

## Referenda and Elections Code

### Article I: Purpose and Scope

Article VII, Section 708 of the Constitution of the Associated Students of Colorado State University states that the ASCSU Referenda and Elections Code shall govern all aspects of elections and referenda, including the execution of the election, the operation of the Elections Committee, and the responsibilities of the Elections Manager and Elections Committee members. The purpose of the policies contained in this document is to ensure that elections and referenda are executed in compliance with the ASCSU Constitution and in a just and ethical manner. The policies set forth in this document apply to all elections, referenda, petitions, and campaigns as authorized by the ASCSU Constitution and apply to any member of ASCSU conducting and/or participating in any such election, referenda, petition or campaign.

### Article II: Definitions

When referred to in the ASCSU Constitution, in this document, or in all other ASCSU documents, the following definitions apply:

- A. Associated Students of Colorado State University (ASCSU): As defined in Article I, Section 102 of the ASCSU Constitution, "Every student of Colorado State shall be a member of ASCSU and considered a full-time student for each semester that the student is enrolled with a minimum of one (1) credit hours and payment of full activity fees have been paid.'
- B. General Election: A selection, by vote, of the ASCSU President and Vice President, and Senators, and Speaker of the Senate, held annually on the CSU campus during the first three days of the third week after spring break. The ASCSU Constitution authorizes only this election for these offices. Provisions for filling any vacancies that occur in these positions between General Elections are outlined in the ASCSU Constitution.
- C. Elections Period: The period of time starting with the beginning of the application period and ending at the conclusion of the voting period, as outlined in Article II, Section G.
- D. Application Period: The period of time in which applications for candidacy for elected office are available. Applications for candidacy shall be available in the ASCSU office no later than four weeks prior to Spring Break, and applications shall be due no later than 3:00PM on the Friday of the week prior to Spring Break.

- E. Orientation Period: The period of time, occurring the two weeks immediately prior to Spring Break, during which candidate orientation sessions shall be conducted by the Elections Committee.
- F. Campaigning Period: The period of time during which candidates may campaign for election. This period shall begin on the Monday of the first week after Spring Break at 8:00AM, and conclude at the end of the Voting Period.
- G. Voting Period: The period of time during which votes may be cast for candidates eligible to run for elected office. In the General Election, this period shall begin at 8:00AM on the Monday of the third week after Spring Break, and conclude on Wednesday of that same week at no later than 4:00PM.
- H. Referendum: Any matter, other than an election, to be acted upon by a direct vote of all members of ASCSU.
- I. Petition: A formal document signed by members of ASCSU to bring an issue to referendum, to call for or oppose an amendment to the ASCSU Constitution, to call for the impeachment of an ASCSU officer, or to bring a special bill to the floor of the ASCSU Senate. Petitions calling an issue, referendum, or an ASCSU Constitutional amendment should be submitted to the ASCSU Elections Manager. Petitions calling for impeachment of an ASCSU officer, special Senate bill, or stating opposition to a Constitutional amendment passed by the Senate shall be submitted to the Speaker of the Senate. Each petition shall address only one issue.
- J. Petitioner: A member of ASCSU who circulates a petition for a signature among the members of ASCSU and is officially registered with the Elections Manager.
- K. Campaigning: Any political speech, meeting and/or appeal for a vote or votes.
  - 1. Passive Campaigning: Any campaign related use of Posters, Banners and Social Media.
  - 2. Active Campaigning: Any campaigning not defined as passive.
- L. Posters: Any placard, wherever placed, on the Colorado State University campus.
- M. Banner: Any piece of cloth or paper bearing an emblem, motto, or slogan, which can be hung from or affixed to any building, or which could be freestanding.

- N. Handbill: Any campaign literature not attached to a physical structure and available for distribution to members of ASCSU.
- O. Official Polling Place: Any on-campus public computer lab that is supported by student fees, as well as any ASCSU office, and any computer location administered by ASCSU for the express purpose of voting. \*\*The elections manager and committee may deem other venues polling places no less than one week prior to the first day of voting.\*\*
- P. ASCSU Complex: The ASCSU Office, Senate Chambers only during ASCSU official business, and RamRide Office.
- Q. Fair Market Value: The price at which an otherwise donated or discounted good would be available to all other candidates on the open market.
- R. Campaign Materials: Any physical, digital, or other type of content produced by any campaign.
- S. Social Media: Websites and applications that enable users to create and share content or to participate in social networking.

### Article III: Referenda

The term referenda shall include any and all issues on which a direct vote of ASCSU is taken. The issue may be either referred to the Associated Students of Colorado State University by the ASCSU Senate or initiated by petition of the required number of members of ASCSU. Referenda issues may deal with student opinion, questions of policy, or constitutional amendments. Referenda issues may not deal with any aspect of student fees. The results of all referenda have the same effect as legislation passed by the Senate and signed by the ASCSU President. The enactment of referenda issues not involving Constitutional amendments shall not supersede any provisions of the ASCSU Constitution.

Only members of ASCSU may vote on referenda questions or sign petitions calling for referenda. Unless specific provisions approved by the Board of Governors or Colorado State University exist to the contrary, or unless opposition to a constitutional amendment is raised, the signatures of ten percent of the total membership of ASCSU is required on a petition calling for a referendum. The exact title and wording appearing on a petition calling for a referendum or in the ASCSU Senate legislation mandating a referendum issue shall be placed on the ballot only after being approved for bias (Article VII, A) and presentation is made to the ASCSU Senate. The ASCSU Elections Manager and the Elections Committee shall call a referendum within a reasonable time after receipt of a petition.

#### Article IV: Petitions

- A. The Petition Process: This process shall only be available after the ASCSU Senate has heard a referendum proposal. The policies and procedures of a petition are as follows:

Before any member of ASCSU signs a petition, an original draft of the petition must be submitted to the ASCSU Elections Manager. Each original draft shall contain a brief title, which correctly and fairly expresses the true intent and meaning of the proposed measure and the exact question or statement to be placed on the petition. A committee consisting of the Vice President of Student Affairs, the ASCSU Vice President, and the ASCSU Elections Manager shall review each proposed original draft and determine if the wording does in fact correctly and fairly express the true intent and meaning of the proposed measure and make corrections, additions, and/or deletions as necessary. The ASCSU Elections Manager, upon receipt of the approved draft, will type the title and exact wording onto an "ASCSU Petition Form" and will sign the "Received by" statement on the form and the time and date. Immediately upon receipt of the original draft of the petition, the ASCSU Elections Manager shall obtain the total membership of ASCSU from the CSU Registrar's Office. The ASCSU Elections Manager will then inform the petitioner of the necessary number of signatures required for the type of measure covered by their petition and will type this figure into the "ASCSU Petition Form" in the "Number of Signatures Needed" line. The ASCSU Elections Manager will keep the original completed form and one completed copy will be returned to the petitioner along with a copy of the "ASCSU Receipt of Petition" form. It is the responsibility of the petitioner to reproduce the necessary number of copies for signature of the "ASCSU Petition Form" and the other two forms. When the original draft is submitted and the "ASCSU Petition Forms" prepared, the petitioner must also supply in writing to the ASCSU Elections Manager the names and addresses of at least three and not more than five members of ASCSU who shall serve as representatives of the signers of the petition in all matters related to the petition.

The ASCSU Elections Manager & ASCSU Speaker of Senate shall not accept any petition that does not have attached thereto the required executed affidavit. Any person who is not a member of ASCSU and has not registered with the ASCSU Elections Manager shall circulate no petition.

Upon the collection of the required number of signatures, petitioners shall bind the executed "ASCSU Petition Forms" and signed "ASCSU Affidavit of Petitioner" into convenient volumes. These volumes shall be submitted to the appropriate ASCSU official, either the ASCSU Elections Manager or the Speaker of Senate, before the end of

two calendar months from the date of the filing of the original draft. The ASCSU Elections Manager or the Speaker of the Senate must sign two "Receipt of Petition" forms in the presence of the petitioner, a notary public, and an additional witness who shall be members of ASCSU. The ASCSU officer shall attach one copy of the "ASCSU Receipt of Petition" form to the petition and the petitioner shall receive the second.

B. Petition Protest Procedures:

All petitions which have attached thereto a signed "ASCSU Affidavit of Petitioner" shall be prima facie evidence of validity unless a protest in writing is filed by an ASCSU member with the Chief Justice of the ASCSU Supreme Court or with the CSU Vice President for Student Affairs if the petition involves students acting as agents of the CSU administration or the State Board of Agriculture within ten days after public notice that such petition has been filed, setting forth with particularity the grounds of such protest. The Chief Justice or the CSU Vice President for Student Affairs or their designees shall forthwith mail a copy of the protest to the persons named as representatives of the signers of the petition at their stated addresses, together with a notice fixing a time and place for a hearing to occur, which shall be not less than five nor more than fifteen days after such notice is mailed unless mutual agreement is made for an extension of time. All hearings shall be held before the ASCSU Supreme Court unless the petition involves students acting as agents of the CSU administration or the State Board of Agriculture, in which case a hearing shall be held as directed by CSU's Vice President for Student Affairs.

All hearings shall be public, and both proponents and opponents of the petition may present oral or documentary evidence. A decision shall be rendered no later than ten days after the conclusion of the hearing. No vote by the members of ASCSU may be taken on any petition measure until a decision upholding the validity of a petition is made unless the petition is declared insufficient with respect to the number of valid signatures in which case the petition may be withdrawn by a majority of the signatory representatives of persons signing the petition, and, within ten days thereafter, may be re-filed as an original petition with additional names signed thereto.

All time requirements shall be negotiated between designated representatives of signatories, protestors, and the Supreme Court or CSU Vice President for Student Affairs if protest is made at a time involving campus holidays, breaks, interim, or summer session.

#### Article V: Elections Committee

- A. The Elections Manager and members of the Elections Committee shall be appointed according to the provisions set forth in the ASCSU Constitution.
- B. The Elections Manager shall serve as the chair of the Elections Committee. The committee shall elect a vice-chair from among its members at its first meeting.
- C. The Elections Committee shall meet no less than twice a week during the Campaigning Period. The Elections Manager is required to post a schedule of all regularly scheduled meetings of the committee no later than one week prior to Spring Break. All meetings of the Elections Committee shall be open to the public at all times.
- D. Quorum for meetings of the Elections Committee shall be five members. The member of the committee that is chairing the meeting shall not count towards quorum.
- E. Each member of the Elections Committee shall have a vote in all decisions placed before the committee, and each member shall retain the right to abstain from a vote. The member serving as chair shall not have a vote except in the case of a tie. All decisions made by the committee shall have a binding effect over all parties involved, and all members of the committee shall be empowered to actively seek the enforcement of decisions made by the committee.
- F. The Elections Manager and members of the Elections Committee may only be removed from their positions by the ASCSU President. In the event that the Elections Manager resigns or is removed from office, the vice-chair shall assume the role and duties of the Elections Manager. If no vice-chair has been selected, the ASCSU President must present a nominee for Elections Manager to the ASCSU Senate for majority-vote ratification at its next meeting. In the event that a member of the Elections Committee resigns or is removed from office, the ASCSU President must present a nominee to fill that position to the ASCSU Senate for majority-vote ratification at its next meeting.
- G. The Elections Committee shall abide by the most recent version of Robert's Rules of Order where appropriate or necessary. The Elections Committee may pass any additional rules of order at its first meeting by a majority vote, and any such rules will remain in effect for the duration of that General Election. The committee's adopted

rules of order, and all other standing ASCSU documents shall overrule Robert's Rules of Order in the case of any conflict.

- H. All violation hearings performed by the Elections Committee shall be carried out as follows:
- a. The chair shall provide the defendant with all pertinent information about the violation, including the specific rule in question and the unedited text of the complaint. The plaintiff shall not be required to attend a violation hearing, and shall not be provided with any speaking time during the hearing.
  - b. The defendant shall have five minutes to speak on the issue. The Elections Committee shall have an unlimited amount of time to ask the defendant questions following the defendant's presentation.
  - c. The Elections Committee shall then have an unlimited amount of time for discussion and debate on the issue. During discussion and debate, the chair shall serve only as a facilitator and shall not participate in any discussion except to answer questions regarding rules and policies, and to provide information as to the violation itself. If, during discussion and debate, the Elections Committee requires clarification by the defendant to reach an informed final decision, the Chair may seek a unanimous vote of the Committee to yield to the defendant. If yielded to, the defendant must answer the Committee's question in as clear of terms as possible, and the Chair has the discretion to end yielded time once the defendant answers the question or discusses anything not germane to the question at hand.
  - d. The defendant will be presumed innocent until a preponderance of evidence indicates they are guilty of a violation of the ASCSU Constitution, ASCSU Referenda and Elections Code, or any other rules governing the ASCSU Elections.
  - e. Once the committee has finished discussion and debate, a secret ballot vote shall be taken as to whether the defendant is guilty or not guilty.
  - f. If the committee by majority vote finds that the defendant is guilty of the violation in question, the committee shall immediately enter discussion and debate on whether the violation was major or minor as per Article XI of this document. If the fine for the violation is not specified by the Elections Code, the Elections Committee has the discretion to decide if the violation is a major or minor offense. The fine will be decided by a majority vote of the Elections Committee, the method of which is to be determined by the Chair.

- I. The Elections Manager shall appoint one member of the Elections Committee to each campaign running for President and Vice President and for each campaign running for Speaker of the Senate to act as a liaison and primary point of contact between the campaign and the Elections Committee. The Elections Manager may assign responsibilities to campaign liaisons as necessary. If there are not enough Elections Committee members to act as liaisons to all the above-mentioned campaigns, more than one Speaker of the Senate campaign may be assigned to one liaison.
- J. Members of the Elections Committee that have not been appointed to work as liaisons with tickets running for President and Vice President shall equally share the responsibility of acting as liaisons between the Elections Committee and candidates running for Senator.
- K. Issues pertaining to elections, petitions, or referenda that are not addressed in either the ASCSU Constitution or the ASCSU Referenda and Elections Code shall be determined by the Elections Committee.
- L. The purpose of the Elections Committee is to facilitate the elections process, investigate reported violations of the Elections Code, and decide on violations brought forward to the Committee.

#### Article VI: Orientation

- A. The Elections Manager shall be in charge of holding no fewer than three Senator orientation sessions for all potential Senate candidates and one-on-one orientations with each President/Vice President and Speaker of the Senate campaign . These sessions shall be held for the purpose of familiarizing each candidate with the ASCSU Referenda and Elections Code, and the process and timeline of the General Election.
- B. The Elections Manager shall post a list of all certified candidates and campaigns at the conclusion of the Orientation Period, by no later than 5:00PM on the Friday immediately prior to Spring Break.

#### Article VII: Candidate Certification and Eligibility

- A. To be certified as a candidate eligible to run in the General Election, the following criteria must be met:
  - a. The candidate's application must have been received by the Elections Manager no later than 3:00PM on the Friday of the week prior to Spring Break.

- b. The candidate must have attended an orientation session by 4:00PM on the Friday immediately prior to Spring Break.
  - c. The candidate must meet the eligibility requirements stated in Article VII, Section 703 of the ASCSU Constitution.
- B. Candidates meeting all of the above eligibility requirements shall be certified to run for elected office in the General Election and shall be eligible to take office if elected. Only those candidates that have met all three of the above requirements shall have their names included on the ballot in the General Election.
- C. Write-in candidates will be eligible run for office if they: file a Declaration of Candidacy with the Elections Manager the last day of the voting period; attend a one-on-one election orientation session with the Elections Manager before the end of the voting period; meet the eligibility requirements stated in Article VII, Section 703 of the ASCSU Constitution; and submit all required campaign finance related materials to the Elections Manager by noon on the last day of voting.
- D. Members of the ASCSU Supreme Court shall have no participation in any election campaign while in service of their two-year term.
- E. Presidential and Vice-Presidential candidates must have 60 cumulative credits and one completed semester per each candidate as a full-time student at Colorado State University by the beginning of their term. Speaker of the Senate candidates must have 24 credits completed and one completed semester as a full-time student at Colorado State University by the beginning of their term. Graduate Students need not meet the credit requirements but need to have completed one semester as a full-time student at Colorado State University.
- F. Candidates cannot be paid by a third party to run for office in ASCSU.

#### Article VIII: Campaign Finance

- A. All candidates will be required to submit a detailed Donation and Expenditure report of all materials used for campaign purposes to the Elections Committee by 3:00PM on each Monday and Friday of the Campaigning Period. This report should include copies of all receipts and invoices. This report shall also include the sources of all donated funds to the campaign. A final and complete report must be submitted no later than 12:00PM on the final day of the Voting Period. The Elections Committee may request report submissions from a specific candidate or campaign at any time and/or on a more frequent basis.

- B. All campaign materials and shipping costs, including donated and discounted goods and services, must be reported and counted towards total expenses on the Donation and Expenditure Report.
- C. All invoices must be verified to be from a legitimate source; it is the duty of the respective campaign to verify the sources legitimacy. Determination of the sources legitimacy is within the prerogative of the Elections Manager, and any illegitimate invoice constitutes a major violation.
- D. Any group that campaigns for a ticket will be considered as part of the campaign, and therefore any items that they use for campaigning must be declared on that campaign's D&E report; and any violations committed by the group will be applied to the campaign.
- E. Any dollars spent by a campaign running for President and Vice President, or candidate running for Senator, or candidate running for Speaker of the Senate, shall be utilized to benefit that particular campaign or candidate. Any campaign materials used to sponsor another campaign or candidate must be reported as a donation on the Donation and Expense report of the campaign benefiting from that sponsorship.
- F. The total amount spent on or by any campaign running for President and Vice President, whether personal, donated, contributed, or imposed, shall not exceed \$1,250.
- G. The total amount spent on or by any candidate running for Speaker of the Senate, whether personal, donated, contributed, or imposed, shall not exceed \$750.
- H. The total amount spent on or by any candidate running for Senator, whether personal, donated, contributed, or imposed, shall not exceed \$200.
- I. Non-ASCSU provided funds by any campaign shall not exceed the total spending limit for that campaign minus ASCSU provided funds.
- J. Fair market value of events shall be determined by the Elections Committee based on the market value of compensation of all performances or appearances made by the individual or group at any location within the last nine months. Documentation of performances must be submitted to the elections manager 72 hours prior to scheduled appearance for verification purposes. Burden is on candidate to provide appropriate documentation to prove the past compensation of the individual or group in order to create the nine-month average.
- K. All donated or discounted goods and services shall be recorded at their fair market value. The Elections Committee shall make determinations as to the fair market value of

a good or service if it has been established that it was donated or discounted below fair market value.

- L. No campaign may distribute any form of coupons.
- M. All funds contributed by ASCSU to campaigns must follow SLiCE rules and procedures for fees.
- N. Any candidate or campaign that exceeds a set spending limit shall be immediately expelled from the General Election.

#### Article IX: Campaigning

- A. Candidates running for any elected position in ASCSU and their respective campaigns must at all times abide by the ASCSU Code of Ethics. Failure to abide by the ASCSU Code of Ethics will be considered a major violation
- B. All campaign material of any kind must be approved by an Elections Committee member prior to use. Candidates and campaigns must provide copies and/or photos of all materials submitted for approval, and the Elections Committee shall retain submitted copies and photos for the duration of the election to prevent confusion as to the approval status of submitted materials. Failure to get campaign material approved will be considered a minor violation.
- C. All registered trademark University logos may not be used without following proper University guidelines. Failure to follow University guidelines, when using a registered trademark University logo, will be considered a major violation.
- D. Student groups, such as club sports, are permitted to endorse a campaign if they wish.
- E. Candidates must not defame other candidates. Defamation is defined as the act of disparaging the reputation of another by making a false statement or communication-written, oral, or otherwise-to a third person. Violating this rule will constitute a major violation.
- F. The use of ASCSU materials (such as clothing, nametags, etc.) by any campaign shall be prohibited. Any violation of this rule shall be considered a major violation.
- G. Campaigning at non-election related ASCSU events shall be prohibited. Any violation of this rule shall be considered a minor violation.

- H. Candidates and campaigns shall be prohibited from using items provided by student fee dollars in campaigning. Candidates and campaigns shall be prohibited from attaching campaign-related material to items provided by student fee dollars. Using student fees other than those provided by ASCSU to specific campaigns for campaigning will be considered a major violation.
- I. No campaign material may be posted on or attached in any way to a vehicle without the expressed permission of the owner. Posting campaign material on a vehicle without expressed permission of the owner will be considered a minor violation.
- J. No campaign material may be attached to Collegian distribution boxes, other newspaper or recycling bins, or any Transfort busses or depots. Attaching campaign materials to the aforementioned areas will be considered a minor violation.
- K. All passive campaign materials must include the following disclaimer: "If you feel this material is unsolicited or unwarranted, please email elections@ASCSU.colostate.edu to report your complaint"
- L. Campaigning within the Lory Student Center, Residence Halls, Student Recreation Center and Morgan Library shall be prohibited. Any campaigning within these buildings constitutes a minor violation with the exception of campaigning under the guidelines of Article IX Section M.
- M. Campaigns may speak to student organizations in the Behavioral Sciences' Building (BSB), Residence Halls, Student Recreation Center, Morgan Library and the Lory Student Center (LSC) if the private meeting was arranged beforehand and no campaigning materials are left in the building.
- N. The appropriate parties must approve the placement of campaign material inside any campus building. Failure to follow University building guidelines will be considered a minor violation.
- O. Campaigns shall be prohibited from sending direct private messages (texts, social media messages, etc.) to individuals without the express consent of that individual or administrator of the group. Any violation of this rule shall be considered a major violation.
- P. Campaigns shall be prohibited from rewarding students who have voted for them.
- Q. The use of paint for campaigning on any Colorado State University owned property is prohibited and will be considered a major violation.

- R. No campaign material may be taped to the ground, walkways, or parking areas. Taping campaign materials to the ground, walkways, or parking areas will be considered a minor violation.
- S. No campaign material, campaign supporter, or campaigning of any kind shall be permitted within 25 feet of any official polling place administered by ASCSU. Campaigning within the restricted zones during the days of elections will be considered a major violation.
- T. T-shirts, stickers, buttons, and all other campaign material must be covered when entering an official polling place. Candidates and campaigns shall be responsible for ensuring compliance with this rule. The Elections Committee shall be responsible for periodically monitoring official polling places to verify compliance with this rule.
- U. Candidates cannot promise cabinet positions to individuals during the campaign.
- V. Campaigns are liable for the actions of their supporters on the candidate's behalf, and as such must take appropriate actions to prevent code violations by supporters.
- W. Drug/Alcohol policy:
  - a. No active campaigning may take place in an establishment that is denying entrance to the establishment to patrons under the age of 21.
  - b. There shall be no exchange of alcohol in the attempt to influence a vote or votes.
  - c. There shall be no encouraging alcohol consumption to those under the age of 21.
  - d. Any emblem or logo from an establishment that produces, distributes, or serves alcoholic beverages that is included on any campaign material must be accompanied by an appropriate responsible drinking emblem or logo of equal or larger size.
  - e. No illegal drug related activities may be involved in fundraising or campaigning.
  - f. Failure to follow the Drug/Alcohol policies will be considered a major violation.

#### Article X: Voting

- A. Voting in all ASCSU elections shall be conducted on RamWeb. The Elections Manager shall work with all parties necessary to ensure that a secure and fair voting mechanism is implemented for the conducting of the General Election and any referenda questions.
- B. Each member of ASCSU may vote for one ticket running for President and Vice President. Each member of ASCSU may vote for one candidate running for Speaker of the Senate. Each member of ASCSU may vote in the election of Senators, and shall have the same number of votes as the number of available Senate seats for the college of which their primary major is declared. Students enrolled in the Graduate School may vote only for Senators from the Graduate School, and not from their academic college.
- C. After each ballot is cast, the voting mechanism used to conduct an election must send a confirmation e-mail message to the eID e-mail address of the student whose eID was used to cast that ballot. The purpose of this confirmation e-mail message shall be to inform the student that a ballot has been cast in that student's name, and to provide the student with information that may be used to contact the Elections Manager in the event that a ballot was improperly cast using that student's eID.
- D. Any candidate or campaign found to have been involved in any way with the casting of a ballot in the General Election using any eID that is not the eID of the individual in question shall be immediately expelled from the General Election.
- E. Any candidate or campaign found to have been involved in any way with an attempt to tamper with any and all voting mechanisms shall be immediately expelled from the General Election.
- F. Any on-campus public computer lab that is supported by student fees, as well as any ASCSU office, the Morgan Library, and any computer location administered by ASCSU for the expressed purpose of voting, shall be considered an official polling place. The Elections Committee may specify other venues as official polling places, and the Elections Manager shall post a list of all specified polling places no later than 5:00PM on the Monday of the week immediately prior to the first day of voting.
- G. Candidates and campaigns shall not be allowed to establish any computer voting terminals.
- H. Candidates and campaigns will be immediately disqualified from the General Election if the Elections Committee determines that votes have been gained through hazing or duress to voters.

- I. In the event of a tie between two or more candidates listed on the ballot, certified write-in candidates, or non-certified write-in candidates, the tie shall be resolved, in the case of a Senator, by a vote of the relevant College Council, and, in the case of a Presidential/Vice Presidential Ticket, by a vote of the ASCSU Senate, and, in the case of a Speaker of the Senate, by a vote of the ASCSU Senate.

#### Article XI: Penalties

- A. Failure to follow any rule contained in this document will result in penalties to be levied by the Elections Manager in concurrence with the Elections Committee. The Elections Committee shall have discretion in the assessment of penalties unless an explicit penalty is specified for the rule in question.
- B. Documentation of all penalties levied by the Elections Committee must be submitted in writing to the ASCSU Supreme Court and the ASCSU President within 24 hours of the ruling.
- C. Reports of violations of the Elections Code must be given to the Elections Manager 3 hours prior an Elections Committee meeting during the non-voting period and 1 hour prior to an Elections Committee meeting during the voting period to be heard in that Committee meeting.
- D. All fines levied against candidates and campaigns by the Elections Committee shall be counted on that candidate or campaign 's next Donation and Expenditure report form.
- E. Minor offenses shall reduce the individual campaign's spending limit by \$50.00. Major offenses shall reduce the individual campaign's spending limit by \$100.00.
- F. Minor violations that occur in multiples (ex: several of the same poster distributed in the same code-violating way) shall be grouped in multiples of five for the sake of fines. As such, violations that fall into this category shall follow the pattern of: 1-5 instances:1 report, 6-10:2, 11-15:3, etc.
- G. Candidates or campaigns shall be suspended from campaigning at the discretion of the Elections Committee when candidates or campaigns have committed a serious infraction against these rules. Suspensions shall be no shorter than one 24-hour period, and no longer than one 72-hour period.
- H. Candidates or campaigns shall be expelled from the General Election if the candidate or campaign meets one or more of the following criteria: has been suspended more than

twice in the General Election; has been found to be in violation of a rule that explicitly states expulsion as a penalty; or has been violating a major local, state, or federal law.

- I. Any candidate or campaign wishing to appeal a penalty must do so in writing and submit it within 24 hours of the ruling to the ASCSU Supreme Court and the ASCSU President. The Supreme Court shall retain the sole authority to overturn a ruling of the Elections Committee, however the Supreme Court shall not have the authority to modify in any way a fine or penalty assessed by the Elections Committee.
- J. All decisions made by the Elections Committee on penalties shall be final barring appeal, and therefore the same violation cannot be heard more than once.

#### Article XII: Appeal of the General Election

- A. The results of the General Election shall be considered valid unless an 'ASCSU Elections Appeal Filing Form' is filed by an ASCSU member with the Chief Justice of the ASCSU Supreme Court within ten days after the last day of voting. Any appeal must state exactly the grounds for such a protest as outlined by the 'ASCSU Elections Appeal Filing Form'. The Chief Justice or his/her designee shall forthwith mail a copy of the appeal to the persons named as representatives of the signers of the appeal at their stated addresses, together with a notice fixing a time and place for a hearing to occur, which shall be not less than five nor more than fifteen days after such notice is mailed unless mutual agreement is made for an extension of time. All hearings shall be held before the ASCSU Supreme Court.
- B. All hearings shall be public, and both appellants and respondents of the appeal may present oral or documentary evidence. A decision shall be rendered no later than ten days after the conclusion of the hearing.
- C. All time requirements shall be negotiated between designated representatives of signatories, protestors, and the Supreme Court if an appeal is made at a time involving campus holidays, breaks, interim, or summer session.