

Associated Students of Northern Arizona University Election Code

Article I. Definitions

Section 1. ASNAU

The Associated Students of Northern Arizona University shall herein after be referred to as ASNAU.

Section 2. ASNAU Elections Commission

The ASNAU Elections Commission is established and sanctioned by ASNAU to monitor the ASNAU general, special, and run-off elections. This commission is vested with the authority to interpret and enforce the ASNAU Election Code. The commission will be appointed by the ASNAU President and approved by the ASNAU Senate. The commission will consist of five (5) members. All of the members must be full-time NAU students.

Section 3. Candidates

An official candidate is one who has secured the signatures of the required number of electors to have his/her name placed upon the ballot of the general or special election and has met the requirements for office as established in the ASNAU by-laws.

Section 4. Write-In Candidates

A write-in candidate is one who has not actively sought being recognized as an official candidate by completing student petitions or other candidate eligibility requirements outlined by the election code. A write in candidate is one who has not actively campaigned through any of the actions as specified in Article I; Section 8, but receives write-in vote for a position. They are eligible for that office if they meet candidate eligibility requirements outlined by the ASNAU By-Laws.

Section 5. Nominating Petitions for Official Candidates

A nominating petition is one which has been certified by the ASNAU Elections Commission as valid, carrying the required number of signatures of electors deserving to have a candidate's name placed upon the ballot.

Section 6. Petitioner(s)

A petitioner is any student who carries a petition to secure student signatures for the purpose of getting his or her name as an official candidate on the ballot, or to certify the election of a write in candidate.

Section 7. Adherent(s)

An adherent is any person who attempts to aid any candidate, official or write-in, to attain a majority of plurality of votes to be cast in either a general, special, or run-off

election. This person(s) is formally recognized as a representative of the candidate in their campaign. Adherents must be enrolled at NAU.

Section 8. Campaigning

Campaigning shall be defined as any public action including but not limited to table tents, buttons, signs, posters, speaking engagements, and any form of advertisement initiated by either a candidate or an adherent to persuade members of the student body to vote for a candidate(s).

Section 9. Campaign Material

Campaign material is defined as but not limited to all posters, stake signs, handouts, name tags, favors, table tents, buttons, and radio, newspaper, or television advertising or any item or service used to campaign.

Section 10. Campaign Contributions

Campaign contributions shall include any professional services, material, or monetary contributions given to a candidate for the purpose of obtaining a majority or plurality of the votes cast, regardless of when given.

Section 11. Elections

A general election occurs annually during the Spring semester for the purpose of selecting the Executive Officers and Senators for the following academic year.

1.1 All general elections for ASNAU shall be completed a minimum of 40 days before the spring semester completion for the purposes of transitioning and educating newly elected officials into positions.

Section 12. Run-Off Elections

In the event of a tie or if no candidate receives a plurality of the votes, a run-off election shall be held no later than one week after the original election.

1.1 Plurality shall be defined as the candidate who receives the highest number of votes.

Section 13. Special Elections

In the event of a 24% vacancy of the Senate, a mandatory special election will be held. The process for this election must begin no later than one week after the vacancies become known. If an executive position is vacated in conjunction with a 24% vacancy of the Senate, the special election will also fill any executive position.

Section 14. Electors

An elector is defined as any duly registered and currently enrolled full-time or part-time student attending Northern Arizona University's main campus.

Section 15. Complaints

An official complaint relates to alleged violations of the ASNAU Election Code, Constitution, By-laws, or the NAU Student Handbook by candidates or their adherents.

Section 16. Plaintiff(s)

A plaintiff is one who files a written complaint with the ASNAU Elections Commission against a candidate or one of their adherents.

Section 17. Defendant(s)

A defendant is one against whom a complaint has been filed with the ASNAU Election Commission.

Section 18. Violation

A violation is any action, or lack of action, which is contrary to specific sections of the ASNAU Election Code, Constitution, By-laws, the NAU Advertising Policy, or the NAU Student Handbook.

Section 19. Polling Place

The polling place is the public location where the electors cast their votes for any particular office.

1.1 Polling places include any public computer lab.

1.2 Only ASNAU may set up designated or undesignated polling places. Candidates may not set up polling places.

Section 20. University Housing Unit

A university housing unit is any building within the territorial boundaries or supervisory jurisdiction of NAU whose main function is the housing of NAU students

Article II. Campaign Expenses for Candidates

Section 1. Expense Limits

Expense limits for all candidates shall not exceed the sum of one-hundred-fifty dollars (\$150) for college Senators and three-hundred dollars (\$300) for campus-wide positions. If a run-off election becomes necessary, an additional fifty dollars (\$50) may be spent by any involved candidate(s).

Section 2. Accounting of Expenses

1.1 Any and all campaign materials, professional services and advertisements purchased or donated to a candidate shall be considered a campaign contribution of property and shall be accounted for at a fair market value by said candidate.

1.2 Records of all personal expenditures as well as campaign contributions related to campaigning shall be kept by all candidates. A copy of this record must be turned in to the ASNAU office (to go to the Elections Commission) by the date and time set by the commission. This record is public and shall consist of original or legible, copies of all receipts or invoices with the following information attached in addendum: 1) vendor's name and telephone number; 2) date received; 3) quantity received; 4) description of material or service(s); 5) samples where possible. Information on campaign contributions will include: 1) name, address and telephone number of donor;

2) amount donated; 3) date received. Absolutely no campaign purchases shall be made by candidates or their adherents after submission of this record.

1.2b In the event of a runoff election, a new record of personal expenditures must be turned into the election commission by the date and time set by the commission.

1.3 Campaign contributions are not to exceed the limits stated in Article II, Section 1.

1.4 A Candidate may be disqualified if complete campaign receipts are not turned in before the established deadline.

1.4b Candidates not having any campaign expenses must state so in a written expense report to the election commission by the same deadline of candidates reporting expenses

Article III. Campaign Materials and Locations

Section 1. Location

1.1 Campaign material may be placed anywhere that is allowed by the University Advertising Policy.

1.2 Campaigning within a classroom while that class is in session is prohibited without the instructor's prior consent.

1.3 Campaigning may not take place within one-hundred feet (100') of a designated polling place on Election Day, nor within any university maintained computer labs on campus.

1.4 No campaigning prior to the fourteen (14) days before the day of election.

Section 2. Removal of Campaign Materials

All candidates must remove all campaign material by 5:00pm on the day following the election polls closing.

Section 3. Candidate Responsibility

1.1 Any candidate or adherent who destroys, removes, defaces, places his/her candidate's materials over another candidate's or otherwise damages any campaign material of another candidate will be in violation of the Election Code.

1.2 Candidates and their adherents are responsible for all material covered at any and all official ASNAU candidate meetings. Candidates are required to attend at least one of these official meetings.

Article IV. Petitions and Nominations

Section 1. Signature Requirements

1.1 A student who has received the endorsement of no less than two-hundred-fifty (250) campus wide student signatures upon a nominating petition shall be considered an official candidate for an ASNAU college Senator position.

1.2 A student who has received the endorsement of no less than five-hundred (500) campus wide student signatures upon a nominating petition shall be considered an official candidate for ASNAU President, Vice President of Student Affairs, Vice President of Academic Affairs, and Senators-At-Large.

Section 2. Petitioner Requirements

An elector may sign each candidate's petition only once, but may sign more than one (1) petition for the same office.

Section 3. Candidate Requirements

1.1 Petitions must be those issued by the ASNAU Elections Commission.

1.2 The name of the candidate, the office being sought and the petitioner's name must be indicated in pen or typed on each nominating petition. No erasures or any other alteration of a nominating petition will be allowed.

1.3 Should someone desire to run for an office other than the one they have obtained nominating petitions for, all of said candidate's nominating petitions must be surrendered to the ASNAU Elections Commission and new petitions must be issued.

1.4 Petitions shall only be available in the ASNAU office, University Union.

1.5 Nominating petitions shall be available three (3) weeks prior to the election date.

Section 4. Candidate Eligibility

1.1 Each person desiring to become an official candidate must complete a candidate eligibility form and deliver it to the ASNAU office for approval from the Elections Commission.

1.2 Each person desiring to become a candidate must sign a waiver of recourse and deliver it to ASNAU for approval from the Elections Commission.

Article V. Code of Violations and Prescriptions

Section 1. Candidate Responsibility

1.1 All candidates and their adherents shall be held accountable for knowledge of the ASNAU Election Code and the ASNAU Constitution, By-laws, and NAU Student Handbook. Failure to read any section of the Election Code, ASNAU Constitution, By-laws, or the NAU Student Handbook does not constitute a defense for any violation of said Election Code or ASNAU Constitution, By-laws, or the NAU Student Handbook.

1.2 Any candidate may request an advisory opinion from the Elections Commission on any provision of the Election Code which may appear to be vague or unclear.

1.3 Anyone wishing to file a complaint with the Elections Commission must do so in writing within two (2) working days of the alleged violation. An Election Code complaint form must be submitted within this time frame to be considered an official complaint.

Section 2. Elections Commission Responsibility

Upon receipt of an official complaint the elections Commission will review the merits of the case and answer the complaint in writing within two (2) working days.

Section 3. Hearings

In the instance of an official complaint, both plaintiff and the defendant will be provided an opportunity to present their side of their case at an official hearing. The Elections Commission will hear both presentations and may ask questions to clarify issues. After both sides have explained their positions, the Elections Commission will meet to consider appropriate outcomes, including sanctions. The decisions of the commission will be in writing and will be available to both parties within two (2) working days of the completion of the hearing.

Section 4. Sanctions

1.1 The ASNAU Elections Commission shall have the authority to levy sanctions against any candidate who violates this Election Code, only after a proper hearing had been conducted.

1.2 The following is a complete list of the possible sanctions to be implemented by the ASNAU Elections Commission for any and all violations that occur during the election process: 1) written warning; 2) disqualification from running in an ASNAU general, run-off, or special election; 3) limit campaigning in varying degrees; 4) non-certification of a winner; 5) issue a fine of twenty-five dollars (\$25).

Article VI. Conducting Elections

Section 1. Timetables

1.1 The general election shall be held in accordance with the ASNAU Constitution and By-laws and the policies and timetables adopted by the Elections Commission.

1.2 All run off elections and special elections shall be held in accordance with the ASNAU Constitution, By-laws and the Election Code.

1.3 The ASNAU Public Relations Department is responsible for advertising any ASNAU election two weeks in advance in a minimum of three (3) forms.

1.4 The Elections Commission must establish a minimum of three (2) polling sites across campus for each election.

Section 2. Tabulation of Results

1.1 The number of votes tabulated for a particular position must be verified by the Elections Commission at least twice.

1.2 The Elections Commission may, at its discretion, call for additional recalculation of results.

1.3 No votes will be tabulated until all polling places are closed and all ballots are in the possession of the Elections Commission.

1.4 The Dean of Students or his/her designee will be required to be in attendance when the votes are tabulated.

1.5 The election results shall be tabulate and certified by the Elections Commission the night of the general, special, or run-off election with notification given to the respective candidates and NAU student media as soon as possible.

1.6 The Elections Commission is responsible for the posting of all vote totals and percentages for all candidates, including write-in candidates, involved in all races regardless of sanctions or disqualification issued by the commission.

1.7 The winning candidate is the said candidate who receives a plurality of the total votes cast. And in the instance where there are numerous open seats, the top candidates receiving the highest amount of votes will be declared the winners in order of highest to lowest until all seats are filled.

1.7b Plurality shall be defined as stated in Article I, Section 12, subsection 1.1.

1.8 Should the top two (2) or more candidates for elective office receive an equal number of votes after a recount, the winner shall be declared by run-off election conducted by the Elections Commission within one (1) week of tabulation of the results.

1.9 In the event that an ASNAU position is not filled after the general election and any subsequent run-off election in the Spring, the Elections Commission shall refer the matter back to the Senate for action.

Section 3. Absentee Voting

1.1 Absentee ballots shall be available from the ASNAU Election Commission ten (10) days prior to the election and must be turned in to the Commission by the day before the election.

1.2 If an elector is unable to personally fill out the official ballot or the write-in ballot, the elector may request the poll worker to fill in the official ballot and/or write-in ballot for the elector. The poll worker shall then fill out the ballot and/or write-in ballot as per the elector's instructions, in the presence of a witness. The poll worker and the witness shall sign each ballot certifying their actions.

Section 4. Write-In Balloting

1.1 The only ballots which shall be counted as official by the Elections Commission shall be the write-in ballot supplied by the Elections Commission only at designated polling places. All ballot marks and notations shall contain the first and last name of the write-in candidate and the write-in candidate's office and shall be made with the voter's personal handwriting or poll worker's handwriting in accordance with the Election Code.

1.2 If the positions are not filled after a general, special elections, and candidates with a write-in vote for this position shall be contacted and made aware of the opening. This will occur no later than forty-eight (48) hours after the positions and write-in candidates are known. If the write-in candidate in the positions s/he will be given one (1) week to get the appropriate signatures as outlined by Article IV, Section 1. If this is done in accordance with all stipulations in this election code, the write-in candidate will

be named to the position pending a run off election. If there is only one write-in candidate, they will be named to the position after getting the appropriate signatures as outlined by Article IV, Section 1.

Section 5. Special Elections

1.1 Petitions

One who wishes to become a candidate in a special election must receive the endorsement of no less than two-hundred-fifty (250) electors signatures upon an official nominating petition for college Senator positions and five-hundred (500) for campus wide positions.

1.2 Dates

Petitions shall be made available as specified by the Election Code and shall be returned a minimum of one (1) week preceding the special election. Candidates shall have a minimum of one (1) week to campaign.

Section 6. Special Referenda

1.1 Notification

Notification in NAU Student Media of any special referenda must be made no later than two (2) weeks prior to the date of the election.

1.2 Fall Referenda

Where practical, any referenda during the Fall semester shall be submitted to the students for a vote in conjunction with the Homecoming election.

Section 7. Homecoming Elections

In addition to any Homecoming election guidelines, Homecoming elections will follow all Election Codes. Where there is any question regarding rules for elections the ASNAU Election Code will outweigh any Homecoming election guidelines.

Section 8. Enforcement

1.1 The enforcement of the Election Code shall be the responsibility of the Elections Commission. The commission shall have the duty to initiate and proceed with any measures or procedures required for the enforcement of the Election Code.

Article VII. ASNAU Complex

Section 1. Determination Procedure

1.1 This is the procedure by which the Elections Commission shall determine the number of Senate positions available. The elections Commission shall monitor the number of students enrolled in each college during the Fall and Spring Semester. The commission shall average the Fall and Spring enrollment numbers to arrive at a final figure of enrollment for the academic year. From this number, the commission shall

determine the number of Senate positions available in each college in accordance with Article VI, Section 2 of the ASNAU Constitution. Colleges may gain or lose positions in accordance with this formula. Should a college gain or lose a position, this will be announced by the Elections Commission prior to the commencement of the election so that the Associated Students shall know how many positions are open in each college. The number shall be determined prior to the general election and remain constant for the entire period prior to the next election.

1.2 The ASNAU Complex shall be defined as all areas under the control and direction of the Associated Students of NAU.

Section 2. Integrity and Objectivity

To ensure the integrity and objectivity of ASNAU, all ASNAU officials and staff shall be prohibited from the following: 1) formally endorsing any candidate for office; 2) using any ASNAU capital equipment, facilities, and/or office supplies for the express purpose of advancing individual candidates for office; 3) displaying or disbursing any campaign materials on behalf of an individual candidate(s) for office.

Article VIII. Amendments

Section 1. Origin of Amendments

Amendments to the ASNAU Election Code may originate through any member of the ASNAU Executive branch, Legislature, or by petition containing the signatures of no less than fifteen (15) percent of all members of ASNAU. The petition shall be presented to the ASNAU Senate upon verification of signatures by the election Commission.

Section 2 Confirmation

All amendments must be presented before the ASNAU Senate for a two-thirds (2/3) vote for confirmation to be placed before all members of ASNAU for ratification.

Section 3. Ratification

1.1 The proposed amendment shall be put to a vote of all members of ASNAU.

1.2 A simple majority of all votes cast by the members of ASNAU in an election shall ratify the amendment.

1.3 A ratified amendment shall take effect on the date specified in the amendment, or take effect immediately if no date is specified.