



# ASBSU

## Associated Students of Boise State University Governing Code

<b>I. Table of Contents</b>	
<b>II. Chapter Overview</b>	<b>2</b>
A. Purpose	2
B. Definitions	2
<b>III. Election Manager</b>	<b>2</b>
<b>IV. Qualifications and Declaration of Candidacy</b>	<b>3</b>
A. Qualifications	3
1. Election Packets	3
<b>V. Campaign Guidelines</b>	<b>4</b>
C. Campaigning	4
D. Where to Campaign	5
E. Communication	5
F. Campaign Endorsements	5
G. Campaign Finances	6
<b>VI. Election Procedures</b>	<b>6</b>
C. Ballots	7
D. Voting	7
E. Tabulation of Votes	7
F. Notification of Results	8
G. Ties	8
<b>VII. Handling Violations</b>	<b>8</b>

## CHAPTER 6: ELECTION CODE

### II. Chapter Overview

#### A. Purpose

1. This Chapter seeks to establish and regulate Elections for ASBSU. It outlines the procedures for conducting Elections, and it also provides the rules that all Candidates must follow to ensure Elections are fair.

#### B. Definitions

1. Campaign Materials: any physical or electronic item that is publicly available or distributed to promote a Candidate or Team, especially to people who are unfamiliar with the Candidate(s)
2. Campaigning: Any public action that promotes a Candidate or Team, especially to people who are unfamiliar with the Candidate(s).
3. Candidate: Any qualified student who seeks election to a position in ASBSU.
4. Election Packet: Distributed to interested Candidates. Includes the application for Candidacy, Elections Code, important dates, a job description of the position, all relevant regulations, and any other documents chosen by the Election Manager.
5. Executive Ticket: Any two qualified students who seek election to the position of ASBSU President and Vice President.
6. Executive Elections: These occur during the spring semester and elect the ASBSU President and Vice President, and all Secretaries.
7. Polling Area: Any kiosk set up by ASBSU and all University computer labs and computers.
8. Qualified Voter: Any fee-paying student currently enrolled in the University at the time of the Elections is qualified to vote.
9. Team: A group of two or more Candidates choosing to Campaign together. This does not include the President and Vice President.
10. Term of Office: Each elected member of ASBSU will serve from the date ze is sworn in until hir successor assumes office, approximately one (1) year later.
11. Violation: Any action taken by a Candidate which violates or goes against this Code.
12. Voting Facility: Any place where Qualified Voters can vote, or device which they can use to vote.

### III. Election Manager

- A. The Election Manager is appointed by the ASBSU President to see that Elections are publicized, efficient, and effective under the guidelines of this Code. Per Executive Code IV I.1 ze may appoint students to an Elections Committee to help fulfill hir duties, as defined below.
- B. The Election Manager is responsible for:
  1. Preparing and distributing Election packets
  2. Making any and all necessary reservations
  3. Holding optional information sessions while packets are available

4. Formally recognizing Candidates and Teams
    - a. This will consist of the following:
      - i. Approval of Election Packet
      - ii. Posting of information of candidates and teams on the ASBSU Website
      - iii. Invitation to the Candidate Debate
  5. Maintaining Candidate information online during the campaigning period
  6. Providing Campaign Materials for Candidates as defined in this Code
  7. Taking necessary measures to ensure Elections adhere to this Code
  8. Communicating Election guidelines to all necessary parties/departments on campus.
- C. All questions pertaining to this document and Election packets will be directed to the Election Manager and/or the Student Ethics Officer.

#### **IV. Qualifications and Declaration of Candidacy**

##### **A. Qualifications**

1. To be included on the ballot and to qualify for election, a Candidate must be a full-fee-paying student at the University. A Candidate must be in good standing with the University. A Candidate must have a cumulative GPA of 2.5 or higher.
2. Candidates for Executive Elections must be full-time students.
3. The position of the Vice President of Inclusive Excellence will be slated (i.e. 2-3 participants will be selected by the current members of the Inclusive Excellence Student Council (IESC), the President, and advisors to the IESC to run for election). Those picked to run for this position will follow campaign rules and guidelines required of all other elected ASBSU officers.
  - a. Definition of slate: A slate is a group of candidates that run in multi-seat or multi-position Elections on a common platform. The common platform may be because the candidates have similar policies, represent similar voices on campus, or for some other reason.
  - b. Purpose of slate: To ensure that the selected candidates are equipped with the cultural competency and cultural humility skills and knowledge of historical and systemic forms of oppression that affect our institution. We believe that student voice is imperative in the review and selection of this position, therefore, the slating process allows for student input to be the final deciding factor through the electoral process.

##### **B. Declaration**

###### **1. Election Packets**

- a. Candidates will be required to turn in complete Election Packets by a certain date, as specified by the Election Manager and the packet itself, in order to be placed on the ballot.

- b. These packets include an application for candidacy, which requires (at a minimum) the name, student ID number, contact information, and expected graduation date of a potential Candidate.
    - c. For Executive Elections, Candidates who do not meet this deadline may still turn in a packet (which will not require petition signatures) and campaign as a Write-In Candidate.
  2. Candidates are encouraged, but not required, to attend an informational meeting. Candidates are responsible for the content of informational meetings even if they do not attend.
  3. All Candidates declare their candidacy individually, with the exception of Candidates for President and Vice President who declare candidacy jointly as an Executive Ticket.
  4. To prove ze is a serious and viable Candidate, each Candidate will ask Qualified Voters for a signature showing support for the Candidate. This process is referred to as Petitioning. All signatures will be verified by student ID number by professional staff. The amount of signatures required for each elected position is as follows:
    - a. President & Vice President: 100 signatures (total)
    - b. Secretaries: 50 signatures
  5. A candidate may withdraw from their candidacy by submitting a written statement in person, along with their student identification card, to the Election Manager and/or Student Ethics Officer. This may occur before the Election results are finalized. If a candidate withdraws too late for their name to be removed from the ballot, and said candidate wins, the candidate with the next highest votes will be granted the position.

## V. Campaign Guidelines

- A. Additional guidelines can be provided by the Election Manager as long as they are not in violation of this Code.
- B. All Candidates must adhere to the ASBSU Ethics Code.
- C. **Campaigning**
  1. Personal conversations, in any form, are not considered Campaigning and cannot be regulated by ASBSU.
  2. Campaign Materials are required to be submitted to the Election Manager only when the materials use ASBSU supplies or funds. ASBSU-funded Campaign Materials may be censored if they are discriminatory in nature based on Financial Code IV.C.1.
  3. No items of significant value may be distributed for the purpose of Campaigning. Significant value is determined by the Election Manager. If an item is in question, a complaint may be filed to the Student Ethics Officer.
  4. A Candidate may begin Campaigning once ze has submitted a completed Election Packet to the Election Manager and it has been approved.

- a. If an Election Packet is not approved or denied within Two (2) business days, a complaint may be filed with the Student Ethics Officer.
5. All individuals involved in the Election process must abide by all state and/or federal laws, the Student Code of Conduct, and University policies.

#### **D. Where to Campaign**

1. Academic buildings: Campaigning is acceptable in academic buildings, but it must not take place in the classroom during instruction times or otherwise disrupt classes that are in session. Campaign Materials may be posted only on public bulletin boards and in department offices with proper approval by the department. Campaign Materials may not be publicly distributed inside academic buildings.
2. Policies regarding the Student Union Building, Recreation Center, and University Housing will be determined by the respective departments. Documentation of these policies will be provided to Candidates in Election Packets.
  - a. These policies must treat all candidates equally. Clarifying Example: Either all candidates are allowed to campaign in specific buildings, or no candidates are allowed to campaign there.
3. Computer labs: No Campaigning. University computers may be used to prepare and print Campaign Materials.
4. ASBSU Meetings: Candidates will not announce or promote their candidacy or their intent to pursue candidacy during a meeting of any ASBSU Body.
5. Student Organizations: Candidates are encouraged to contact Student Organizations and get permission from them to Campaign at a Student Organization meeting. Student Organizations do not have to grant permission to any Candidate.
6. Additional guidelines from Facilities Operations & Management will be provided to Candidates.
7. Candidates cannot campaign within 40 25 feet of a Polling Area. Polling stations can include:
  - a. Any university computer
  - b. ASBSU Polling Stations
8. Candidates will not create or advertise any specific on-campus Voting Facilities other than designated Polling Areas.

#### **E. Communication**

1. All elections communication must abide by the relevant University policy.
2. Candidates are permitted to contact the officers of Student Organizations.
3. Social media communication must follow the same guidelines as any other form of Campaigning.

#### **F. Campaign Endorsements**

1. Candidates will not falsify endorsements.
2. Candidates will report all financial endorsements.
3. ASBSU will not endorse any Candidate.

4. ASBSU paid Personnel will not publicly endorse any Candidate.
  - a. Clarifying Example: An Executive member will not announce publically that they are endorsing a candidate. As mentioned above, personal conversations cannot be monitored by ASBSU, therefore are not a public endorsement. If an Executive member discloses to multiple people who they are supporting, it can be seen as a public endorsement based on how many people it reaches. This will be taken on a case-by-case basis, and will be determined by the Student Ethics Officer, ASBSU Advisors, and the Election Manager.
5. Current ASBSU Officers are allowed to be Candidates and are allowed to Campaign for themselves or their Team. However, their Campaigning must not interfere with their official duties in ASBSU. The Student Ethics Officer will ensure their duties are fulfilled and no conflicts of interest will occur.
  - a. Clarifying Example: If the Communication Officer is running for an elected position, they cannot be responsible for posting election material on behalf of ASBSU.

#### **G. Campaign Finances**

1. Candidates in Executive Elections must report all campaign finance information three times: first, one week prior to the first day of voting, second, the day before the first day of voting, and third, after voting concludes. Additionally, campaign finances must be disclosed if the Election Committee Request it at any time during the election process. Candidates will have twenty-four (24) hours to submit them from when the committee requests them.
2. The campaign finance report must include the following:
  - a. Amount of money spent, by the Candidate or by others, on Campaign Materials or for the purpose of Campaigning, and the specific expenditure (i.e. posters, candy).
  - b. Amount of money donated and the name(s) of the donors. This includes in-kind donations (rather than money being given for campaign materials, the campaign materials are themselves given).
  - c. Date the donation is received as well as the expenditure date of said donation.
3. Executive ticket elections will have a cap of \$1,600. All other elected positions will be capped at \$800.
4. If any candidate is found to have broken these guidelines, their violation will be punished using section VII.C. at the bottom of this document.

#### **VI. Election Procedures**

- A. All elections will be held online. Provisions may be made for paper ballots in the case of an emergency. All on-campus computer labs or University computers are considered polling areas.
- B. Polling Areas may be provided by ASBSU.

**C. Ballots**

1. The Election Manager is responsible for administering the online voting process, and is permitted to hire/utilize computer experts.
2. The order of Candidates' names on the ballot will be random for each voter.

**D. Voting**

1. Qualified Voters may cast one (1) vote for each position and each Referendum on the ballot.
2. Voters will be able to view everything on the ballot without having to vote at that time.
3. Online voting will follow an Instant Runoff Voting (IRV) system if available.
4. Any proposed Constitutional revision or amendment will be clearly indicated on the ballot. It is at the discretion of the Constitutional Convention members to decide whether each change will appear as an independent voting issue or if changes will appear as one voting issue.
5. Any effort to falsify voting is subject to disciplinary procedures through the Student Ethics Officer and the Ethics Committee. (See Ethics Code)
6. Qualified Voters may not allow someone else to vote for them by proxy. Any Candidate encouraging such behavior is in violation of this Code.
7. If it is discovered that online voting has been altered or tampered with, the Election Manager or ASBSU President will take immediate action to correct the problem. If election results have been compromised, new dates for the Election will be set by the Executive Council.
8. If any Candidate is disqualified or resigns from office within one month of the conclusion of an Election, the Candidate with the next highest number of votes will assume office. If one member of an Executive Ticket is disqualified or resigns in this time frame, the entire Executive Ticket is removed from office and the Executive Ticket with the next highest number of votes will assume office.
9. In no way can items or money be given in return for a vote. Clarifying example: A food item cannot be given in return of showing someone you voted for them or any other candidate.

**E. Tabulation of Votes**

1. Online votes will be tabulated by noon the day following the last day of polling and announced as soon as possible unless prevented by extenuating circumstances.
2. The Candidate (or Executive Ticket) receiving a majority of votes in an Instant Runoff Vote for that office is elected to said office.
3. Requests for recounts must be filed within two (2) school days of the announcements of unofficial results. Any associated cost will be paid by the petitioner(s) unless otherwise authorized by a two-thirds (2/3) vote of the Executive Council, or unless the recount proves to be in favor of the petitioner(s). Recounts will occur within three (3) school days of the authorization of the request.

4. Recounts will be conducted and paid for by ASBSU when the margin of victory is less than one (1) percent of the total number of votes cast.
5. Election results will be unofficial until certified by the ASBSU President, Election Manager, and Student Ethics Officer.

**F. Notification of Results**

1. Unofficial results will be announced by noon the day following elections.
2. Official results, once certified, will be publicly posted online and sent to the University President, all Vice Presidents, Deans, and the University News Service. Assembly Election results will also be sent to all Academic Department Chairs.

**G. Ties**

1. In the case of an exact tie between candidates, a 1 hour meeting will be convened between each of the tickets, Election manager and one advisor. The tickets will have 1 hour to come to a decision on whether or not they would like to proceed with a 24 hour runoff election, or a coin flip administered by the Election Manager in front of all of the tickets running. If at the end of the hour no decision has been reached, then by default the 24 hour runoff is selected.
2. If at the end of the 24 hour runoff a second tie emerges, then a coin flip will be administered to determine the winner.

**VII. Handling Violations**

- A. All violations will be handled by filing a Complaint with the Student Ethics Officer.
- B. Any University student, faculty or staff member may file a Complaint when ze believes a Candidate or Team has violated this Code, the Student Code of Conduct, or the Statement of Shared Values.
- C. The following punishments are available when the Student Ethics Officer determines a Candidate has violated this Code:
  1. Disqualification
  2. Revoking the use of any available ASBSU resources
  3. Requiring the removal of posted campaign materials, including the deletion of web content
  4. Fining the Candidate or Team only if ASBSU had to pay for the Violation.
- D. Any Candidate or Team who receives a punishment may file an appeal as outlined in Ethics Code V.G.
- E. Any Candidate or Team may also file a Complaint against current ASBSU Personnel for violating Election Code.