

Elections Code

The election of the ASSMU Senate shall be complete no less than four (4) weeks prior to the end of the spring semester. Two (2) weeks shall be allowed for notification of upcoming elections, a minimum of one (1) week for campaigning and a minimum of two (2) days for balloting.

Article I. Candidacy

Section 1.01 All candidates running for an ASSMU office must file an Elections Packet with the Director of Elections. These candidates shall verify in writing, prior to the election, their intent to carry out the duties and responsibilities of the offices for which they are running.

Section 1.02 Notification of an election shall be published in all practical publications on campus, electronic mediums, and announced at ASSMU General Meetings no less than two (2) weeks prior to any election time. Polling places and hours, voting eligibility requirements and ASSMU positions to be filled, and any issues or initiatives to be voted on must be included in the notification.

Section 1.03 Write-ins are permitted. Write-in candidates will only be recognized by the name that is on file with the Saint Martin's University Registrar. Write-in candidates who are running against other balloted candidates may win by gaining the highest percentage of popular vote. A write-in candidate who is unopposed by balloted candidate, must obtain a simple majority write-in vote to win the office. Majority is defined as the total numbers of votes submitted, not the majority of eligible ASSMU membership. No legislation may be passed by a write-in vote.

Article II. Campaigning

Section 2.01 No person's campaign costs may exceed \$150.

Section 2.02 Candidates are not permitted to use any of the materials in the TUB to promote their campaign.

Section 2.03 No Campaign Zones will be defines as those areas where no candidate may hold a rally or party for their campaign or distribute campaign materials. This does not exclude the right of the Elections Committee to promote elections as a whole.

Section 2.04 ASSMU candidates may be allowed to campaign through any means, except in the following arenas: Residence Hall public areas, the O'Grady Library, the Trautman Union Building (TUB), and other non campaign zones as designated by the Elections Committee. Exceptions will be made for the windows of the TUB, with the assumption that candidates follow the Campus Life posting policy.

- (a) There will be certain hours reserved for candidates to campaign in the TUB. Candidates shall be limited to three hours each. All scheduling of these campaign rallies will be on a first-come, first-served basis arranged through the Director of Elections.
- (b) Exceptions will be made for verbal campaigns (no solicitation) and personal property in the Residence Halls.

Section 2.05 Once the official campaign period has begun, signs, posters and other campaign materials may only be fastened to walls or bulletin boards marked as Campaign Zones by the Elections Committee.

- (a) A Club may choose to endorse a candidate, decision being made as prescribed by that Club's Bylaws. Endorsed candidates may campaign on that Club's bulletin board once written permission from that Club's President is on file with the Director of Elections.

Section 2.06 Each candidate may have up to ten (10) yard signs no larger than 6' by 6' and they must be at least 100 horizontal feet from any and all polling locations; yard signs must also be placed close to walkways.

Section 2.07 Negative campaigning, which is determined to be libel or slander of character, shall be considered grounds for a grievance. The Judicial Elections Committee has discretion to determine what constitutes libel and slander.

Section 2.08 For the purposes of the election process, there is no distinction between any form of public electronic communications and print media.

Article III. Voting and Polling

Section 3.01 *All voting shall be done by electronic ballot. Those candidates who fulfill nomination requirements may have their names listed on the ballot. Cumulative voting will not be allowed.*

- (a) If a candidate is removed from eligibility prior to balloting, their name may not appear on ballots. Only currently eligible candidate's names may appear on ballots at the time of the election.

Section 3.02 *Only ASSMU members may vote in elections. Students will input their Saint Martin's user name and student identification number to validate their status as an ASSMU member at the time of voting.*

Section 3.03 *No more than one physical polling location may be open at any given time. A physical polling location shall be defined as an area specifically designate by the Elections Committee for the purposes of voting.*

Section 3.04 *Physical polling locations shall be run by no less than one (1) member of the Elections Committee and one (1) non-student member of the SMU community. Other observers may be appointed at the discretion of the Elections Committee. The Elections Committee member shall be responsible for enforcing elections and campaigning guidelines.*

Section 3.05 *Electronic results shall be tallied in the presence of no less than two-thirds (2/3) of the Elections Committee and the acting ASSMU Advisor.*

Article IV. Grievances and Appeals

Section 4.01 *Each candidate is responsible for taking all reasonable precautions to ensure that neither he/she, nor anyone acting on his/her behalf (including, but not limited to, the campaign manager) violates the election procedures. Ignorance of the procedures shall not be considered as a valid excuse.*

Section 4.02 *Formal grievances against a candidate must be submitted in writing, to the Elections Chairperson, by written letter or e-mail.*

Section 4.03 *If a grievance is brought against a candidate during and/or after the election, the so-named candidate shall be entitled to a hearing with the Grievance Board before any penalty may be imposed. The Grievance Board may choose one or more of the following options:*

- (a) Disqualification of candidacy.
- (b) Removal of a candidate from the election if they have personally violated, or given permission for another to act on their behalf (including, but not limited to, the campaign manager) and they have violated the guidelines set down in the ASSMU Constitution, Bylaws and Elections Guidelines. This removal can be done prior to the posting of results of the election but not prior to the appeal process being completed. This removal of candidacy can affect any candidate who has been found guilty; the winner of the popular vote is subject to the same rules.
- (c) Void the contested election for a single position and hold a new election for that position.
- (d) Delay the posting of official election results by up to two (2) business days.
- (e) Call for a re-vote if a candidate, a candidate's supporter, or, in the case of an initiative or referendum, an issue's supporter, has violated the Constitution, the By-laws, or the Elections Code which results in a n- confidence vote on the proceedings themselves within the Committee. In other words, the action(s) of one or more people calls into question the validity of a vote. If a revote is issued, the offending person or persons who caused the revote (in the opinion of the Committee) will not be allowed to run for office or participate in any way in the revote.
- (f) The Elections Committee will post a written notice of the ruling at each polling site, including the name of the candidate and violation.
- (g) Call for a re-vote if a member of the Elections Committee has unduly affected the outcome of the election. Should the Appeals Board uphold a grievance against a member of the Elections Committee, that member of the Elections Committee shall be removed.
- (h) Any other reasonable penalties the Grievance Board deems appropriate.

Section 4.04 *Written decisions and dissents of the Grievance Board should be placed in the permanent and public record of the Elections Committee. Future decisions should be made with strong deference given to the decision and penalties delivered under similar circumstances as noted in the recorded decisions and dissents.*

Section 4.05 If the Grievance Board finds a candidate in violation, he/she has twenty-four (24) hours after notification of violation to notify the Appeals Board of his/her intention to appeal the Grievance Board's decision.

Section 4.06 If a grievance is brought against the Elections Committee, the written grievance must be given to the chair of the Appeals Board, and the Appeals Board shall hear the charges and determine necessary action.

Section 4.07 A candidate waives his/her right to a hearing if he/she does not appear or send a representative to the hearing.

- (a) Appeals of the Grievance Board's decisions must be filed with the Appeals Board within two academic days of the rendering of the decision. Appeals will follow the same process as grievances, outlined in Section 5. of this Article.
- (b) The Appeals Board is the final appealing authority. The decision of an appeal is final and cannot be overturned.

Article V. Results

Section 5.01 The winner of an election will be defined as the eligible candidate with the highest percentage of popular votes.

Section 5.02 Unofficial results of any election must be posted within twelve (12) hours after the close of the last polling location. Prior to posting results, official or unofficial, the Director of Elections will confirm any pending official grievances.

Section 5.03 Official results will be posted two (2) academic days after the posting of the unofficial results. The official posting of individual races may be delayed if an appeal is made.