

ASWWU Governance Election Code

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ASWWU Governance Election Code

Introduction

This Election Code intends to address all regulations needed for general or special elections required for the operations of Governance of the Associated Students of Western Washington University (ASWWU). All guidance provided in this code must align with authorities and responsibilities granted to ASWWU Government by the current ASWWU Government Charter and Constitution. In case of conflicting/contradictory language both the ASWWU Charter and Constitution supersede this code.

The code is required to be reviewed annually prior to the start of ASWWU General Election activities by the AS Elections Advisory Council (EAC), chaired by the AS Elections Coordinator and within the authority granted by the current EAC Charge & Charter.

Questions or concerns with the AS Elections Code should be addressed to the AS Elections Coordinator, OCE Director or designated permanent staff advisor for ASWWU Governance.

Article I: Running for ASWWU Elected Positions

This section covers requirements and procedures for any eligible ASWWU member to run for any elected position defined in the current ASWWU Constitution.

I. Candidate Eligibility

- a. All ASWWU candidates must meet the currently approved eligibility requirements for the position they declare candidacy for as defined by the applicable by-laws and position description at the time they would officially take office if elected.

Additionally, all candidates must maintain the following requirements prior to the end of the candidate filing period and for the duration of the campaign period:

- i. Be enrolled on the main WWU (Bellingham) campus with a minimum current credit load of:
 1. Undergraduate students: six (6) credits
 2. Graduate students: four (4) credits.
 3. Credit load requirements are suspended for summer quarter candidates enrolled at Western in the following Fall Term with the requisite number of minimum credits.
 4. Newly admitted students who have confirmed their enrollment with the Admission Office prior to the candidate filing deadline but have not yet registered for courses are eligible as candidates in elections as long as they register for and maintain the minimum credit load stated above during the quarter(s) coinciding with the election and the commencement of the term of elected office.

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- ii. Be listed in “good academic standing” in Western’s academic system of record including current and cumulative 2.0 GPA or above requirement.
- iii. Candidates for College Specific Senator seats:
 - 1. Must have official University record of declared major or pre-major in the College they are running to represent.
 - a. If a Senator candidate either drops or switches their major (into a different college) before the end of the filing period, the candidate may:
 - i. Run for the new college-specific Senator position that they are declared in or,
 - ii. Run for an At-Large Senator position.
 - b. If a Senator candidate either drops or switches their major (into a different college) after the end of the filing period, the candidate is no longer eligible for the election.
- iv. Eligible students may run for an At-Large Senator position regardless of their major status or lack thereof.
- v. Candidates running for the Senate President or AS President position must have completed at least fifty credits at Western or be enrolled at Western’s main Bellingham campus for five quarters (before the candidate filing period closes).
- vi. Be eligible for employment in the U.S. and at WWU.
- b. Candidate eligibility must be verified by ASWWU Governance Advising permanent staff prior to the start of campaigning.
 - i. Students found to be ineligible are subject to immediate removal from the ballot or disqualification without the need for an Ethics Board hearing. Decisions on eligibility may be appealed to the ASWWU Ethics Board.
 - ii. The Ethics Board Coordinator, Ethics Board members, Elections Advisory Committee voting members, and the AS Elections Coordinator are not eligible to pursue an AS elected position or to sponsor an initiative during the academic year in which they serve in their position.
- c. Candidate Conduct
 - i. Candidates or any person otherwise involved in a campaign, including for ballot measures, must adhere to the Candidate conduct agreement in the Candidate Filing Form in addition to the general WWU Student Code of Conduct.
 - ii. Under no circumstances are drugs or alcohol to be present, available, or provided at campaign related events, regardless of location or participant age.
 - iii. Bribes, incentives, or compensation in exchange for votes or ballot measure signatures are strictly prohibited.

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- iv. Failure to abide by candidate conduct guidance or agreements may result in disqualification and removal from the ballot.

II. Candidacy Filing Requirements

- a. Eligible candidates may only file to run for one elected position in any given election.
- b. To run for elected positions, eligible candidates must meet all requirements outlined below:
 - i. Be eligible to run for the position desired at the time of filing for candidacy.
 - ii. File all required forms for declaring candidacy by 12:00 a.m. on the last day of the approved candidate filing period. Failure to turn in the filing form(s) by the deadline will result in disqualification. The Candidate Filing Form will be available in an online format by the first day of the candidate filing period.
 - iii. Attend a Mandatory Candidates Meeting
 - 1. Mandatory Candidate Meeting(s) will take place within five business days after the end of the candidate filing period.
 - 2. Candidates who do not attend a required meeting will not be eligible to run for office, and their names will not be placed on the ballot.

Exceptions to this rule will only be made if a candidate has:

- a. Required attendance for an official Western class (in person or online) that conflicts with all Mandatory Candidate Meeting times.
- b. A verifiable, documented illness or emergency preventing reasonable attendance of a Mandatory Candidate Meeting.
- c. Extraordinary and unavoidable circumstances (e.g., military reservist activation, etc.)
- d. Required participation in official university events and travel including, but not limited to, Departmentally Related Activities Committee (DRAC) sponsored events, Varsity Athletics, Sport Clubs, and other such events with dates set prior to the announcement of the candidate filing period.
- e. Unavoidable employment requirements (WWU or off-campus) (work/training, etc) may require verification by student's employment supervisor.
- f. Additional exceptions may be granted at the discretion of the Elections Coordinator in consultation with designated AS Governance Advisor for reasons not listed above.
 - i. Record of any granted exemptions must be kept on file by the Elections Coordinator.
- g. Exceptions denied by the Elections Coordinator may be appealed to the designated AS Governance Advisor.

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- h. All candidates granted an exception under this clause are responsible for scheduling a make-up candidate meeting with the AS Elections Coordinator within 5 business days of the missed required meeting.
 3. No candidate is permitted to start campaigning in any form before attending a required or make up Mandatory Candidate Meeting.

III. Campaigning

- a. **Note:** *guidance for campaigning applies to all activities related to and individuals associated with campaigns for elected positions and for/against approved ballot measures.*
- b. No campaign activities or materials of any kind (physical, digital, etc) may be started/posted prior to the start of the officially approved campaign period except for limited campaign planning activities outlined below.
- c. Campaign activities that are permitted at any time:
 - i. Declaration or announcement of intended candidacy or sponsorship of a ballot measure.
 - ii. Meetings for the purpose of organizing the campaign or recruiting volunteers in which physical campaign material is not distributed, posted or displayed. For the purposes of this provision, volunteer sign-up sheets do not constitute physical campaign materials
- d. Campaign activities that are permitted only during the officially approved campaign period:
 - i. Distribution, posting or display of any physical campaign materials (As defined in Definitions Article of this code) on the main campus of WWU, in locations specified by this Code excluding where such activities are prohibited by WWU policies.
 1. Physical campaign material posting – all posted campaign materials must comply with any/all general WWU material posting policies in addition to the following requirements:
 - a. Exterior Spaces: materials may only be posted on free boards and on spaces on the outside of buildings as designated by the Elections Code (see Attachment A)
 - b. Indoor Spaces: Campaign material posting is allowed in publicly available indoor spaces that permit all candidates to post in the specified location. Spaces restricted solely to candidates running for a specific college senate seat are permitted as long as all candidates running for said college are permitted to post equally.
 - c. Each Candidate is limited to posting one poster per free board.

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- d. If not limited by additional policy/regulation, the maximum size of a piece of physical campaign material posted at any location shall be three feet by eight feet (3' by 8'). Yard signs or other physical campaign materials which are freestanding and/or anchored in the ground are prohibited. This provision only applies to physical campaign materials posted on WWU's campus.
 2. Physical campaign materials which are displayed/distributed (As defined in Definitions Article of this code) may be displayed or distributed at any location on the main campus of WWU, except where their display or distribution is prohibited by this Code or by WWU policies:
 - a. Physical campaign material such as apparel, stickers, and buttons may not be worn by WWU employees while acting in their official capacity as WWU employees, including but not limited to: office hours, club meetings and any other general position meetings. "Official capacity" is any time in which a WWU employee is working hours that can be logged into their timesheet.
 3. Physical campaign materials (As defined in Definitions Article of this code) and any adhesive used must be completely removed and cleaned up from any location on campus by the candidates or sponsor(s) of a measure who posted or distributed them by 4:00 p.m. on the third calendar day following the close of the elections. Candidates or sponsors of measures who fail to comply with this requirement shall forfeit up to \$25 of their public financing reimbursement or be charged up to \$25. Failure to comply with this requirement may result in the filing of an official grievance against a candidate or sponsor of a measure.
- ii. Online campaigning for elected office or ballot measure and the establishment of websites, web pages, social media, etc. supportive of candidacy or measure.
 1. Any/All online campaign platforms (webpages, social media, etc.) must be registered via email with the AS Elections Coordinator.
 2. All online campaign platforms and materials must be deleted or unpublished no later than seven calendar days after the official campaign period has ended.
 3. For online campaign platforms that cannot be unpublished or deleted, campaigns must:
 - a. No longer post **any** content or be active (e.g. responding to messages, etc) after seven calendar days after the end official campaign period.
 4. Have a visible disclaimer provided by the Elections Coordinator posted prior seven calendar days after the end of the elections.
 5. Any previously established campaign related online platforms may be reactivated after the start of a current, officially announced campaign period,

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- with the approval of the Elections Coordinator so long as all previous campaign content is removed and no longer visible to the public.
- iii. Events organized by campus organizations or departments in which candidates and/or ballot measure campaigns are invited to speak.
 - 1. For such events, all candidates/campaign sponsors for a given position/measure must be invited and given a minimum of three (3) days' notice.
 - 2. All candidates/measure sponsors for a specific position/measure invited to such an event must be given equal time of notice of any event.
 - 3. If any candidates/measure sponsors decline the invitation or fail to respond, the event is permitted to continue without their presence.
 - iv. Campaign expenditure activities in accordance with Campaign Financing Section of this code.
 - e. Campaign activities **not permitted** by any individual or group **at any time:**
 - i. The posting of campaign material or writing campaign related messages of any sort inside any WWU Classrooms.
 - ii. The posting of campaign material or writing campaign related messages of any sort on any University computer screensaver or background.
 - iii. The distribution, posting or display of any physical campaign materials on the main (Bellingham) campus of WWU outside of times and places permitted by this code.
 - iv. Disruptive in-person campaigning of any sort in the public spaces of WWU.
 - v. In-person campaigning of any sort in any non-public space of WWU, such as program offices, classrooms, and Residence Halls rooms.
 - vi. Posting any campaign related material on any online dating site.
 - vii. Verbal campaigning of any sort in academic classes except for the announcement of a candidacy or election events organized by the Office of Civic Engagement, clubs, and campus organizations as specified in this Code. Individual/personal conversations regarding candidacy or election events are permitted in academic classes.
 - viii. Campaigning of any sort shall be prohibited in the following locations during the open voting period:
 - 1. In any computer lab or within thirty feet (30') of a stationary computer station on the main (Bellingham) campus of WWU.
 - 2. Within thirty feet (30') of an official voting station.
 - ix. Except for the general ASWWU Logo, any logos of ASWWU offices and programs, WWU offices and programs, and ASWWU councils and committees (standing or ad hoc) may not be used on any campaign materials or campaign websites. For the purposes of this provision, campaign social media sites are allowed to share items related to the

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- groups listed above but may not use these logos with any electronic campaign materials (e.g. profile picture, cover photo, etc.).
- x. Intentional tampering with any other candidate's or measure's campaign materials by any candidates, sponsors, or anyone affiliated with any campaign is strictly prohibited.
 - 1. Intentional tampering includes, but is not limited to, defacing, unapproved removal, crossing out, marking on, or covering up of campaign materials. Intentional tampering constitutes grounds for the filing of an official grievance and may lead to disqualification.
 - 2. Unintentional damage to another candidate's campaign material must be reported to the Elections Coordinator and to the party affected immediately and must be remedied by the party causing the damage within a time frame specified by the Elections Coordinator.
 - xi. No AS funds or resources may be used to campaign for or against a candidate or measure on the ballot unless the resource is publicly available to all students, or the funds are allocated through the AS public financing mechanism.
 - 1. Paid work time for ASWWU Elected Officials serving as official referendum sponsors is not considered an AS fund or resource for this purpose.
 - 2. All other expenditures by Referendum Sponsors are subject to public financing regulations.
 - f. Official Endorsement of Candidates and/or Ballot Measures
 - i. No officially recognized ASWWU or WWU program, department, council or committee may endorse, use any WWU/ASWWU resources, or organize events to support an individual candidate or campaign for/against a ballot measure apart from the limited exceptions listed below.
 - 1. WWU/ASWWU program, department, council or committee resources may be used to plan/host general candidate/ballot measure informational forums (debates, etc) as long as every candidate and/or ballot measure campaign is invited to participate.
 - 2. Use of logos from WWU/ASWWU programs in campaign materials is prohibited.
 - ii. Measures and Candidates may not be publicly endorsed at any WWU/ASWWU sponsored event. Initiative and referendum sponsors may speak at sponsored events for campaigning purposes.
 - 1. For the purposes of this Code, club meetings do not constitute AS sponsored events.
 - iii. Candidates for election, sponsors of ballot measures and oppositional campaigns, and current ASWWU elected officials may make endorsements and may speak for or

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against any candidate or measure. Furthermore, students in these roles may identify themselves by their position when doing so.

1. Public financing made available through the Elections process is the only WWU or ASWWU resource that may be used by students in these roles to create communications for or against a candidate or measure.
2. Current ASWWU elected officials, WWU and ASWWU employees shall not use any WWU or ASWWU resources when speaking for or against a candidate or measure, including but not limited to work email accounts, AS social media accounts, work computers, office space, office supplies, or anything of material value supplied by the university or ASWWU. The one exception to is when an elected official is acting in their official capacity as a sponsor of a referendum campaign.
 - a. WWU individual student email accounts are not considered an official WWU resource for the purpose of this guidance.
3. No current ASWWU elected official or WWU Employee may use work time to campaign unless they are acting in their official capacity as a referendum sponsor with all of the restrictions for use of ASWWU/WWU resources applying.
4. All candidates, sponsors of ballot measures and opposition campaigns, and current ASWWU elected officials who endorse a candidate or measure or opposition of a measure must send notice of their endorsement to the Elections Coordinator no later than 3 calendar days of their official announcement of endorsement.
- iv. Current WWU/ASWWU employees who are not elected officials may support candidates and measures (for or against) outside of work time as long as they do not identify themselves as a WWU or ASWWU employee, identify their position within WWU or the ASWWU, or speak on behalf of WWU or the ASWWU when doing so or use any WWU/ASWWU resources to do so.
- v. No official WWU/ASWWU social media account shall be used to make an endorsement on behalf of any candidate, position or ballot measure. Any social media endorsement made by individuals must clearly originate from the individual and not appear to be related to any WWU/ASWWU account or position.
- vi. No individual who intends to or has filed for candidacy, ballot measure sponsorship or is affiliated in any way with a campaign may be employed or volunteer to work in roles related to the operation of AS Elections (e.g. AS Elections Coordinator, Elections Advisory Committee Members, Voting station staff/volunteers, etc).
- vii. Clubs and Resident Programming Boards (RPB) may officially endorse candidates or measures of their choice starting on the first day of the official campaign period. They may not spend money or use any AS, department, or residence hall resources on

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behalf of or against a candidate or measure. This does not restrict Clubs or RPBs from using appropriate AS, department, or resident hall resources for the planning and running of general candidate/measure informational events, in accordance with the sections of this Code regulating such events.

- viii. Candidates endorsed by a Club or RPB must notify the AS Elections Coordinator within 3 calendar days of the official endorsement.
- ix. Clubs and RPBs are not required to hold general candidate/measure informational events prior to officially endorsing a candidate or measure.
 - 1. A General Candidate/Ballot Measure informational event may be held to help inform general club or RPB membership prior to official endorsement decisions.
 - a. Any general informational event must:
 - i. Invite all candidates/campaigns for the position or measure being considered for endorsement at least 3 business days prior to the scheduled event.
 - ii. Invitations must be sent to all candidates and campaigns using the individuals' official WWU Email. Invitations must include the AS Elections Coordinator to verify all candidates/campaigns have been invited.
 - iii. Invitations must be sent to all candidates/campaigns at the same time.
 - iv. Candidates may request endorsement from Clubs and RPBs with or without a general informational event being scheduled. If an event is scheduled at the request of a Candidate (i.e. "I would like to come talk to your club about an endorsement), it is the responsibility of the candidate/measure sponsor to make sure all other candidates/measure sponsors(for/against) are invited to participate with the same advanced notice outlined above.
 - v. An event can only proceed as long as all candidates for that position have been invited (they may decline), and the AS Elections Coordinator verifies the event is in accordance with the Elections Code.
 - vi. Any violation of this guidance may result in an official grievance filed against the candidate or campaign requesting endorsement.
 - vii. Candidate/campaign use of club or RPB materials to imply support/endorsement is prohibited without club or RPB consent.

IV. Campaign Financing/Spending

To support equitable access to candidacy and campaigning for an ASWWU elected position and support or opposition of ballot measures, each candidate and measure sponsor is eligible for Public Campaign Financing from designated ASWWU funds. Public Campaign Financing fiscal

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management and distribution is the responsibility of the AS Elections Coordinator, supervised by permanent program advising staff.

Regardless of private or public funding source, every candidate, measure sponsor and campaign is subject to the campaign expenditure limits outlined in the AS Elections Code.

- a. Each candidate and ballot measure campaign is limited to making up to fifty dollars (\$50) total in campaign expenditures during the course of the relevant election.
 - i. Campaign expenditures include any combination of the following:
 1. Funds spent directly by candidate or measure sponsor in support of the campaign and any related activities;
 2. Funds spent on behalf of a candidate or measure by a 3rd party;
 3. The value of any donated contributions to a candidate or measure regardless of donation source. Final valuation of donations is subject to the agreement of the Elections Coordinator;
 - a. The value of items and materials used on other campaigns supporting a candidate or measure are covered under this category (e.g. t-shirts with “Vote for xyz”)
 4. Any funds spent in support of public or private campaign related events for individual candidates or measure sponsors;
 5. Any campaign expenses reimbursed through public financing.
 6. Any funds spent on online advertising or social media campaigning.
 - ii. The following are not considered campaign expenses:
 1. The value of volunteered labor
 2. The value of donated campaign related digital photography or designs
 3. Tools used for a campaign that were not acquired specifically for the campaign. For instance, if a personal printer is used for printing posters, the cost of the printer need not be reported as an expenditure.
- b. Candidates and sponsors of ballot measure campaigns (pro or opposition) may only make campaign expenditures, or have them made on their behalf, from the opening of the candidate filing period to the deadline for submitting financial disclosure statements as outlined in this Code.
- c. All candidates and sponsors of ballot measure campaigns (pro or opposition) must file a financial disclosure statement, even if no funds are spent or requested, to be submitted to the Elections Coordinator by the stated due date for financial disclosure statements. Financial disclosure statements must include:

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- i. An itemized list of all campaign expenditures by candidates and campaigns, as well as those made on behalf of candidates and campaigns by third parties, not including the costs related to general candidate events put on by clubs and WWU organizations.
 - ii. Copies (clear digital photo accepted) of all receipts (or screenshots of proof of payment) for all campaign expenditures, not submitted through the public financing reporting process.
- d. Penalties for failing to file a financial disclosure statement and fully and accurately disclosing all campaign spending may include, but are not limited to, forfeiture of up to \$25 of public financing reimbursement or administrative charges of up to \$25. For serious instances of non-disclosure of financial expenditures or spending in violation of this Code, especially when the outcome of the election could have been affected, the Elections Coordinator may refer the matter to the Ethics Board for adjudication.
- e. Every candidate and ballot measure sponsor (pro or opposition) that has been approved to appear on the ballot is eligible to apply for public financing support for allowable campaign expenditures. Each candidate and measure sponsor (pro or opposition) shall be eligible for a maximum of fifty dollars (\$50) in public financing. The total level of public financing available for elections (general and special combined) annually for all candidates and ballot measure campaigns in total shall be capped at three thousand dollars (\$3,000). If more candidates and campaigns duly file to run in elections than the \$3,000 will cover, eligibility for the total amount of public financing shall be divided as follows:
 - i. Ballot measure campaigns (pro and opposition) shall have priority and will each be funded \$50 if requested. An equal amount of money will be held reserved for opposition campaign(s) in case campaign(s) are filed, since their filing deadline is a week later than the candidate filing deadline.
 - ii. If the filing deadline for opposition campaigns passes and there exists set aside funds for opposition campaigns that have not been filed, these funds shall be no longer set aside and shall be distributed among the remaining campaigns, consistent with all established procedures outlined in this Code
 - iii. If there are insufficient funds to fully fund all ballot measure campaigns (pro and opposition), funds shall be dispersed equally among all ballot measure campaigns (pro and opposition).
 - iv. Available funds remaining after full allocation for ballot measure campaigns (pro and opposition) will be divided equally among the candidates.
- f. Public financing funds are issued by reimbursement for approved campaign expenditures by candidates and campaigns.
- g. To receive public financing reimbursement, candidates and sponsors ballot measure campaigns must:

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- i. File a Request for Public Financing form with the designated AS Government Advisor no earlier than approval of candidacy or ballot measure campaign and no later than 4:00 p.m. on the last day of the campaign finance disclosure filing period. Requests will be considered in the order received.
 - ii. Submit an official Expenditure Request (access to form provided by staff) with all relevant information filled out by 4:00 p.m. on the last day of the campaign finance disclosure filing period.
 - iii. Attach receipts (or screenshots of proof of payment) for all campaign expenditures to original ER for which public financing is sought by 4:00 p.m. of the last day of the campaign finance disclosure filing deadline.
- h. If an approved public financing request has been filed, costs of up to \$50 of allowable campaign expenses as defined in this Code may be reimbursed to the individual named in the public financing request.
 - i. Requests for reimbursement must be filed using official forms provided by the Elections Coordinator and include acceptable proof of expenditure (copy of receipts, etc).
 - ii. All requests are subject to review and approval by the Elections Coordinator and designated AS Government Advisor.
- i. The following campaign expenditures are eligible for public financing only if original receipts (or screenshots of proof of payment) are supplied:
 - i. The costs of purchasing, shipping and/or printing physical campaign materials, as defined by this Code.
 - ii. Stationary, paper and office supplies purchased during the campaign period used primarily to create and display physical campaign materials.
- j. The following expenditures are not eligible for public financing, but still must be included on the financial disclosure form and count against the total \$50 expenditure limit:
 - i. Food or beverages of any sort.
 - ii. Payment or compensation of any sort for labor associated with any campaign.
 - iii. Any expenditure for which an original receipt (or screenshots of proof of payment) is not provided.
- k. Campaign expenditures which do not fall into categories identified in the preceding two sub-sections may be approved for public financing at the discretion of the Elections Coordinator. Decisions by the Elections Coordinator regarding the eligibility of campaign expenditures for public financing may be appealed to the designated AS Government Advisor.
- l. If physical campaign materials belonging to a candidate or measure sponsor are intentionally tampered with, after reporting incidents to the Elections Coordinator, the

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candidate can, with the Elections Coordinator's permission, report the tampered item as a \$0.00 expense on their financial disclosure statement.

- i. Campaign materials that have been tampered with must be included on the final financial disclosure statement, listed at \$0 value and do not count against the \$50 campaign expenditure limit.

Article II: Ballot Measures

ASWWU Governance Election Code provides two mechanisms, initiatives and referendum, by which questions may be posed on an election ballot directly to all eligible ASWWU voters. As described in this Code, each type of ballot measure has its own unique purpose, requirements and limitations.

Administrative Note: Every ballot measure is subject to administrative review (may include review by WA State Assistant Attorney General assigned to Western) for compliance with applicable existing Washington State laws as well as alignment with Western Washington University and ASWWU Government policies. Final implementation of any required actions or outcomes of ballot measures may be minimally adjusted or modified if deemed necessary by administrative review. If major adjustment or modification is deemed necessary after administrative review a ballot measure may be clarified and returned to a future ballot for reconsideration.

All proposed ballot measures (and any associated directed actions or outcomes) must be deemed to be within the authority of ASWWU Government as defined by the currently approved ASWWU Government Charter to be approved for inclusion on an election ballot.

Any ballot measure approved to appear on an election ballot that proposes a question that would reasonably be expected to have a financial impact on ASWWU Members or ASWWU Government operations must have a complete fiscal note developed in partnership with relevant University Budget Authorities to be included as part of the ballot measure information available to voters. Completed fiscal notes will be maintained and available to the public upon request in addition to appearing on the ballot along with the associated ballot measure.

- a. The final fiscal note must describe any projected increase or decrease in revenue, cost, expenditures or indebtedness that ASWWU or WWU will experience if the ballot measure is approved. For ballot measures addressing the modification of current fees, the fiscal note must also include a current Fund Balance Statement and most recent 5 year Fund Balance Trend (if available).

Approved Ballot Measures will be included on the next available General Spring ASWWU Election ballot. Any proposed ballot measures may be deemed appropriate for a special election by simple majority vote of both the ASWWU Executive Board and Senate, if approved for special election the

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proposed ballot measure must comply with all additional special election guidance as outlined in this code.

I. ASWWU Ballot Measure Authority

- a) To pass, any ballot measure presented to ASWWU voters for approval must receive a simple majority (50% +1) of the votes cast for that ballot measure and have total votes cast for or against the ballot measure equal at least two-thirds (2/3rds) of the total votes cast in the election.
- b) Every ballot measure that passes is subject to the restrictions of WWU policy and other applicable laws.
- c) A ballot measure has the following authority if passed:
 - a. Instruct that the ASWWU Government (in whole or part) to create, change, or terminate current ASWWU Government policies within their purview as long as the instructed policy action does not conflict with WWU policies or Washington State Law.
 - b. Advise ASWWU Government to pursue or not pursue a particular action within their scope of authority.
 - c. Instruct ASWWU Government to make a declarative statement on behalf of ASWWU Voters.
 - d. Referenda only: cause the creation, change, or termination of a voluntary student fee and any requirements detailing its use.
- d) Any change or termination of ASWWU policies, procedures and actions is subject to review and approval prior to implementation by an appropriate administrative body or employee(s) of WWU in accordance with WWU policies.

II. Ballot Measure Filing Requirements-General

In addition to specific Initiative and Referendum requirements outlined below all ballot measure campaigns (Pro or against) must complete the following to be considered duly filed and before any campaigning activities are allowed:

- a) All Ballot Measure sponsors must attend a Mandatory Candidate Meeting.
- b) Only one opposition campaign per measure may be filed. Opposition campaigns will be approved in the order that completed filing materials are received.
 - a. The name of the organization(s) and/or persons making the opposition statement shall appear on the ballot alongside the opposition statement.
 - b. Opposition campaigns have an additional 7 calendar days beyond the filing deadline for Ballot Measures to complete filing requirements.

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- c. Opposition Campaign sponsors must attend a Mandatory Candidate Meeting if filed prior to the last scheduled candidate meeting available or meet individually with Elections Coordinator before campaigning.
- d. ASWWU Elected Officials may not sponsor or work on ballot measure opposition campaigns during their work hours or as an official duty of their elected role.
 - i. ASWWU Elected Officials may only sponsor, support and work on ballot measure opposition campaigns in their role as an individual ASWWU Member subject to all applicable provisions in this code and must clearly identify their support for the opposition campaign as such.
- c) Ballot Measure campaigns (Pro or against) must comply with all Election Code campaign guidance and campaign financing and expenditure reporting timelines.
 - a. Each Ballot Measure Sponsor is responsible for monitoring and ensuring compliance with the elections code for their campaign.
- d) All measures that meet the outlined criteria will be placed on the appropriate election ballot with language matching exactly that of the duly filed measure.
- e) Only one statement supporting and one statement opposing (if filed) may appear on the ballot alongside the measure.
 - a. Ballot statements may not exceed 250 words and must be included in the official measure (or opposition campaign) filing packet.

Initiatives

Initiatives are the designated mechanism by which any eligible ASWWU voting member may present a question for the entire voting membership to consider on a ballot if the following requirements are met.

Initiative Filing Requirements

- a) Any eligible ASWWU voting member (either singularly or as part of a club or group) may file to have no more than one (1) initiative question included on any single election ballot.
- b) The individual responsible for filing an initiative is considered the official sponsor and is responsible for compliance with all initiative filing and campaign requirements. Due to timelines required for official administrative review and signature gathering, sponsors are highly encouraged to submit initiative materials for review as early possible.
- c) The initiative sponsor must complete the following sequential process for requesting initiative approval in order to be included on the ballot:
 - a. Draft a question, initiative language/ballot statement, supporting documentation and declaration of authority to be presented to ASWWU eligible voters. This information comprises the official initiative packet:

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- i. The initiative question must be able to be answered in the affirmative or negative.
 - ii. Initiative language/ballot statement describes the expected impacts should the initiative question be passed in the affirmative.
 - iii. Supporting documentation for the affirmative position.
 - iv. Declaration of which ballot measure authority category listed above the initiative packet is being submitted under.
 - b. Schedule an appointment with designated ASWWU Governance Advisor for administrative pre-review of initiative packet.
 - i. Administrative pre-review is limited to addressing major questions of concern – legality, alignment with applicable WWU policies, etc, not addressing the topic/substance of proposed initiative.
 - ii. Questions raised during pre-review may be forwarded to appropriate University staff/legal counsel for review/resolution while initiative packet is proceeding through approval process.
 - iii. Questions identified in pre-review must be included in presentation of initiative packet to ASWWU Governing Bodies.
 - c. After administrative pre-review appointment has been completed, the initiative sponsor is responsible for presenting the initiative packet as a discussion item at the next regular business meeting of both the ASWWU Senate and Executive Board.
 - i. ASWWU Governance Advising staff and AS Elections Coordinator may facilitate and advise on procedure required to have initiative packet included as an official regular meeting agenda item.
 - ii. Initiative packet presentation must be prioritized as an agenda item for the next scheduled regular meeting by both governing bodies.
 - d. Initiative sponsor must attend ASWWU Government meeting(s) in which the initiative packet is scheduled for discussion, requesting approval to proceed with signature gathering.
 - i. ASWWU Government must take action on request to proceed with signature gathering as presented (approve, approve with amendments, or reject) within their next two (2) regular business meetings or 14 calendar days, whichever is sooner.
 1. Note: 14 calendar day timeline does not include WWU intersession(s) or Summer term(s).
 2. Initiatives presented for approval to both the ASWWU Executive Board and Senate must be passed in identical form.
 3. Approval with Amendments by the Executive Board and Senate may not change the substance of the measure proposed.

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4. Rejection of proposed measure is only allowable if measure language is deemed misleading or if there is reasonable concern about the legality of the measure under local, state, federal law or WWU Policy.
 5. If action is not taken within the proscribed 14 calendar day timeframe, the measure is considered approved for signature collection.
- e. Signature Gathering
- i. All initiative signature gathering and publicity activities must comply with all guidelines outlined in the campaigning section of this code.
 - ii. After approval by ASWWU Executive Board and Senate, measure sponsors may proceed with collection of required voter signatures.
 - iii. Only eligible ASWWU Voter signatures may be collected.
 - iv. Signatures must be collected (either physically or digitally) using an official ballot measure petition form provided by the Elections Coordinator.
 - v. Signatures may only be collected starting in the academic quarter (excluding summer) immediately prior to the election in which the ballot measure is scheduled to be on the ballot and after approval by ASWWU Executive Board & Senate.
 - vi. To be eligible to proceed to the ballot, valid signatures totaling a minimum of no less than forty (40) percent of the votes cast in the most recent general election as defined by this code must be collected.
 - vii. Official Petition forms shall be provided no later than two (2) school days after approval of the ballot measure by the Executive Board and Senate.
 1. Petition Forms must contain:
 - a. Name of the Ballot Measure Sponsor
 - b. Academic year in which signatures are being collected
 - c. Exact wording of proposed initiative
 - i. Any change/amendment to official ballot measure language made after the start of signature gathering invalidates all signatures gathered in favor of the measure prior to the change made.
 - d. Signature collection fields including:
 - i. Eligible ASWWU Voter First & Last Name - Printed
 - ii. Voter's WWU#
 - iii. Voter Signature
 - iv. Date Petition Signed
 - viii. Petition signers must be:
 1. Eligible ASWWU Voters as defined by this code

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2. Illegible, duplicate or incomplete signatures/voter information will not be counted.
- ix. All completed signature collection forms and required initiative filing forms must be filed with the Elections Coordinator and assigned ASWWU Governance Advisor by 4pm (physical forms) or 12am (digital forms) of the final day of candidate filing period for general elections. The date all forms and signatures are received shall be the official date of filing for purposes of election scheduling.
- x. The validity of initiative petition signatures may be challenged. To file a challenge against petition signatures, a petition signature challenge form must be submitted to the designated AS Government Advisor. Petition signature challenge forms may be requested from the designated AS Government Advisor and must be provided within two business days of request.
 1. Signature challenges may be filed by third parties no later than the candidate filing deadline.
 2. Opposition campaign may file challenges no later than the seventh day beyond the candidate filing deadline
 3. The Ethics Board will adjudicate signature challenges according to the procedures set forth in its Charge & Charter and in any adopted rules of operation. The Ethics Board may take any action deemed appropriate and necessary to ensure fair elections. All actions by the Ethics Board are final and may not be appealed, with the exception of disqualification.
- f. If a challenge against initiative signatures is filed, the initiative shall be granted provisional certification for the duration of the challenge process. Sponsors may attend the mandatory candidate meeting and campaign if the challenge persists into the campaign period. If the challenge is found to be valid, and the initiative no longer has sufficient signatures to qualify for the ballot, the initiative will be disqualified.

Referenda

Referenda are the designated mechanism by which ASWWU Government presents a question for the entire voting membership to consider on a ballot and may be initiated by a majority vote of either ASWWU Executive Board or Senate. Any referendum proposing establishment, modification or abolishment of voluntary student fees must be passed in identical form in both the ASWWU Executive Board and Senate prior to being included on the ballot.

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Referendum Filing Requirements

- a) Any eligible ASWWU Voter may submit suggestions for referenda to either governing body.
 - a. In order to be officially considered a student/student group with a referendum suggestion must secure a currently elected ASWWU official to sponsor the referendum.
- b) An ASWWU Government Elected Official must be identified as the official referendum sponsor.
- c) The referendum sponsor is responsible for providing a complete referendum information packet to each governing body prior to official discussion or action being taken on the referendum.
- d) The official referendum packet must include:
 - a. A question to be presented on the ballot that may be answered in the affirmative or negative.
 - b. A referendum ballot statement of support limited to 250 words.
 - c. Supporting documentation for considering whether the referendum shall be approved to be included on the designated election ballot.
 - d. For all referendum with financial impacts (fees, etc): a complete fiscal note developed with relevant WWU financial staff and budget authorities from the program areas potentially impacted by the passing of the referendum. Fiscal notes shall be available to voters and included in the voter information guide.
 - e. Final, approved referendum packets must be presented to the designated ASWWU Governance Advisor for the relevant election before the final day of candidate filing.
 - i. Further, non-clerical, changes to referendum packets will not be made after submission to the ASWWU Governance Advisor for publication.

Article III: Grievances

- a) If a candidate or any person associated with any campaign, initiative or referendum campaign (for or against) or any AS employee violates the Election Code before, during, or after the elections, any student (including an affected party, student or employee who observed the violation, and/or the Elections Coordinator) may file an official grievance against that person.
- b) A person may not file a grievance against themselves or a campaign to which they belong to, unless the Elections Coordinator consents to the filing of the grievance.
- c) Grievances may not be filed anonymously, and all witnesses cited in a grievance must be named explicitly.
- d) Grievances are only considered official if filed by submitting an official grievance form to the designated AS Government Advisor.
 - a. Filed grievance forms are forwarded to the Ethics Board Coordinator for review & resolution of grievance.

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- b. The date and time that the grievance is received shall be recorded upon filing. Grievance forms may be obtained online during an elections season.
- c. If the Ethics Board Coordinator has not yet been hired at the time of filing, grievance forms shall be forwarded to the Office of Civic Engagement Director, who is authorized to assume the duties of the Ethics Board Coordinator until the position is hired.
- e) Official grievances must be filed between 8 a.m. and 5 p.m. within two business days of the time of discovery/observation of the alleged violation and must cite the specific Article of the Election Code allegedly violated. Grievances filed that do not meet these requirements will not be accepted.
 - a. Official grievances will be accepted only until two business days after the closing of the polls on the final day of the election period. Only the Elections Coordinator may file grievances outside of the time constraints of this Article.
- f) The Ethics Board adjudicates grievances according to the procedures set forth in its Charge & Charter and in any adopted rules of operation. The Ethics Board may take any action deemed appropriate and necessary to ensure fair elections. All actions by the Ethics Board are final and may not be appealed, except for disqualification.
- g) In the event of disqualification from an election, the disqualified party may appeal by sending a written (digital or physical) appeal request to the Ethics Coordinator within three (3) business days of the initial notification of disqualification.
 - a. Disqualification appeals will be heard by the AS Ethics Appeals Panel which will convene a hearing as soon as possible and no later than four (4) business days after the date of appeal request. Decisions on disqualification by the Ethics Appeals Panel are final and may not be appealed.
 - b. Candidates appealing a disqualification may not campaign for office until a decision about their disqualification is reached by the Ethics Appeals Panel.
 - c. The Elections Coordinator may not serve on the Ethics Board or Ethics Appeals Panel, but may be required to provide information, reports, documentation, or to serve as a witness during the proceedings of these bodies.
- h) Penalties for violation of the Election Code may include, but are not limited to, forfeiture up to \$25 of public financing reimbursement or administrative charges of up to \$25; disciplinary action; or disqualification.
 - a. If an administrative charge is levied against a candidate, sponsor, or third party by the Ethics Board after the adjudication of a grievance, the charge shall be deposited in the dedicated AS Elections Budget.
- i) In the event of a grievance filed against the Elections Coordinator, the Elections Coordinator shall be required to abide by all procedures set out in this section, and the Elections Coordinator shall be required to recuse themselves from participating in any binding

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interpretation of the Code that relates to the grievance filed against them. In such cases the Ethics Board Chair or the Ethics Appeals Panel Chair shall have sole interpretive authority over the elections code in regard to the grievance before them.

- a. Grievances may only be filed against the Elections Coordinator for which there is no alternative method of appeal regarding the issue already outlined in the Elections Code, such as procedural disqualification, or for instances where the Elections Coordinator committed such grievance action with intentional malice toward the person who filed the grievance.

Article IV: Elections Operations

- a) Elections of any type may not be called during summer term.
- b) Only one election may be scheduled and/or operating at any given time.

I. General Elections

- a. In the absence of extenuating event, such as a natural disaster, that necessitates the delay of the elections annual General ASWWU Elections, voting will be held during Spring Term. The Elections Coordinator and the designated AS government advisor will determine if such an event has occurred.
- b. Timelines for annual General ASWWU Elections shall be published as early as possible in Winter Term and determined through the coordination of the Elections Coordinator, ASWWU Governance Advisor and ASWWU Government.
 - a) Annual determination of general election timelines are not considered a revision of the Elections Code.
 - b) General Election timelines shall include:
 1. A Candidate Filing Period lasting for at least 21 calendar days prior to the start of the first offered Mandatory Candidate Meeting.
 2. At least one (1) Mandatory Candidate Meeting offered after the close of the candidate filing deadline and before the start of the designated campaigning period.
 3. A campaign period of at least 14 calendar days (including the designated voting period) starting at 8:00am the first day following the last Mandatory Candidate Meeting and lasting until 8:00pm the last day of the voting period.
 4. A designated voting period lasting 7 calendar days, starting at least 7 calendar days after the opening of the campaign period.
 - a. Voting will open at 12:00 am on the first day and last until 8:00pm on the last day of the voting period.

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- b. Voting period may be extended by agreement of the Elections Coordinator and ASWWU Governance Advisor in the event of technical issues with the online voting system.
 - 5. Financial disclosure filing deadline is the last day of the designated voting period.
 - 6. By 4:00 PM three calendar days after voting closes, all campaign material must be taken down.
 - 7. Presentation of Results
 - a. Certified election results that do not have a pending grievance will be shared in the following manner:
 - i. Individually (email) with candidates immediately after certification
 - ii. Results including Ballot Measures: Presented to ASWWU Executive Board & Senate at the first regular meeting after election certification and notification of individual candidates.
 - iii. Results with pending grievances will be presented to ASWWU Executive Board and Senate at the first regular meeting after resolution of grievances.
 - 8. A minimum of 3 weeks (excluding finals week) before the end of Spring Term and after certification/presentation of election results to support an intentional transition of elected positions from year to year.
 - 9. Newly elected ASWWU Government Officials are officially invested with the authority of their respective office no earlier than the Saturday after finals week of Spring Term after the election unless otherwise proscribed by Special Election terms.
- c) Voting
- 1. Voter Eligibility
 - a. All full-time, part-time, undergraduate and graduate students who are registered for at least one academic credit at any WWU location where students pay Services and Activities Fees are eligible to vote in ASWWU elections for Ballot Measures, ASWWU Executive Board and At-Large Senator positions.
 - b. Only students officially listed as a major/pre-major in official WWU systems of record may vote for eligible ASWWU Senate Candidates in their declared College.
 - c. ASWWU members officially on record with multiple majors are eligible to vote in each ASWWU Senator election held within their declared majors Colleges.

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2. Any eligible ASWWU member is only allowed to vote once in any given election.

d) Voting Locations

1. All voting in AS elections shall take place online, unless the Elections Coordinator and designated AS government advisor deem it impractical to do so, such as in the case of a special election or unexpected major technical issues. Eligible voters may vote online at any time between 12:00 a.m. on the first day to 4:00 p.m. on the last day of the election's designated voting period.
 - a. If the Elections Coordinator and designated AS government advisor deem it impractical to use online voting in an upcoming election, paper balloting shall be used for voting and polling stations utilizing paper ballots may be implemented.
2. Candidates, Ballot Measure Sponsors (Pro or Opposition), or any person otherwise affiliated with a campaign may not establish or operate a polling station.
3. In addition to access via personal devices and publicly available computers on the Bellingham Campus, the Elections Coordinator will coordinate official electronic voting stations in public areas (e.g. Red Square or VU) during the designated voting period.

e) Ballots

1. Ballots are created in the official ballot system (i.e. WIN) for each election by the designated ASWWU Governance Advisor and Elections Coordinator with technical support from WWU IT staff as needed.
 - a. Administrative access to the official online election system is expressly limited to ASWWU Governance Advising Staff, WWU IT staff and the Elections Coordinator.
2. Ballots for ASWWU Government Positions must accommodate ranked choice voting.
3. The names of candidates running for election shall appear vertically under the title of the position for which they are running. If possible, the candidate order shall be randomized.
4. Names on the ballot shall read exactly as they appear on the candidates' approved registration form. If this is not possible, the candidate will be notified, and appropriate changes will be made by the Elections Coordinator before the ballots are published. The Elections Coordinator reserves the right to alter the name on the ballot if the candidate's provided name may reasonably lead to a misrepresentation of the candidate's identity.
5. Ballots shall include duly filed initiatives and referenda.

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c. Election Results

a) Ballot Counting

1. Ballots shall not be counted until polls have closed on the last day of the elections. The Elections Coordinator, Ethics Board Coordinator and the designated AS Government Advisor or the advisor's designee shall count and/or supervise the counting of the ballots once polls have closed.
2. The Elections Coordinator and the designated AS government advisor are not permitted to use the voting software to reveal candidate standings or vote count numbers to anyone during the time of the voting period. Voting software should only be used for the purposes of working on the election and staying informed on voter engagement.
3. To protect the privacy of voters, ballots, once cast, shall not be viewed by any candidate, initiative sponsor, referendum sponsor, poll worker, or person otherwise involved in a campaign until the official counting after the close of the elections.
 - a. In the event of legal requirement to view ballots, names and other means of personal identification of voters shall be stricken from the ballot.
4. Access to previously completed election ballots may be requested via public records request, or by ASWWU Governance/Elections staff for reasons relating to official office business

b) Determining Election Results

1. Winners of races for ASWWU Elected Positions will be determined by Ranked Choice/Instant Run-off procedures as described in this code.
2. Results of Ballot Measures (Pass or Fail) will be determined by simple majority (50% +1) of the affirmative (pass) or negative (fail) votes cast for that ballot measure as long as total votes cast equal at least two-thirds (2/3rds) of total voters participating in the election.
3. If, after calculation of election results, the designated winner is disqualified administratively based on candidate qualifications or by Ethics Board or Ethics Appeal Panel decision and chooses not to or is unable to appeal, then the candidate receiving the next-highest number of votes for that position shall be declared the winner of the election, as long as that candidate has satisfied all of the requirements for being elected to the position specified in this code. In the event that all candidates are disqualified from the election, the position shall go unfilled.

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4. Open positions not filled during the annual general election may be filled starting the following Fall Term by special election or appointment as allowed by applicable ASWWU Government by-laws.

c) Ranked Choice/Instant Run Off Voting

1. All races for ASWWU elected positions with more than 1 candidate per available seat will be determined by ranked choice voting.
 - a. For single seat races with only 2 candidates, a simple majority (50% +1) on the first ballot will determine the winner.
2. The official ballot shall be constructed to allow each voter to rank in order of preference (1=highest) as many (or few) of the candidates for that position as they desire.
3. Note: the official online voting system is programmed and audited to verify that it calculates ranked choice votes following best practices.
4. If no candidate meets the threshold required to win after the first round of ballot counting, additional rounds of ballot counting will proceed until a winner is determined for each open seat.
 - a. Procedures for Ranked Choice Calculations for Single Seat Races
 - i. Open Position must have 3 or more candidates
 - ii. First vote counting round:
 1. all 1st choice votes are counted for each candidate
 2. Any candidate receiving 50%+1 of total 1st choice votes for the position after the first round is declared the winner.
 3. At the end of each round: If no candidate receives 50%+1 of total votes, the candidate with the lowest number of 1st choice votes is eliminated and additional rounds of ballot counting proceed.
 - iii. Each additional vote counting round:
 1. Ballots for the eliminated candidate from the previous round are recast for the voters' next preferred candidate (if selected by voter) adding to their next preference's cumulative total.
 2. If no candidate has 50%+1 of total votes at the end of the round, the candidate with lowest number of cumulative votes is eliminated and vote counting rounds repeat until a winner is identified.
 - b. Procedures for Ranked Choice Calculations for Two Seat Races (e.g. College Senators)
 - i. Open Position must have 3 or more candidates to go to ranked choice calculation

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- ii. Vote Counting rounds proceed until two candidates receive 33% +1 of the total votes cast with fewest 1st place votes for each round being eliminated and their ballots redistributed for next voter candidate preference.
 - c. Procedures for Ranked Choice Calculations for Four Seat Races (e.g. At-Large Senators)
 - i. Open Position must have 5 or more candidates to go to ranked choice calculation
 - ii. Vote Counting rounds proceed until four candidates receive 20% +1 of the total votes cast with the candidate with fewest 1st place votes for each round being eliminated and their ballots redistributed for next voter candidate preference.
 - d. Tie Breaking: in a case where a tie must be broken and requires calculation by hand:
 - i. For Breaking ties for elimination of candidates:
 - 1. If there are still enough remaining candidates after eliminations to fill all open seats, any tied last place candidates each round are eliminated and their vote preferences redistributed.
 - ii. Breaking ties for candidates with highest votes received after all other candidates have been eliminated and neither has 50%+1 of total ballots cast, remaining two candidates advance to special election.
- b) Announcement of Official Election Results
 - 1. No election results may be announced until they have been verified by the AS Elections Coordinator, designated ASWWU Governance Advisor and IT Staff.
 - 2. Election results will be shared first with individual candidates then,
 - 3. As an information item at the next available regular ASWWU Executive Board and Senate meeting after election verification, then
 - 4. Publicly on a website for all ASWWU members.

II. Special Elections

Special Elections may be called for the following reasons:

Note: Due to the administrative and logistical burden special elections may not be called at any time the Elections Coordinator position is not filled, except in the case of special elections for the purpose of recalling an elected ASWWU official.

- b. Filling Vacancies on the AS Executive Board and AS Student Senate

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- a) The ASWWU Executive Board and Senate may call special elections to fill vacancies in their respective bodies according to their bylaws.
 - b) In this event, the Elections Coordinator shall schedule special elections to begin no earlier than fourteen (14) calendar days after the calling of the special election to fill a vacancy.
 - c) Candidate Eligibility and Filing requirements for the special elections shall be the same as those for the regular elections outlined in this Code.
 - d) The candidate filing period shall last from the calling of the Special Election to fill a vacancy until the day before the Mandatory Candidate Meeting
 - e) The campaign period for the special elections shall last from 9:00 a.m. on the day following the Mandatory Candidate Meeting until 4:00 p.m. on the last day of the elections. All campaigning policies in this Code shall apply to the special elections as well, to the degree that they are applicable.
 - f) The election period, election procedures and certification requirements for the special elections shall be the same as the general election procedures when possible, and modified at the discretion of the Elections Coordinator and the designated AS Government Advisor when it is not.
 - g) ASWU Executive Board and Senate Members elected in a special election shall be installed in their position immediately upon certification of the results of the special election. The certification procedure shall follow those laid out in this Code.
- c. Recall of ASWWU Elected Officials
- a) Any member of the elected ASWWU Government may be recalled by a majority vote in a special election. Recall is initiated by a majority vote of the ASWWU Executive Board, a majority vote of the ASWWU Senate, or by a petition containing verified signatures of eligible ASWWU voters no less than forty percent of the number of votes cast in the last election. Any student eligible to vote in ASWWU elections may file a petition seeking to end an ASWWU elected official's term of office. To do so, the student must:
 - 1. Obtain an official petition form from the designated AS Government Advisor. Official petition forms must be made available for pick-up within 3 school days of the date of request.
 - 2. Gather signatures on the official petition forms equal to forty percent (40%) of the number of students that voted in the last general election. Signers must be students eligible to vote in an ASWWU election. Signers' WWU student number and printed name must be included alongside their

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signatures. Illegible, duplicate or incomplete signatures will not be counted.

3. Submit the official petition forms with the requisite number of signatures to the designated AS Government Advisor within twenty-one (21) calendar days of the date the petition forms were obtained.
- b) Official recall petition forms must include:
 1. The date on which they were distributed;
 2. The name and position of the ASWWU Government official for which recall is sought;
 3. the reasons for the proposed recall;
 4. the name(s) of the sponsor(s) of the proposed recall.
 - c) If a duly filed recall petition with the requisite number of verified signatures is submitted or the Executive Board or Senate votes to initiate a recall for one of its members, a special election for the purpose of recall shall be scheduled by the Elections Coordinator. The special election shall begin no earlier than fourteen (14) calendar days and no later than twenty-one (21) calendar days after the date of filing or vote by the Executive Board or Student Senate. If this period falls during a time when WWU is not in session or during summer quarter, the special election shall be scheduled for immediately after the break, or at the beginning of fall quarter.
 - d) The campaign period for the special election for the purpose of recall shall last from the day of the filing of the recall petition or the recall initiation vote to the last day of the designated voting period for the special election. All regulations pertaining to campaigning in the regular elections shall apply to the special election to the degree that they are applicable.
 - e) Upon submission and verification of all required materials, the election period and election procedures shall be publicly announced. Certification requirements for the special elections shall be determined by the currently approved Election Code.
 - f) The recall ballot question shall be: Shall {Insert ASWWU Elected Official's Name}, the duly elected {insert Elected Position} be recalled and removed from their position effective immediately upon conclusion of this special election?
 - g) A member of the ASWWU Government shall be recalled, and their employment in the elected role with ASWWU terminated, if a majority (50%+1) of eligible voters voting in the special election for the purpose of recall vote for yes for recall.

d. Deciding Urgent Ballot Measures

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- a) In the event a ballot measure is duly filed and approved for a topic/issue that cannot be reasonably addressed on the general spring election ballot a special election may be called to resolve the stated topic.
 - b) Special elections for ballot measure(s) deemed appropriate with an official filing date during the last 4 weeks of the quarter (including finals week) will be scheduled for the next academic term (excluding summer).
 - c) Ballot measures filed/approved for special election with an official filing date before the last 4 weeks (including finals week) of an academic term will be scheduled for same academic term in which they were filed.
 - d) The Election Coordinator shall schedule a Mandatory Candidate Meeting no less than 14 calendar days before and no more than 21 calendar days before the beginning of the voting period of the special election.
 - e) The campaign period for the special election shall run from 9:00 am on the first day following the Mandatory Candidate Meeting to 4:00 pm on the last day of the designated voting period. All campaigning policies in this Code shall apply to the special election as well, to the degree that they are applicable, including financial filing requirements.
 - f) Money for public financing shall come from the budget for the next general election, unless it is for any special election in spring quarter succeeding the general election, in which case it will come from the budget for that general election.
 - g) The opposition campaign filing period shall open 9:00 am the day after the official filing date of the initiative or referendum, and shall remain open until 7 calendar days after the Mandatory Candidate Meeting.
 - 1. Opposition Campaign filing requirements remain the same as for general elections except where specified here.
 - h) The election period, election procedures and certification requirements for the special elections shall be the same as for the general elections as outlined in this Election Code when possible and modified by the Elections Coordinator and the designated AS Government Advisor when it is not.
- e. Breaking Ties
- a) In the event that two or more candidates are tied after the rank choice voting process finishes, the tied candidates shall proceed to a special election.
 - b) The special election shall take place no sooner than 14 calendar days after the reporting of the tied election and no more than 21 calendar days after the reporting of the tied election, unless this timeframe would take place during

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when WWU is not in session, or during Summer Quarter for elections that did not take place during Summer Quarter. If the election would fall during a time when WWU is not in session or during Summer Quarter for elections outside of Summer Quarter, the election shall take place no less than 7 calendar days and no more than 14 calendar days after WWU resumes session or Fall Quarter starts for delays caused by Summer Quarter.

- c) There shall be no candidate filing period for special elections for the purpose of breaking ties, the only candidates allowed are those who were apart of the tie responsible for the calling of the special election.
- d) The campaign period shall start at 9:00 am the day after the tie is officially reported and shall run to the close of the elections. If the elections are delayed due to WWU not being in session, or due to Summer Quarter, the campaign period shall be suspended until WWU resumes session or Fall Quarter starts for delays caused by Summer Quarter.
- e) All campaigning policies in this Code shall apply to the special election as well, to the degree that they are applicable, including financial filing requirements.
- f) Money for public financing for the special election shall come out of the budget of the general election that the special election for the purpose of breaking ties was called for.
- g) The election period, election procedures and certification requirements for the special elections shall be the same as the general election as specified in this Election Code when possible and modified by the Elections Coordinator and the designated AS Government Advisor when it is not.
- h) The special election for the purpose of breaking ties shall be determined by rank choice voting if applicable.
- i) The results of the special election for the purpose of breaking ties shall be reported to the Executive Board and the AS Student Senate at their next meetings after the certification of the vote by the Elections Coordinator, Ethics Board Coordinator, and the designated AS government advisor, whereupon the elected member shall be installed in their position immediately upon presentation of the results. The certification procedure shall follow those laid out in this code.
- j) In the event that a tie happens again during a special election both parties may consent to the use of random lots, to be performed by the Elections Coordinator in a public space of WWU with all candidates present, to decide the winner of the election. If any candidate does not consent to the use of random lots, a new special election for the purpose of breaking ties shall be called.

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- k) Special elections for the purpose of breaking ties shall use the last passed elections code

Article V: Interpretation of the Elections Code

The interpretation of this Code is primarily the responsibility of the Elections Coordinator, and all questions or matters of uncertainty should be directed to the Elections Coordinator. When the Ethics Board or the Ethics Appeals Panel are in session, their respective chairs in collaboration with the Election Coordinator are the final authority on the interpretation of this code in regard to business that is before their respective bodies. Conflicts in code interpretation may ultimately be adjudicated by the designated ASWWU Governance Advisor in consultation with Western's AAG.

Article VI: Elections Code Revision

- A) The Election Advisory Committee (EAC), convened by the Elections Coordinator or their designee, may propose revisions to this Code during the academic year, pursuant to the Committee's charge and charter. All proposed revisions by the EAC must be acknowledged by the AS Executive Board and AS Student Senate. The Elections Coordinator or their designee may also propose revisions to this Code without convening the EAC if those changes are either: (1) corrections of minor grammatical, spelling, format or syntax errors; or (2) changes to the year-specific dates, times and figures in this Code (i.e. dates, times and figures enclosed in square brackets). All proposed revisions by the Elections Coordinator or their designee must be approved by the AS Executive Board and AS Student Senate. The Election Code may not be revised in any other way.
- B) The Election Code may not be revised between the opening of the candidate filing period and the close of the elections

Article VII: Deadlines

- A) Failure to adhere to any deadline in this code may result in the filing of a grievance.
- B) It is the full responsibility of the candidate to keep in contact with the Elections Coordinator, should a potential violation of the Election Code occur. All candidates are given up to 48 hours to respond to the Elections Coordinator. Failure to do so will result in the filing of a grievance. The official form of communication is email.

Article VIII: Definitions

- A) General Definitions:

ASWWU Governance Election Code

- a. By “WWU”, this Code refers to Western Washington University.
- b. The “main campus” of WWU is the university campus located in Bellingham, Washington
- c. By “AS”, this Code refers to the Associated Students of Western Washington University.
- d. A “school day” is a weekday (Mon.-Fri.) during which classes are in session on the main campus of WWU. A day during which all classes are cancelled on the main campus of WWU for any reason, even if such a day falls during a regularly scheduled academic quarter, does not constitute a school day for the purposes of this Code.
- e. By “academic year” this Code refers to the period extending from the first day of the fall quarter of WWU to the last day of its subsequent spring quarter.
- f. “Physical campaign material”, for the purposes of this Code, includes, but is not limited to, posters, handbills, fliers, signs, banners, buttons, T-shirts or other clothing and any physical object which may be deemed by a reasonable person as constituting campaign material for or against a candidate or a measure.
- g. By “Work on a campaign”, for the purpose of this code, is defined as, but is not limited to, distribution of physical campaign materials, verbal campaigning, and management or active participation in a social media pages or use of personal resources.
- h. “Work” is not defined as advice and conversation about the position, or campaigning in general.
- i. “Polling Stations”, for the purpose of this code, are defined as instruments made available or advertised to the general public that enable an eligible voter to cast a ballot for the AS Elections.
- j. “Declarative Statement”, for the purpose of this code, is the statement of an official position. It is not a policy change or policy action.
- k. A candidate’s “Name” is defined in this code as the candidate’s legal or preferred name as registered with Western Washington University. A candidate reserves the right to alter certain elements of their name such as withholding a hyphenated surname or middle name with the approval of the Elections Coordinator.
- l. “Misleading” for the purpose of this code is defined as, but not limited to, inaccurate information, language that is inaccessible or serves to obscure the intent of the initiative, language which includes conflicting or separate proposals with no logical connection between proposals, or which misrepresents current AS policy or procedure.
- m. “Tampered” is defined as the active destruction of campaign materials whether by removal, obfuscation, or defacement in such a way that the materials can no longer be clearly interpreted or are inappropriate.
- n. “Individual” is defined as a person acting in their student capacity without any attachment to the AS or an AS position title.

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- o. “Event” is a gathering either online or in person with an invitation extended to, or promoted to, the general campus community, in whole or in part. Regular meetings of club or hall council do not constitute an event.
- p. “Initiative” is defined as a question brought forward by any student eligible to vote in the AS elections asked to the student body on a ballot.
- q. “Referendum” is defined as a question initiated by a majority vote of either the AS Senate or the AS Executive Board asked to the student body on a ballot.
- r. Business Days – Monday through Friday 8am-5pm with the exception of National holidays
- s. “Donated Contributions” is defined as any items or services contributed to a campaign that a candidate or sponsor would be required to report if they were to own or purchase the item directly; items exempted from campaign expenditures are still exempted when given as a donated contribution. For donated tools to a campaign to keep their expenditure exemption, only their use may be loaned to a campaign, unless given as a gift given without the intent to be used in a campaign. Paper and other supplies used in these loaned tools must still be reported as a campaign expenditure.
- t. “Campaign Related Event” is defined as any event wherein the purpose of the event is related to the campaign of any candidate or measure for or opposition campaign, AS elections in general, or any other event that would fall under events wherein invites are required to be sent out to all candidates for the same position.
- u. “Establish or Operate” is defined as the setting up and/or operation of a polling station, whether in conjunction with the Elections Coordinator or informally and independently.
- v. “Sponsors” as used in this Code is defined as the primary person(s) responsible for Initiative and Referendum campaigns and opposition campaigns and of the campaigns for recall of elected AS officials.
- w. “Candidate” as used in this Code refers to a person who has duly filed to run for an AS elected position.
- x. “Endorsement” is defined as the statement by a club or Resident Planning Board expressing official support or opposition of a candidate or measure by said club or Resident Planning Board.
- y. “AS Sponsored Event” is defined as any event hosted or sponsored by an ASWWU Student Fee funded program, office, club, or individual acting in an official AS capacity.
- z. Business Days – Monday through Friday 8am-5pm with the exception of National holidays
- aa. School Days- Any day that WWU is in session that class takes place, including days that have delayed starts due to weather or other WWU policies and decisions.

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- bb. “WWU not in session” is defined as any time when Western Washington University is not in an academic quarter that WWU is offering regularly scheduled classes.
- cc. “Substantive” is defined as any changes that significantly alter the meaning or effects of a proposed initiative. Grammatical and clarifying edits do not count as substantive changes unless they would significantly alter the meaning or effect of the initiative, as specified above.
- dd. “Technical difficulties” is defined as any instance where significant network, software, or WWU website issues would prevent the creation or dispersal of an electronic ballot by the Elections Coordinator in a reasonable and timely matter for the election in question.
- ee. “Deem it impractical to do so” is defined as any instance where technical difficulties, as defined above, or other significant barriers such as special elections mandating quick elections periods prevent the reasonable and timely creation of an online ballot.

B) Ranked Choice Voting Definitions

- a. Tallied Vote - When the voter selects a candidate that has not been eliminated, without over voting the ranking to be counted, the vote is cast and tallied for that candidate.
- b. Remaining Candidate - A candidate that has NOT been defeated.
- c. Defeated Candidate - A candidate that HAS been eliminated.
- d. Skipped Ranking - When a voter chooses to NOT select a candidate whose name is printed on the ballot or write-in a candidate name in one or more of the available rankings.
- e. Over Vote - When the voter selects more than one candidate as their first choice or any subsequent choice that is to be counted, the vote is nullified and tallied as an over vote.
- f. Under Vote - When voter skips all rankings, with no first, second or third choice candidate or write-in selected, the vote is nullified and tallied as an under vote.
- g. Exhausted Vote - When all the choice selections made by the voter in the RCV contest have been eliminated, the vote is nullified and tallied as exhausted.
- h. Nullified Vote - Over Votes, Under Votes and Exhausted Votes are considered nullified RCV votes and are not utilized to determine the 50% plus one number of votes needed to win.
- i. “Single Seat Race” refers to any race that seats an elected position that holds only one person. The Presidential positions and all Vice Presidential positions are single seat races.
- j. “Dual Seat Race” refers to any race that seats an elected position that holds two people. All college specific senate races are dual seat races.

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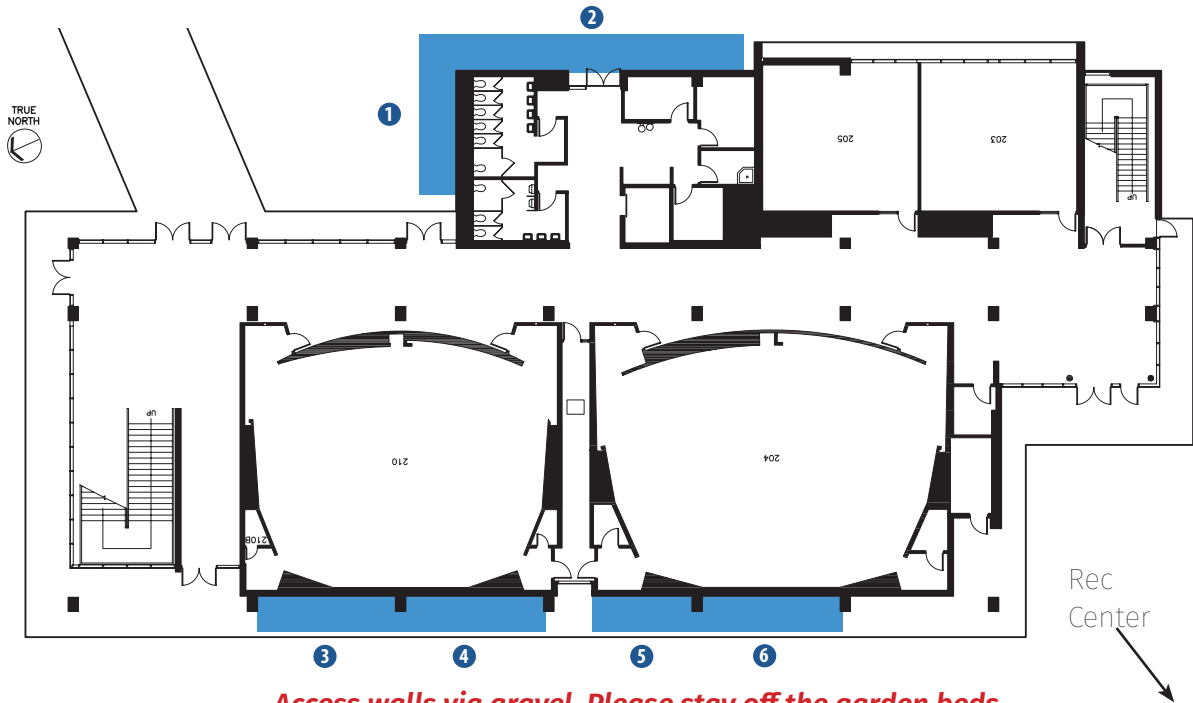
Reviewed & Acknowledged by the ASWWU Executive Board & Senate: motion@

The complete Election Code contains the following:

- Attachment A: Approved Building Posting Locations
- Attachment B: University Residences Solicitation Policies

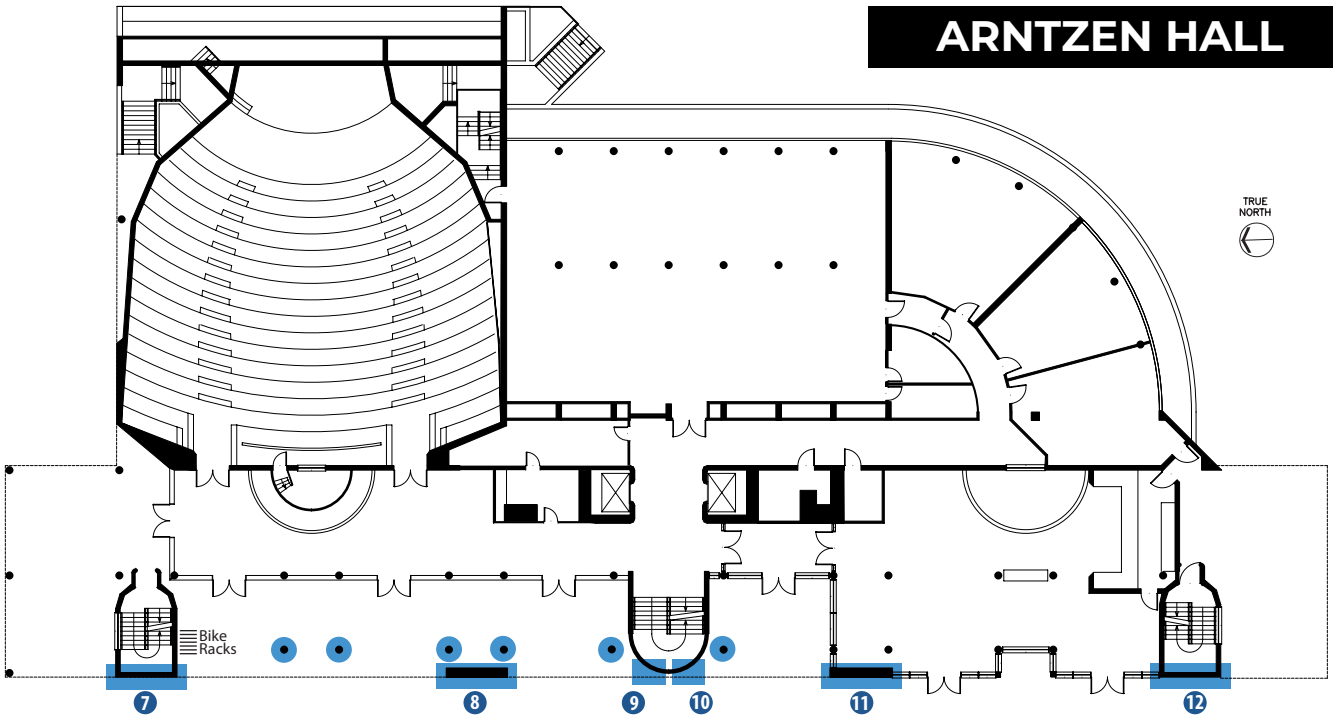
ACADEMIC WEST

Allowed posting area: Banners, posters and flyers allowed on brick walls facing west towards track and parallel to large walkway, and on brick walls on north and west sides of walkway, south of the aerial bridge.



Access walls via gravel. Please stay off the garden beds.

ARNTZEN HALL



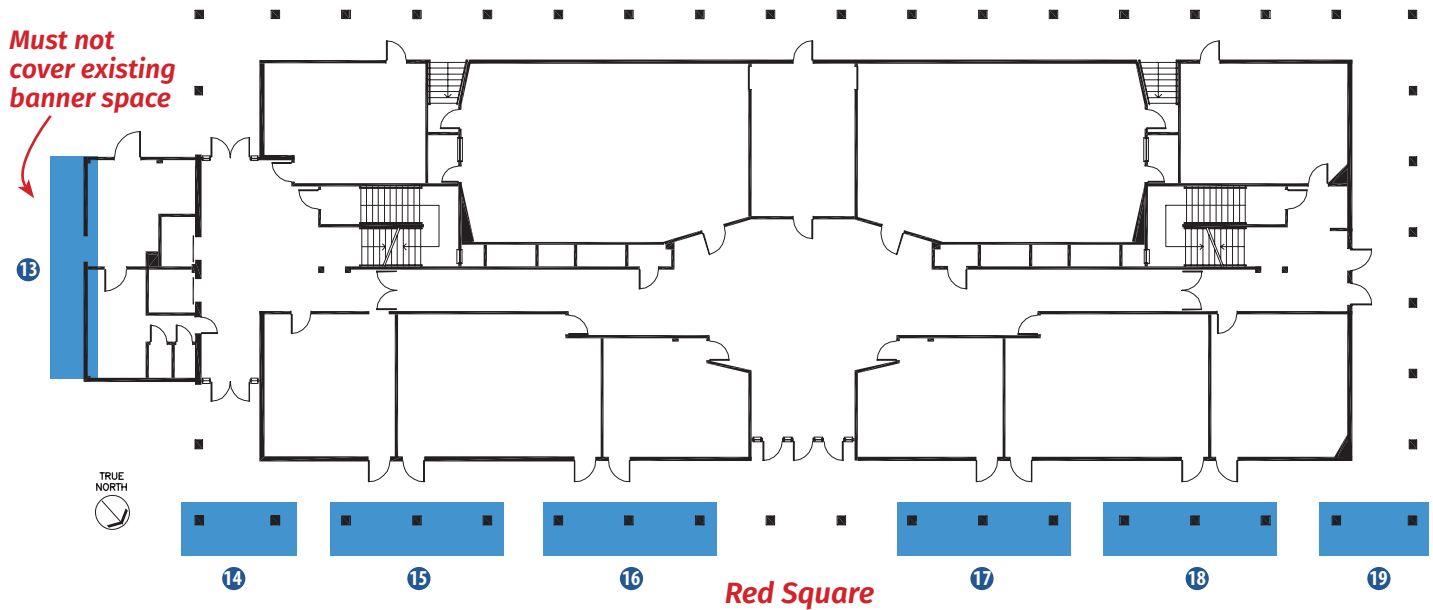
Columns- ● **Concrete supports -** ■

Allowed posting area: Banners, posters and flyers allowed on the columns supporting the overhang, and the west side concrete supports.

BOND HALL

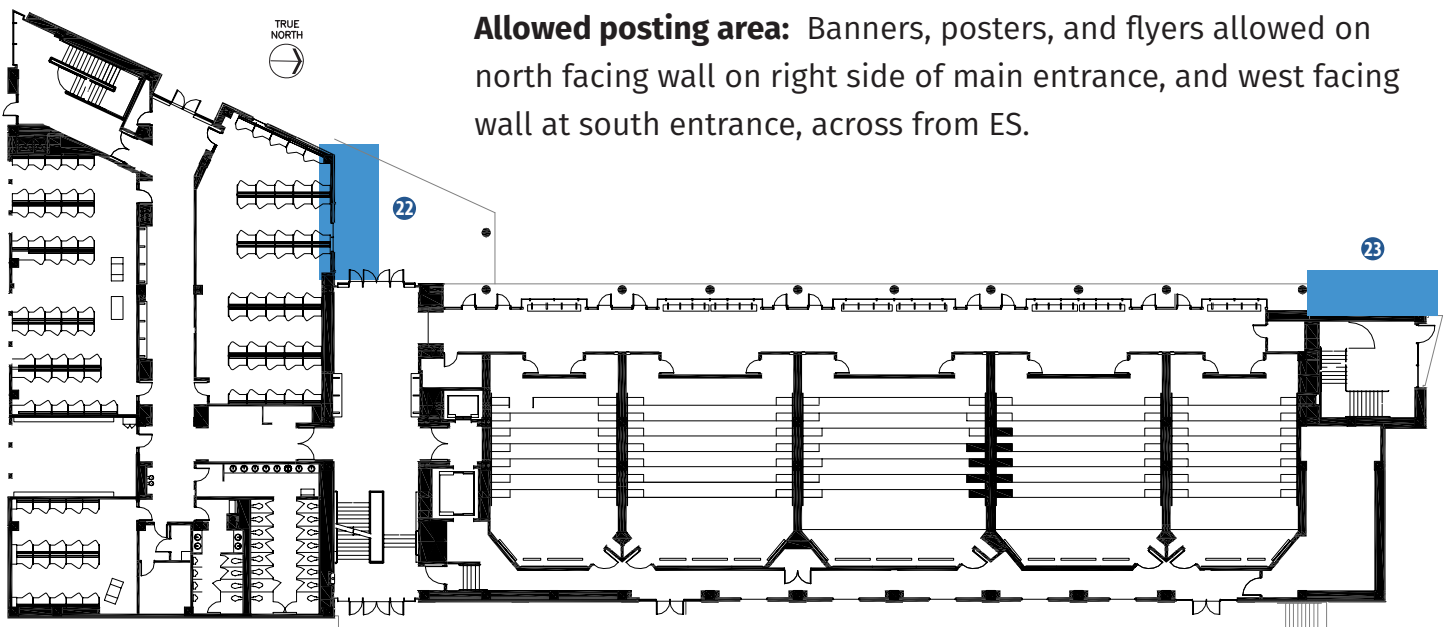
Allowed posting area: Posters and flyers allowed on Red Square side columns. Banners are allowed on SE

face of building, and on the second floor level, below the first row of windows facing Red Square. No banners are allowed on the ground level.

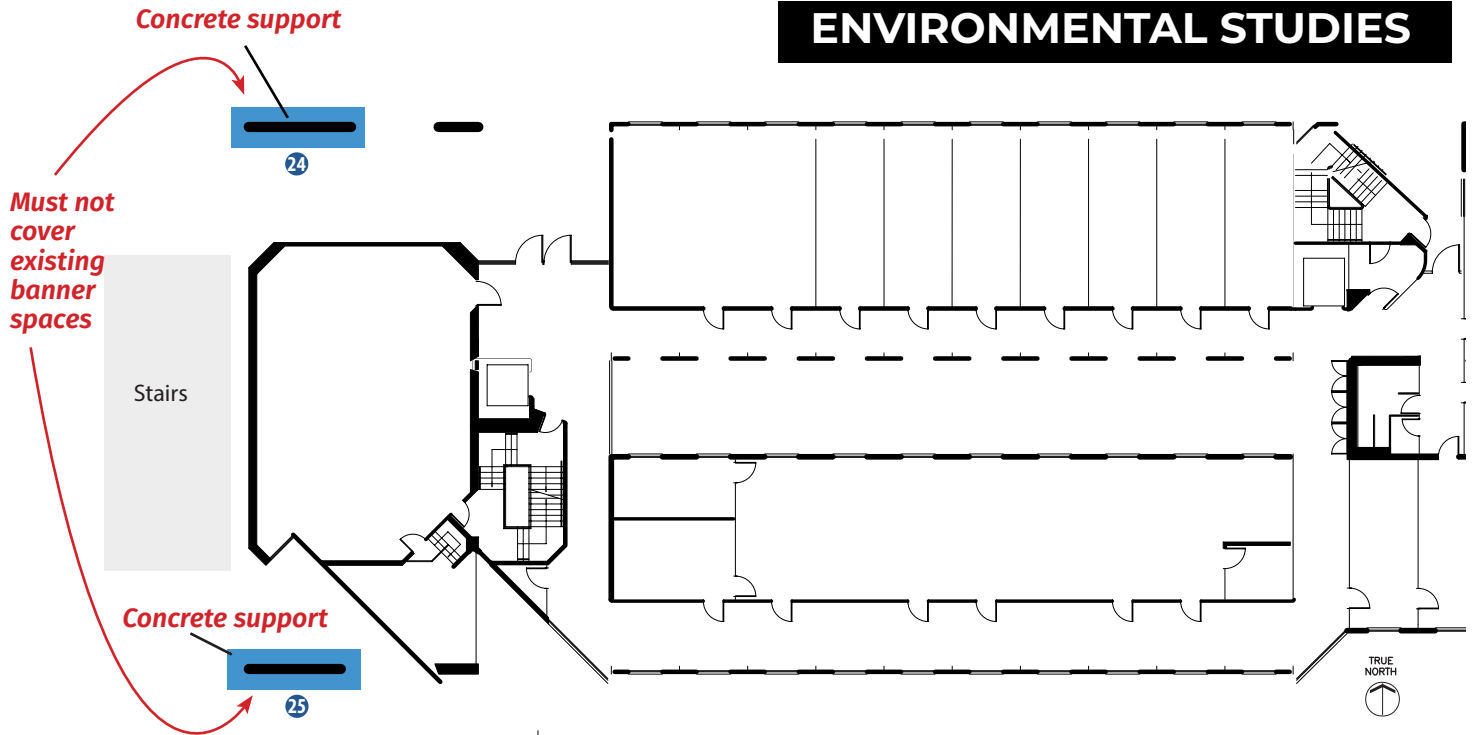


COMMUNICATIONS

Allowed posting area: Banners, posters, and flyers allowed on north facing wall on right side of main entrance, and west facing wall at south entrance, across from ES.

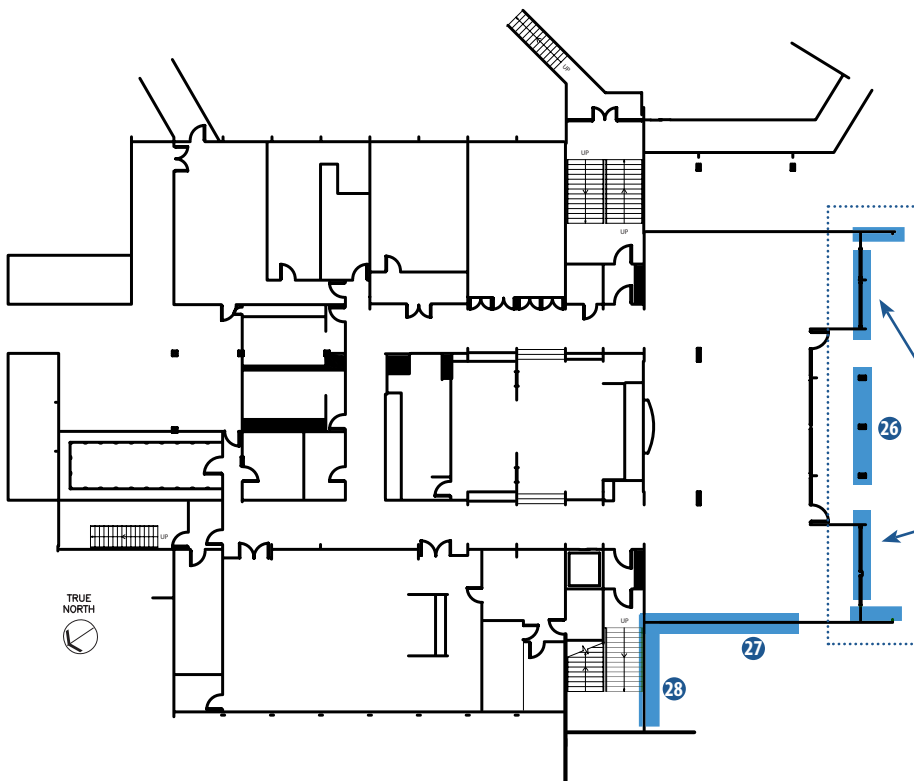


ENVIRONMENTAL STUDIES



Allowed posting area: Concrete supports adjacent to stairs connecting Communications quad with San Juans plaza.

FAIRHAVEN COMMONS

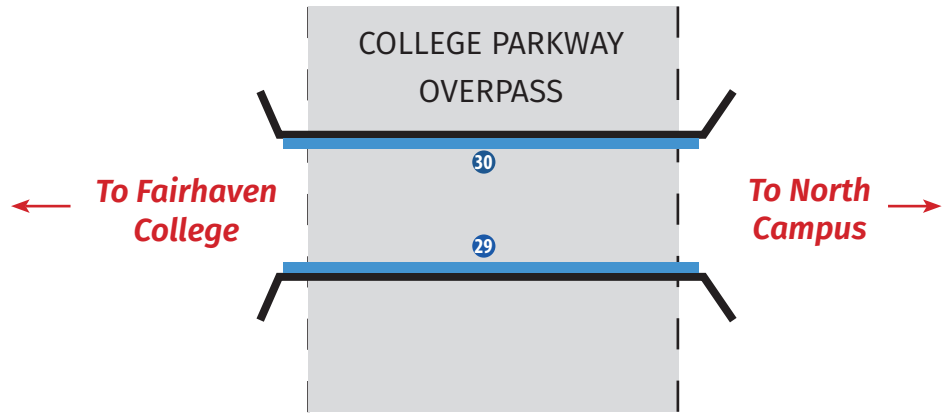


Allowed posting area: Posters and flyers allowed on concrete or brick surfaces on the exterior of the dining hall, adjacent to the dining exit, on the second floor, and the three support columns in

FAIRHAVEN TUNNEL

Allowed posting area:

Banners, posters and flyers

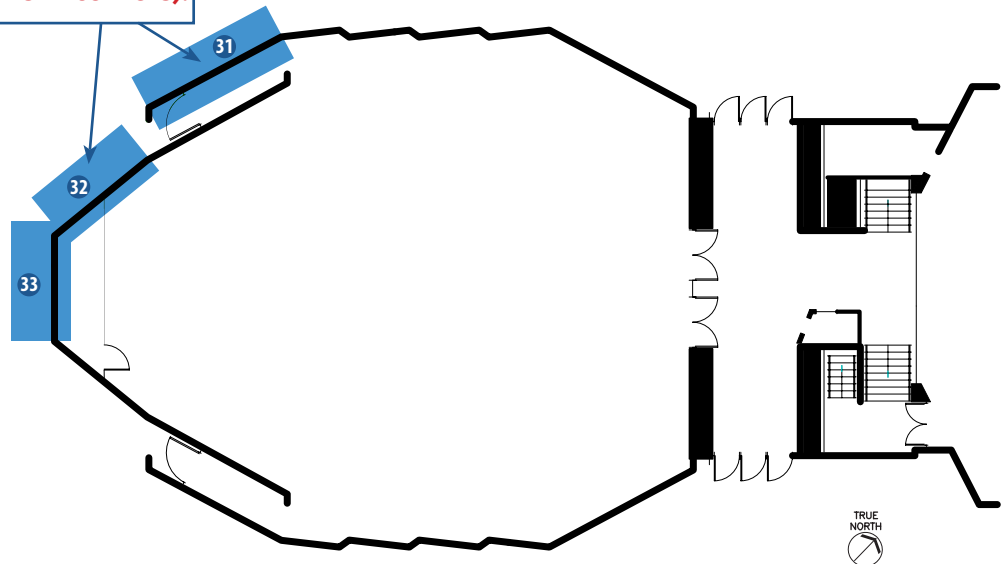


FRASER HALL

Allowed posting area:

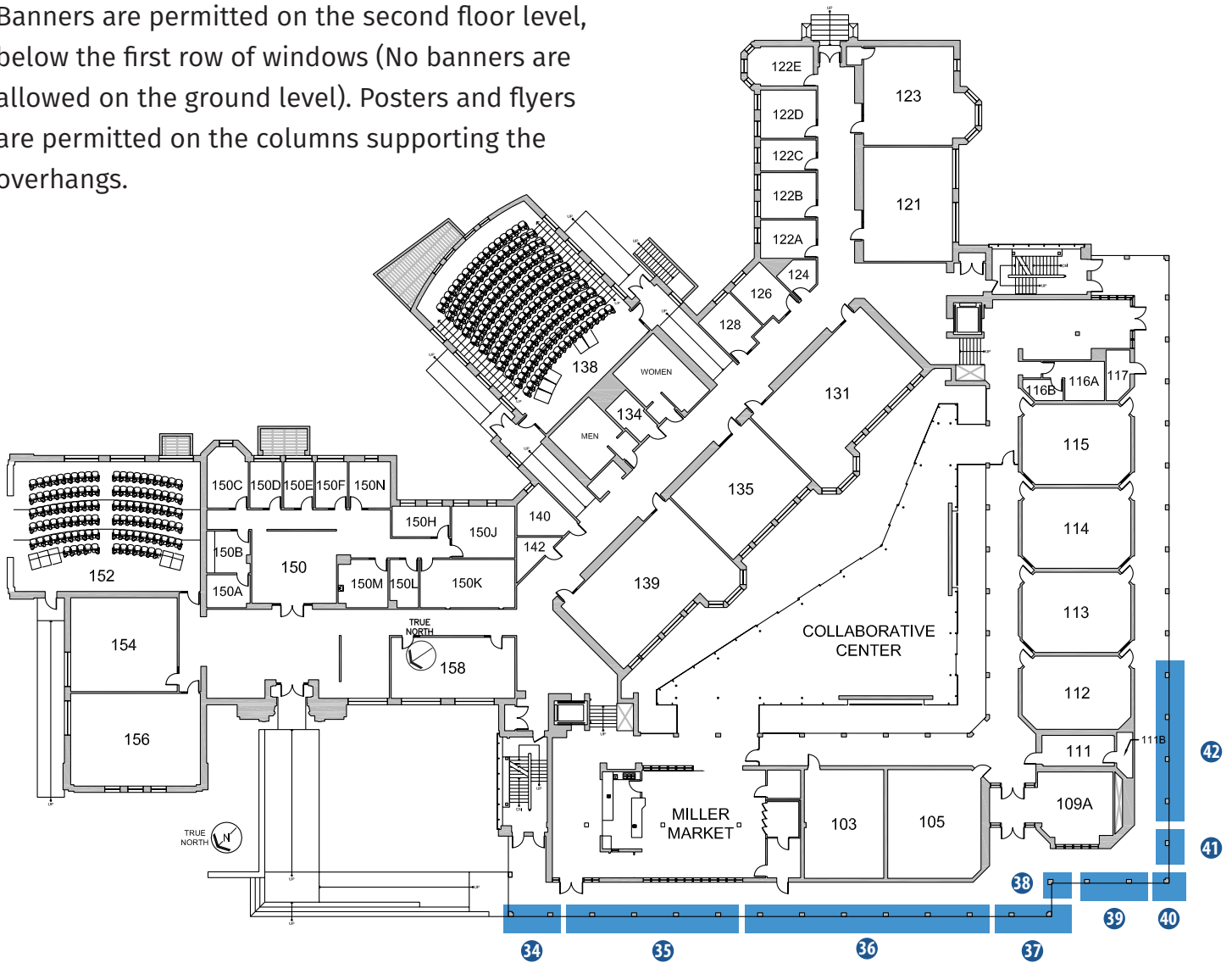
Southwest, angled wall facing Red Square, and south wall behind sculpture.

No posting on four designated reserved banner spaces (marked with steel pins in corners).

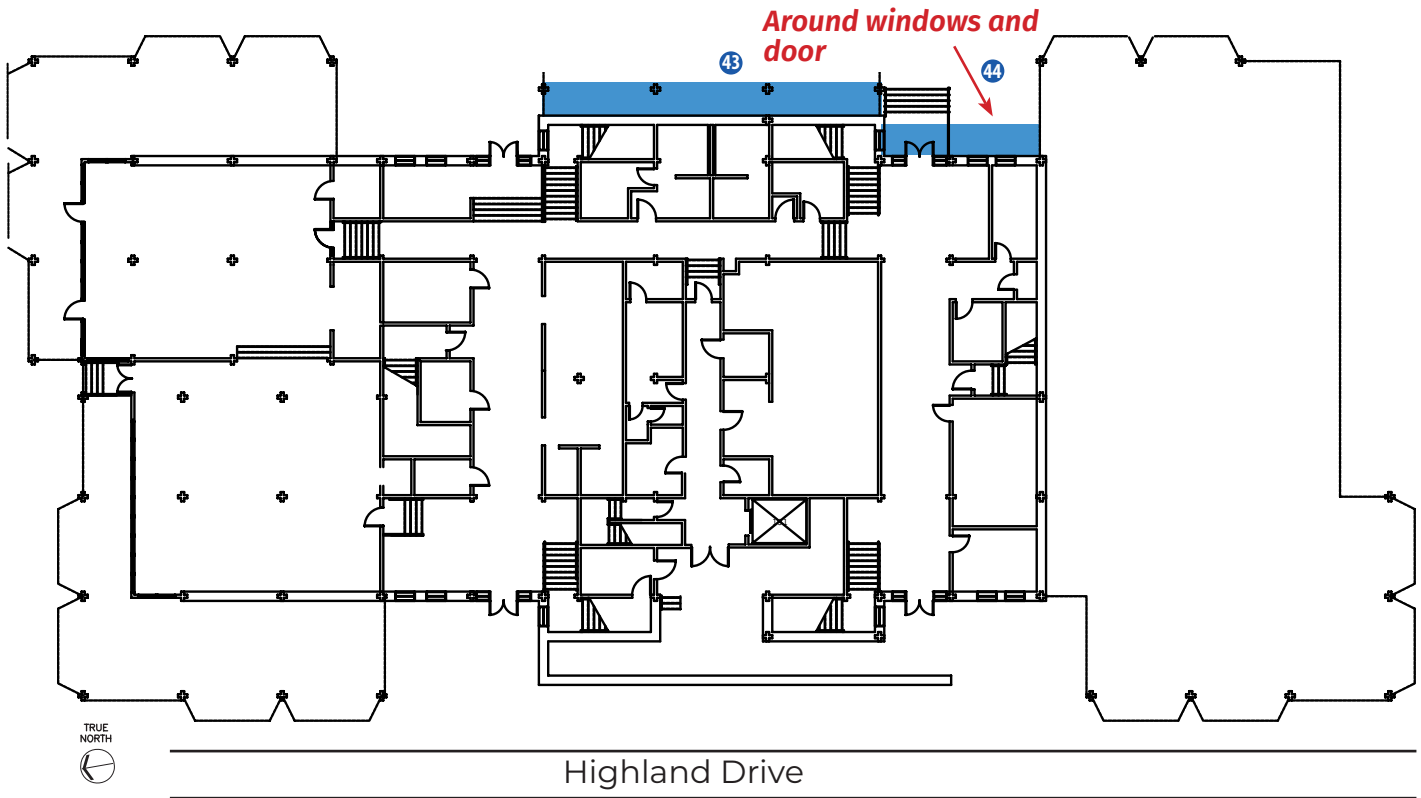


MILLER HALL

Allowed posting area: West and south sides, facing Red Square and the walkway toward Arntzen Hall. Banners are permitted on the second floor level, below the first row of windows (No banners are allowed on the ground level). Posters and flyers are permitted on the columns supporting the overhangs.

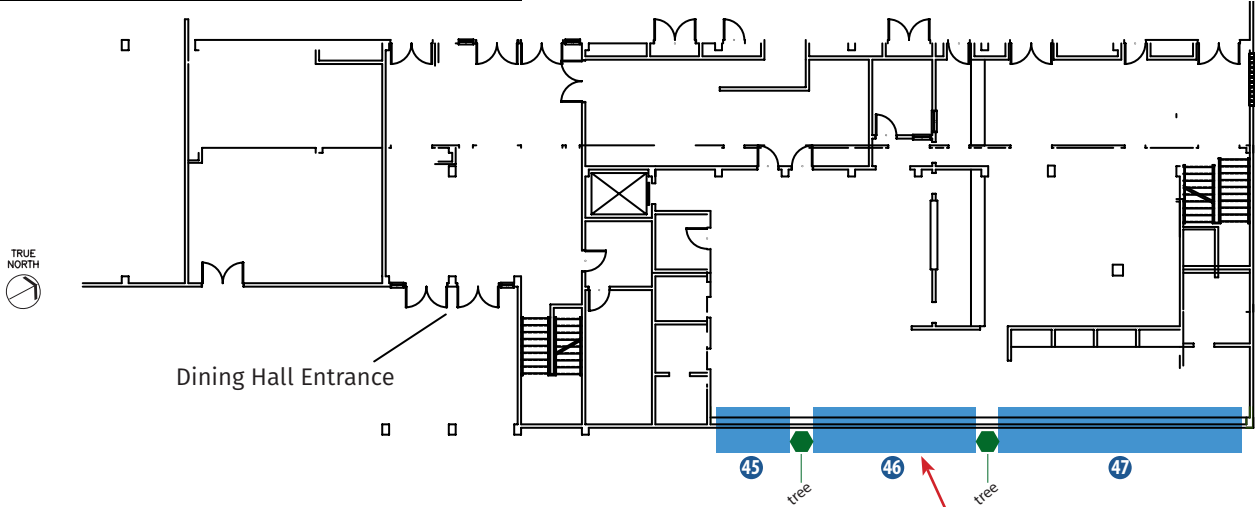


RIDGEWAY COMMONS



Allowed posting area: Banners, posters, and flyers allowed on the brick surface to the right (north) of doorway. Posters and flyers allowed on east facing wall around windows and door at main entrance. No posting over windows or on adjacent walls.

VIKING COMMONS



Allowed posting area: Banners, posters, and flyers allowed on east side of the Commons, facing High Street (wall located between residence halls, ending just before dining area entrance).

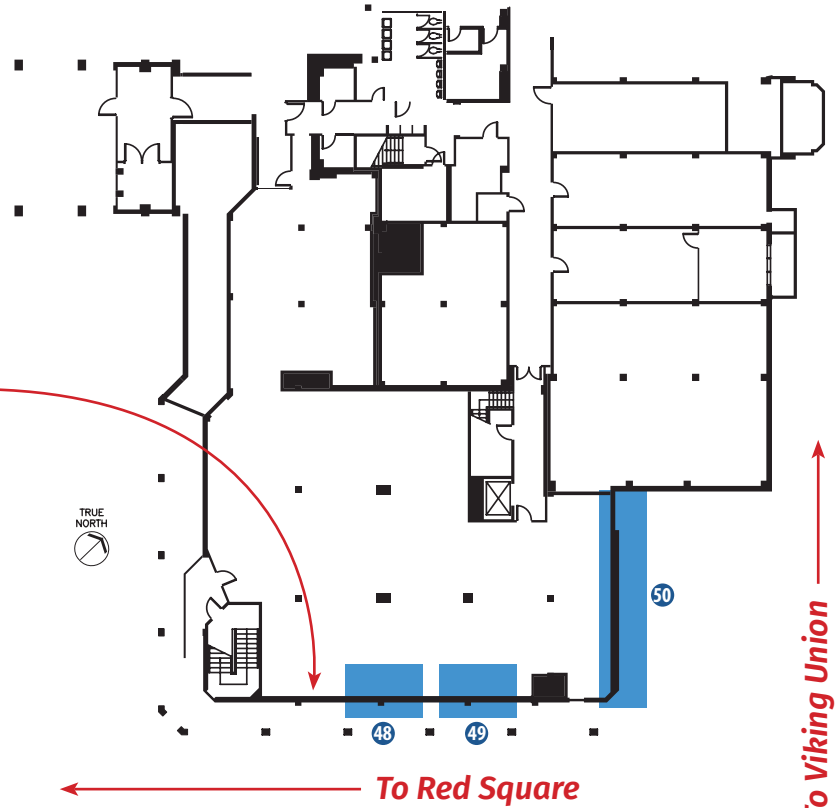
Must not cover existing banner space

WILSON LIBRARY

Allowed posting area:

Banners, posters, and flyers allowed on northeast corner of building, facing Old Main lawn and Humanities.

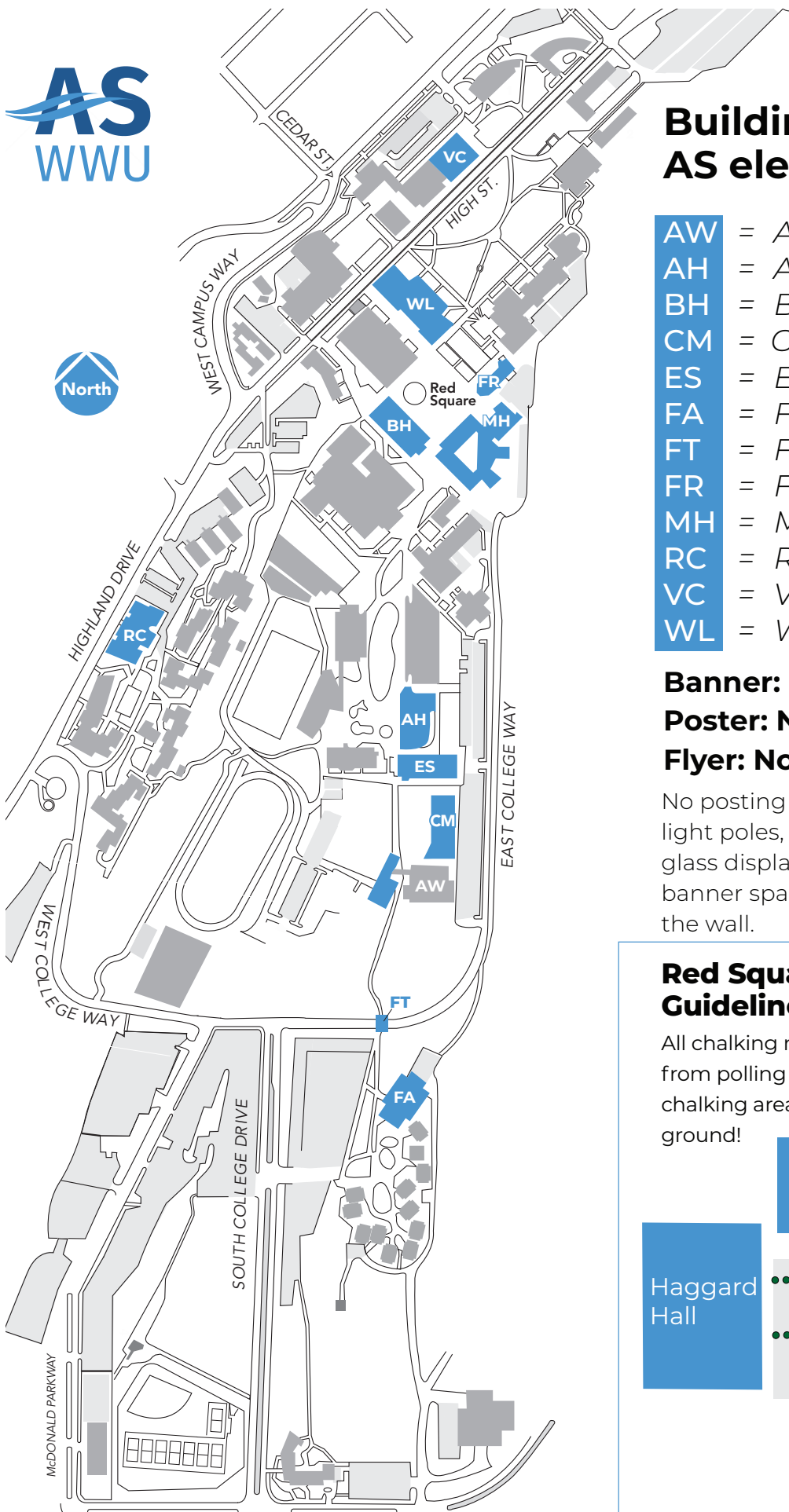
Must not cover existing banner space



Note about existing banner spaces

All permanent banner spaces have steel pins installed in the building wall. Look for a pattern like below to identify these spaces. No posting of election materials in these spaces.





Buildings approved for AS election posting

- AW** = Academic West
- AH** = Arntzen Hall
- BH** = Bond Hall
- CM** = Communications
- ES** = Environmental Studies
- FA** = Fairhaven Commons
- FT** = Fairhaven Tunnel
- FR** = Fraser Hall
- MH** = Miller Hall
- RC** = Ridgeway Commons
- VC** = Viking Commons
- WL** = Wilson Library

Banner: Maximum size of 3' x 8'

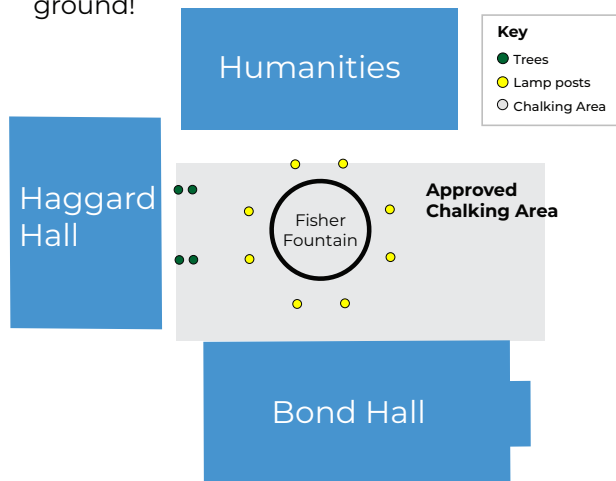
Poster: No larger than 11" x 17"

Flyer: No larger than 8½" x 11"

No posting on windows, vents, doors, light poles, banner spaces, artwork, or glass display cases. Existing permanent banner spaces are marked by steel pins in the wall.

Red Square Chalking Guidelines

All chalking must be at least 60 feet away from polling locations, within the approved chalking area, and only on bricks on the ground!



Solicitation & Commercial Activities ▼

Due to a variety of local, state and University guidelines, students may not use their university residence for the purpose of running a business.

Most forms of solicitation are prohibited in University Residences and unauthorized solicitation should be immediately reported to staff. Prohibited forms of solicitation include making contact with residents for the purpose of:

Promoting an activity or event.

Promoting or endorsing an idea or person, such as a political candidate, recycling, or religious belief.

Recruiting for a club or organization.

Selling something, such as an object, product or ticket to an activity or event, even for the purpose of fund-raising.

Permitted forms of solicitation are made available to University Residences groups (RHA, Hall/Tenants Councils, NRHH) and staff (Resident Advisors, Fitness Center and Computer Lab staffs, and University Dining Services personnel) to promote University Residences-related activities and programs. Opinion polls or fund-raising activities conducted by residents of a particular hall or apartment are permitted within the hall of residence or community building for apartments in accordance with the policy established by the Hall or Tenants' Council.