

# **Associated Students of Northern Arizona University Election Code**

## **Article I. Définitions**

### **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**

A candidate is defined as any NAU student attempting to fill an office in ASNAU in a general, special, or run-off election. A student can be elected as either a primary candidate or write-in candidate.

### **Section 4. Primary Candidates**

A primary candidate is one who has legally secured the number of signatures required to become an official candidate of a general or special election as outlined by the ASNAU Elections Commission and has met all other requirements for office as outlined in the ASNAU Bylaws. Primary candidates will have their names placed on the election ballot by the ASNAU Elections Commission for an election.

### **Section 5. Write-IN Candidates**

A write-in candidate is one who was not recognized as a primary candidate in a general or special election. Write in candidates may not campaign in any way except for word of mouth advertisement. Write-in candidates are eligible for any office they are written in for, providing they meet the candidate eligibility requirements (Article IV, Section4) outlined by the ASNAU Election Code, and receives a plurality (Article I, Section 16) of votes for the seat which being written-in for.

### **Section 6. 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 7. Petitioner(s)**

A petitioner is any NAU student who carries a petition to secure student signatures for the purpose of getting the petitioner recognized as an official candidate by the ASNAU Elections Commission.

### **Section 8. Adherent(s)**

An adherent is any person who attempts to aid any candidate, official or write-in, in obtaining the required number of signatures or receiving a plurality of the votes cast in a general, special, or run-off election. This person(s) is formally recognized as a representative of the petitioner or candidate and the petitioner or candidate may be held responsible for Election Code violations committed by adherents at the discretion of the ASNAU Elections Commission. Adherents must be NAU students.

### **Section 9. Campaigning**

Campaigning shall be defined as any public action to persuade members of the student body to vote for a candidate(s). Campaigning includes but is not limited to table tents, buttons, electronic forums, or any form of advertising initiated by either a candidate or an adherent of a candidate to persuade members of the student body to vote for a candidate. All campaigning must be done in accordance with the NAU Advertising Policy. Due to constant change in technology and candidate innovation, this section may be interpreted and adapted by the Elections Commission in order to adapt with new situations.

### **Section 10. 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 and electronic advertising or any item or service used to campaign. Due to constant change in technology and candidate innovation, this section may be interpreted and adapted by the Elections Commission in order to adapt with new situations.

### **Section 11. 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 12. 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.

**1.1a** In the event that the election commission receives knowledge that a current general election was not conducted under the ASNAU Constitution, By-laws, or Election Code; the election commission may postpone the general election, suspending the 40-day rule with the approval of a two-thirds vote from the senate.

**1.1b** The postponed general election will abide by all other articles in the ASNAU Constitution, By-laws, and Election Code.

**Section 13. 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.

**Section 14. 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 15. 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 16. Plurality**

Plurality shall be defined as the candidate who receives the highest number of votes. In the case of multiple openings for an office plurality will also be used to refer to the other candidates from high to low vote count until all of the seats have been assigned.

**Section 17. 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 18. 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 19. Defendant(s)**

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

**Section 20. 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 21. Polling Place**

The polling place is any 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 22. 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 two-hundred dollars (\$200) for college Senators and three-hundred-fifty dollars (\$350) for campus-wide positions. If a run-off election becomes necessary, an additional fifty dollars (\$50) may be spent by any involved candidate(s). Write in candidates are not eligible to fund a campaign.

### **Section 2. Accounting of Expenses**

**1.1** Any and all campaign materials, professional services and advertisements donated to a candidate shall be exempt from the spending limits unless it exceeds the expense limit for that office.

**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 limited to twenty-five dollars (\$25) per NAU student and 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 any designated polling place on Election Day, nor within any university maintained computer labs on campus.

1.4 Campaigning may occur online prior to the day of election and on election day, except in the case of a write in candidate where no campaigning except for word of mouth is allowed.

#### **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 All candidates and adherents are responsible for all material covered at any and all official ASNAU Elections Commission candidate 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 (200) campus wide student signatures upon a nominating petition meets requirements set by Article I; Section 4 of this Election Code, and upon approval of the ASNAU Elections Commission shall be considered an official candidate for the position of ASNAU Senator.

1.2 A student who has received the endorsement of no less than three-hundred (300) campus wide student signatures upon a nominating petition meets requirements set by Article I; Section 4 of this Election Code, and upon approval of the ASNAU Elections Commission shall be considered an official candidate for the position of ASNAU President, Vice President of Student Affairs, or Vice President of Academic Affairs.

## **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 start of that Elections campaign date.

**1.6** Meet all points of Candidate Eligibility as well as requirements for the position outlined in the ASNAU Bylaws.

## **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.

**1.3** Each person desiring to become an official candidate must complete and turn in petition forms with the appropriate number of signatures determined by Article IV, Section 1 and 2 to the ASNAU Elections Commission for approval.

## **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. The Elections Commission must resolve all complaints within seven (7) days of receiving any complain. Under extreme circumstances, this time can be extended to no later than (10) days.

## **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** If a plaintiff or the defendant does not feel their complaint has been duly handled or resolved by the Elections Commission they may have their case heard by the Supreme Court. All timelines involving the Supreme Court apply as stated in the ASNAU By-laws. The Supreme Court shall have the authority to levy sanctions in accordance with Article V, Section 1.3 of this document against any candidate who violates this Election Code, only after a proper hearing has been conducted.

**1.3** The following is a complete list of sanctions to be implemented by the ASNAU Elections Commission or Supreme Court 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 (\$25) dollars. If a violation is made which results in one candidate receiving a large advantage over another candidate, or has potentially swayed the votes of many students, that candidate must be disqualified from the election even if he or she has collected the plurality of votes.

## **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 three weeks before the start of the campaign date, and in a minimum of three (3) forms.

**1.3a** In the event of a run off election, the ASNAU Public Relations Department is responsible for advertising the election three (3) days in advance in a minimum of three (3) forms.

**1.4** The Elections Commission must establish a minimum of five (5) polling sites across campus for each election and advertise their location to the entire student body. These locations must be open for no less than four (4) hours on Election Day.

**1.5** Any election must be open for student vote from the time of 12:00 a.m. to 11:59 PM on Election Day via Internet. All students must be notified by email when the polls are open.

## **Section 2. Tabulation of Results**

**1.1** All votes will be collected electronically through the Internet. No hand written ballots will be accepted.

**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 and the Election Commissioner or his/her designee will be required to be in attendance when the votes are tabulated and posted for public view.

**1.5** The election results shall be tabulated and certified by the Elections Commission the following morning of the general, special, or run-off election with notification given to the respective candidates and NAU student media by noon the following day or 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. These will be posted for public view on the ASNAU Office window for no less than one (1) week. In the event of run-off elections or disputes, all results will remain posted until one (1) week after they are resolved.

**1.7** The winning candidate is candidate, official or write-in 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. Plurality shall be defined as stated in Article I, Section 17.

**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 after the 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.



**1.10** If there are no primary candidates running for a particular Executive seat, a write-in candidate may not win that seat. The seat will not be voted for and then will be re-advertised in a special election until it is filled.

**Section 3. Absentee Voting**

**1.1** Because of electronic voting, there shall be no absentee voting.

**Section 4. Write-In Balloting**

**1.1** All ballot marks and notations shall contain the first and last name of the write-in candidate and the write-in candidate's office.

**1.2** Write-in candidates will have all rights as any official candidate, and be treated as any official candidate unless they cannot complete the information required as listed in Article I, Section 4 of the ASNAU Elections Code. If a write-in candidate wins a seat they must be contacted no later than forty-eight (48) hours after the positions and write in candidates are known. These candidates will have one (1) week from when they are notified to collect all needed information and turn it into the Elections Commission for review. If they fail to turn in all required information, or do not meet the candidate eligibility, Elections Commission will notify the candidate or write-in candidate with the highest votes of the opening within forty-eight (48) hours.

**1.3** No write-in candidate may win an Executive seat if there are no official candidates running for that office.

**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 (200) electors signatures upon an official nominating petition for college Senator positions and three-hundred (300) 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.

### **Section 9. Information**

- 1.1 Information directly related to elections shall be public information, available to all students by way of the Elections Commission as soon as said information is received. This information includes, but is not limited to, who has checked out what packet, how many of each packet has been picked up, dates each packet was checked out, status of each candidate in relation to the election as well as their packet and disqualifications.
- 1.2 Any personal student information including but not limited to contact information and academic performance shall never be made available to the public by the Elections Commission.

## **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 on an individual candidate(s) for office.

**1.1** Any candidate may list or cite any previous or current ASNAU work or experience for the purposes of his or her own campaign.

## **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.