no later than the last Council meeting of winter quarter.

SECTION 6: Special Elections

Special elections shall open at 8:00 a.m. on the first day approved by the ASEWU Council and shall close at 10:00 p.m. on the last day approved by the ASEWU Council.

SECTION 7: Run-off Elections

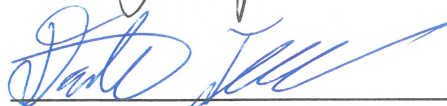
If necessary, run-off elections shall open at 8:00 a.m. on the second Tuesday following a general or special election and close at 10:00 p.m. on the second Wednesday following a general or special election. Changes to election days may be approved with a two-thirds ($2/3$) majority vote by the ASEWU Council.

SPONSOR: Raúl Sánchez

COMMITTEE REFERRAL: Review and Proposal

 5/6/19

ASEWU Executive Vice President Date

 5/6/19

ASEWU President Date

ASEWU Speaker Pro Tem Date
(Veto override)

Bylaw:	<u>2017-18/203</u>
Disposition:	<u>Passed</u>
Date of Disposition:	<u>May 24, 2018</u>
Date Introduced:	<u>May 22, 2018</u>

An act relating to seeking ASEWU elective office.
Be it enacted by the ASEWU Council that:

SECTION 1: Candidate Eligibility

For a member of the ASEWU to be deemed an eligible candidate for an elective office, they shall meet or exceed the qualifications for said office as provided in the ASEWU Constitution, Article V and grant access to all records necessary to verify said qualifications. A candidate's name shall not appear on the ballot or in the ASEWU voters' publication, nor shall a candidate distribute campaign materials until such time as a declaration is made and the eligibility of said candidate has been verified.

SECTION 2: Filing Dates

Filing period for candidacy for an ASEWU elective office shall be in accordance with the ASEWU Constitution, Article V, Section I and as required by rules governing any special election.

- A. To have their name appear on the primary election ballot and be deemed eligible, a member of the ASEWU shall complete and submit all required documentation received in the elections packet during the defined filing period.
- B. A write-in candidate may also have their name added to the general election ballot provided they meets the qualifications and conditions listed under Section 4 of this bylaw.

SECTION 3: Declaration of Candidacy

Prior to participating in the election process, a member of the ASEWU shall file and declare their candidacy for an elective office by properly completing and submitting all required documentation including stating which office they are seeking. Upon verification of eligibility, the said ASEWU member shall be deemed a declared candidate.

- A. Only names of qualified candidates shall appear on a ballot.
- B. A qualified candidate shall not be considered a valid candidate for any office other than the one for which their name appears on the ballot.
- C. A candidate's name shall only appear on the ballot for one (1) office.
- D. A candidate shall not simultaneously campaign for multiple offices.
- E. A qualified candidate may withdraw that status and seek an alternate office as a write-in candidate by submitting written notification of that intent to the director of elections at least seventy-two (72) business hours prior to the opening of the polls for the primary election. The following written notification shall mean the following.
 - 1. Campaigning for the alternate office shall not occur until verification of eligibility for the alternate office has been determined.

2. The forfeiture of all privileges of a qualified candidate including the removal of their name from the ballot for the original applied office.
3. The termination of further consideration for the original applied office.
4. Any candidate switching positions must remove all campaign materials prior to filing for a different position.

SECTION 4: Withdrawing Of Candidacy

A candidate may withdrawal from elections at any time. In order for their name to be removed from the ballot, they must submit a written and signed letter to the director of elections or their designee.

SECTION 5: Write-in Candidates

A student of Eastern Washington University may have their name appear on the general election ballot as a write-in candidate if the individual meets all of the following conditions.

- A. Received at least fifty (50) votes for a specific position during the primary election.
- B. Received either the most or second most votes for that specific position during the primary election.
- C. The write-in candidate has stated their desire to run for the specific position. Upon agreeing to run, the write-in candidate shall complete, sign and submit all required documentation contained in the ASEWU elections packet.
- D. Any campaigning done by the write-in candidate prior to submitting all required documentation must follow the ASEWU Constitution and all Bylaws.
- F. The eligibility of the write-in candidate shall be verified by the ASEWU director of elections.

In the event that a candidate who had qualified for the general election withdraws from the election, the candidate receiving the next highest amount of votes shall qualify for the general elections as a write-in provided that they meet the criteria in Section 5, item A in this bylaw.

If an ASEWU member's name is submitted as a write-in candidate, the name must be legible to the ASEWU director of elections and an assisting election clerk.

If no candidate receives the required percentage to be elected to office as outlined in the ASEWU Constitution (Article V, Section VII) and there is at least one eligible candidate after the general election, then there will be a "special election" held for that position and any other matter deemed necessary by a majority of the ASEWU Council.

SECTION 6: Rescinded


Bylaw 2012-13/203 is hereby rescinded.

SPONSOR: Justin McBride and Raul Sanchez

COMMITTEE REFERRAL: Review and Proposal

 5/30/18

ASEWU Executive Vice President Date

 5/30/18

ASEWU President Date

ASEWU Speaker Pro Tem Date
(Veto override)

Bylaw: 2018-19/204
Disposition: Passed
Date of Disposition: November 6, 2018
Date Introduced: November 2, 2018

An act relating to ASEWU candidacy information session.
Be it enacted by the ASEWU Council that:

SECTION 1: Purpose

To establish the contents presented at the candidacy information sessions to inform applicants about the rules, regulations, the ASEWU Constitution and Bylaws and university policies for campaigning during elections.

SECTION 2: Presentation

The session will cover the following requirements.

- A. The eligibility of candidates based on the ASEWU Constitution.
- B. The process of primary and general elections.
- C. The use and submission of campaign expense forms.
- D. Rules and regulations of the EWU's poster policy and related advertisements.
- E. Campaign restrictions within residence halls, student organizations and polling stations.
- F. Restrictions of university supplies and expenses.
- G. The process for submitting grievances, the Election Board hearings and the ASEWU Superior Court appeal hearings.
- H. Any Bylaws in the 200 series not mentioned above.
- I. Any other information the director of elections deems pertinent.

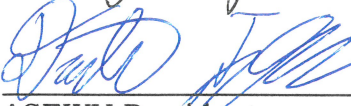
SECTION 3: Make-Up Meeting Process for Candidates

If a candidate cannot attend a candidacy information session, it is their responsibility to schedule a meeting with the director of elections or designee. The candidate is not eligible to campaign or have their name on the ballot until they complete this requirement. This make-up meeting should be completed prior to the start of primary, general and/or special elections.

SPONSOR: Raúl Sánchez

COMMITTEE REFERRAL: Review and Proposal

 5/6/19
ASEWU Executive Vice President Date

 5/6/19
ASEWU President Date

ASEWU Speaker Pro Tem Date
(Veto override)

Bylaw:	<u>2017-18/206A</u>
Disposition:	<u>Passed</u>
Date of Disposition:	<u>May 24, 2018</u>
Date Introduced:	<u>May 22, 2018</u>

An act relating to ASEWU election campaigns.
Be it enacted by the ASEWU Council that:

SECTION 1: Purpose

There shall be uniform regulations governing the election process for the ASEWU in order to maintain a level of fairness, integrity, and equality of opportunities for each candidate to conduct a legitimate campaign.

SECTION 2: Use of ASEWU Titles

All ASEWU Council titles (e.g. ASEWU president, ASEWU executive vice president, etc.) are the property of the Associated Students of Eastern Washington University, Inc. and shall not be used as part of an endorsement of a candidate for an ASEWU office or an ASEWU ballot initiative or referendum. This shall not restrict the use of ASEWU logos and/or titles in campaign materials.

SECTION 3: Regulation Distribution

The ASEWU director of elections shall provide a copy of the ASEWU election bylaws and campaign policies to each potential candidate for an ASEWU office and upon request to a member of the university community.

In addition to other requirements, candidates must complete and sign all necessary documents contained in the election packet they received before the student can be considered an eligible candidate.

SECTION 4: Campaign Conduct

Campaigns shall comply with the current EWU Student Conduct Code, ASEWU Constitution and Bylaws, university policies concerning elections, and local, state, and federal laws. A candidate may not publicly confront another candidate with an allegation of election policy violation. Such allegations are to be properly submitted formally in writing on the appropriate ASEWU "Election Grievance Form" to the director of elections or their designee, as soon after realization of said violation as possible.

- A. A candidate must campaign on their own merit through written, recorded, and/or electronic platforms. Untrue or unsubstantiated statements shall not be permitted.
- B. A candidate is ultimately responsible for their campaign and the activities and conduct of those who assist the candidate in that campaign.
- C. Removing, covering, or altering in any way the campaign material of another candidate is prohibited.
- D. Campaign paraphernalia shall not be posted on classroom surfaces (e.g. walls, doors, glass, windows, and bulletin boards). Campaigning shall

not be allowed in a classroom, nor shall a candidate request from an instructor the opportunity to address formally students during class periods.

- E. A campaign shall not utilize amplification (voice, music, etc.) except as provided at an activity sponsored by the ASEWU for all qualified candidates.
- F. Campaigning shall not impede the normal flow of pedestrian or automobile traffic; pose a potential hazard to others, or the campaigner.
- G. On the established election days, campaigning shall not occur within any building where an ASEWU designated polling location has been assigned, within fifty (50) feet of an ASEWU designated polling location, including the use of location based social media content, or in the direct line-of-sight of a voter at the polls.
- H. A current ASEWU Council member shall not use the word "re-elect," when running for a different position than currently holding other than to say, "re-elect to student government."
- I. All candidates shall abide by the rules and regulations of the EWU Campus Poster Policy.

SECTION 5: Campaign Materials

Campaign materials shall not be posted on, adhered or attached to, in such a way that may result in damage to, or leave residue on, any surface or structure upon its removal, or pose a potential hazard while said material is in place. Posting and distribution of campaign materials shall be in compliance with university policies. Campaign materials may include, but are not limited to, flyers, posters, signs, social media platforms, and balloons.

All campaign expenses made by candidates must be limited to a monetary amount not to exceed five-hundred dollars (\$500) out of pocket total for both primary and general elections in the current school year. Total receipts shall be itemized and submitted to the director of elections one (1) day after the respective primary and general election dates. In the event of a special runoff election, an additional one-hundred dollars (\$100) may be spent by viable candidates. All costs associated with candidates are at the expense of the candidate.

- A. Campaign materials shall not be posted or distributed until filing has been completed and the election contract approved by the ASEWU director of elections or the ASEWU program support supervisor. Candidates must also attend the mandatory election candidate information session. A campaign shall not cause an expense to the university. Utilizing state supplies, materials, or services for production, reproduction, or distribution of materials is prohibited except where such is available for purchase.
- B. Campaign materials shall not be posted or distributed on the second floor of the Pence Union Building within fifty (50) feet of the ASEWU office unless officially sponsored by the ASEWU; affixed to a tree or sidewalk; or placed on any glass or painted surface on campus.
 - A. A stake on which campaign materials are affixed shall not be driven into the ground to a depth greater than six (6) inches and no closer

than two (2) feet to a sidewalk or curb to avoid damage to underground pipes or cables. In the event that damage to an underground system occurs, the candidate whose materials caused the damage shall be financially and otherwise responsible.

A candidate's campaign materials posted on a bulletin board shall not exceed, or cover an area greater than one (1) square foot in size or be posted on a bulletin board marked "restricted" by a department office or program. Campaign materials shall not be distributed on cars in all parking lots (university-owned or otherwise) or posted in restroom facilities (plumbing problems). A reasonable attempt will be made to ensure litter is not generated by campaign activities.

- A. A candidate is responsible for the removal and proper disposal of their campaign materials (includes posters/flyers, table tents, tape, staples, stakes, etc.) within seventy-two (72) hours, starting midnight the day after the general election.
- B. All candidates will be held responsible and accountable for their own campaign materials as to their placement and distribution regardless of who posts and distributes said materials.

SECTION 6: Residence Halls

Campaigning in the university residence halls shall be governed by the guidelines established by the individual residence halls and the following regulations:

- A. The chief housing officer (or designee) and the ASEWU director of elections shall coordinate specific dates and events for candidates to campaign in the residence halls based off the date of the election. No individual campaigning will be allowed in the residence halls outside of the agreed upon dates and events determined by the chief housing officer (or designee) and the ASEWU director of elections;
- B. When campaigning in the residence halls, the campaign shall not infringe upon the right to privacy of all the residents in a given residence room, if so declared by a note affixed to the residents door stating not to be disturbed. Restricted activities would include: knocking on the residents door, posting materials on their door, or sliding materials under the door;
- C. When campaigning in the residence halls, materials shall not be distributed on a resident's door without the expressed permission of said resident;
- D. Campaign materials shall not be placed in a resident's mailbox unless it is the result of the normal delivery of postage-paid mail; and
- E. All candidates shall abide by the rules and regulations of the Residence Hall Poster Policy.

SECTION 7: Registered Clubs and Organizations

Any ASEWU recognized club or organization that allows or offers a single candidate the opportunity to speak with its members, distribute campaign materials to its members, or take other actions that could possibly assist an

ongoing campaign must also allow all candidates for that position the same aforementioned opportunity.

All opportunities and invitations by clubs and organizations must be posted by the ASEWU director of elections or their designee two (2) business days prior to the event.

SECTION 8: Forum and Debate

- A. Forums may be conducted provided that each candidate is given reasonable opportunity and notification to participate in all forums.
- B. In regard to referendums or initiatives, they may be debated provided that both sides (pro and con) have an equal opportunity to address the issue(s).

SECTION 9: Election Violation

A candidate or campaign that does not adhere to the ASEWU Constitution and Bylaws or university policy governing an individual's conduct during the ASEWU election process or disregards a ruling administered by the director of elections, the Election Board, or the ASEWU Superior Court may be subject to election related sanctions or further university disciplinary action.

SECTION 10: Rescinded

Bylaw 2017-2018/206 is hereby rescinded.

SPONSOR: Justin McBride, Sarahi Gutierrez, Raul Sanchez and Ashley Jenniges

COMMITTEE REFERRAL: Review and Proposal



ASEWU Executive Vice President 5/30/18
Date



ASEWU President 5/30/18
Date

ASEWU Speaker Pro Tem Date
(Veto override)

Bylaw:	<u>2017-18/208</u>
Disposition:	<u>Passed</u>
Date of Disposition:	<u>May 24, 2018</u>
Date Introduced:	<u>May 22, 2018</u>

An act relating to the course of action in filing an election grievance.

Be it enacted by the ASEWU Council that:

SECTION 1: Purpose

There shall be a uniform procedure for students of Eastern Washington University to file a grievance as it pertains to election policy violation during an ASEWU election.

SECTION 2: Format

All election grievances shall include a detailed account of the incident and be submitted on the proper forms and include the necessary information and facts.

- A. The ASEWU Election Grievance Form for filing an election grievance shall be obtained from EagleSync, the director of elections, their designee or the ASEWU program support supervisor.
- B. The form shall be completed and submitted on EagleSync, to the director of elections or their designee and shall include and specify the necessary information and facts.
 - 1 The candidate(s), campaign, or student(s) that has allegedly violated an ASEWU election policy.
 2. The section(s) of the ASEWU Constitution, ASEWU Bylaw(s), and/or university policy that allegedly has been, or is being, violated.
 - 3 A factual account of the allegation, any pertinent information or circumstances about said election policy violation, and/or witnesses that may be called to corroborate facts as presented.
 - 4 The desired grievance resolution: a hearing and subsequent ruling by the director of elections or before the Election Board.
- C. Additional pages may be attached to the physical ASEWU Election Grievance Form.

SECTION 3: Submission of Grievance Documentation

The director of elections or ASEWU program support supervisor shall secure the submitted grievance form. All election grievances shall be filed and submitted in the following manner:

- A. One (1) electronic copy of the completed election grievance form shall be submitted to EagleSync or two (2) sealed physical copies of the completed election grievance form shall be submitted to the director of elections or their designee by the person filing the grievance upon realization of an alleged violation and no later than 5:00 p.m. the business day immediately following the election (primary, general, or special).
- B. The director of elections or their designee shall record the following information: the date and time the form was received; the grievance filer's name, address and phone number; and the name of the alleged violator(s). The filer shall be given a signed proof-of-receipt slip if a physical copy was submitted.

- C. The director of elections shall furnish a copy of the grievance to the alleged violator(s).

SECTION 4: Notification

Within three (3) business days of receipt of any election grievance, the director of elections shall contact the individuals referenced in the grievance. Three (3) documented attempts shall be made in a timely and professional manner to speak directly with the individual(s) referenced and a follow-up correspondence shall be issued for the purpose of documentation.

Following the notification process, the director of elections may select to take one of the following actions.

- A. With consent of the complainant and accused, review said grievance and determine a grievance resolution and/or sanction(s).
- B. Convoke the Election Board for the purpose of hearing said grievance.
- C. Convoke the ASEWU Superior Court for the purpose of hearing an appeal of a grievance resolution and/or sanction(s).

SECTION 5: Rescinded

Bylaw 2012-13/208 is hereby rescinded.

SPONSOR(S): Justin McBride and Raul Sanchez

COMMITTEE REFERRAL: Review and Proposal



ASEWU Executive Vice President 5/30/18
Date



ASEWU President 5/30/18
Date

ASEWU Speaker Pro Tem Date
(Veto override)

Bylaw:	<u>2017-18/211</u>
Disposition:	<u>Passed</u>
Date of Disposition:	<u>May 24, 2018</u>
Date Introduced:	<u>May 22, 2018</u>

An act relating to election violations.
Be it enacted by the ASEWU Council that:

SECTION 1: Purpose

The purpose of this legislation shall be to provide guidelines for the Election Board in conducting Election Board sanctioning process and/or appeals to the ASEWU Superior Court.

- A. Assumptions: Proper election procedure shall be assumed for all ASEWU elections until such time that the Election Board rules that there has been an actual violation.
- B. Burden of Proof: The burden of proof shall be placed upon the person filing and submitting the ASEWU Election Grievance Form.
- C. Ignorance: Ignorance of election policies is not a valid excuse. It is the duty of all parties involved to be aware of all election policies.
- D. Evidence: Any and all evidence shall be brought forth by all parties at the Election Board hearing.
- E. Testimony: Testimony shall be heard by the Election Board at the Election Board hearing. Individuals wishing to testify may do so and will be given a maximum time limit of ten (10) minutes.
- F. Questioning: The Election Board at the Election Board hearing may question any and all persons to the satisfaction of the Board.
- G. Finding: Findings shall be based upon a preponderance of the evidence.
- H. Discretion: All other matters not stated herein shall be left at the prudence of the Election Board.

SECTION 2: Degrees of Action for Candidates

Should there be an actual policy violation by the candidate, there shall be sanctioning available.

Sanctions available to Director of Elections:

- A. Admonition: An oral statement to a student that they had violated ASEWU election rules and regulations; and/or
- B. Warning: A notice to the student or organization that has violated the rules and that any repeated or continuing violation of that standard may result in more severe disciplinary action. A warning must be written.

Sanctions available to Elections Board:

- A. Admonition: An oral statement to a student that they had violated ASEWU election rules and regulations;
- B. Warning: A notice to the student or organization that has violated the rules and that any repeated or continuing violation of that standard may result in more severe disciplinary action, a warning must be written; and/or
- C. Disciplinary probation: A formal action which places one (1) or more of the following actions for a specified period of time:

- a. Demand the candidate to remove all physical campaign materials, social media campaigns, and/or disallow any further campaign materials from being posted;
- b. Disallow any form of campaigning as deemed by the Election Board, not to exceed five(5) business days; and/or
- c. Removal of the candidate's name from the ballot.

The Election Board has the right to use any combination of these sanctions in determining their decision.

SECTION 3: Consideration

When determining the degree of action to be taken, the Election Board and/or the ASEWU Director of Elections shall take into consideration the following issues and concerns.

- A. If the violation affected all candidates equally or if the violation singled-out one (1) individual to their detriment or excessive benefit;
- B. The severity of the violation; and/or
- C. If the result of the election could have been different if there had been no violation.

SECTION 4: Rescinded

Bylaw 2012-13/211 is hereby rescinded.

SPONSOR: Justin McBride and Raul Sanchez

COMMITTEE REFERRAL: Review and Proposal

 5/30/18

ASEWU Executive Vice President Date

 5/30/18

ASEWU President Date

ASEWU Speaker Pro Tem Date
(Veto override)