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Introduction

This Election Code intends to address all necessary regulations for general or special elections required for the operations of the Associated Students of Western Washington University (ASWWU) Government. All guidance provided in this Code must align with the authorities and responsibilities granted to ASWWU Government by the current ASWWU Government Charter and Constitution. In the 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 Committee (EAC), chaired by the Elections Coordinator and within the authority granted by the EAC Charge and Charter.

Failure to abide by the Election Code can result in the filing of a grievance and/or disqualification from the ballot, elected position, or election process. All deadlines set in this code are final and must be adhered to.

Questions or concerns with the Election Code should be addressed to the Elections Coordinator or ASWWU Governance Advisor.

Article I: Running for ASWWU Elected Office

Candidate Eligibility

Before the end of the candidate filing period and for the duration of the campaign period, all candidates must:

- i. Be enrolled on the Bellingham campus with a minimum credit load of:
 - a. 6 credits for undergraduate students
 - b. 4 credits for graduate students
 - c. *Credit load requirements are suspended during summer quarter for candidates enrolled at WWU in the following fall term with the required minimum credits.*
 - d. *Newly admitted students who have confirmed their enrollment with the Admissions Office but have not yet registered for courses before the candidate filing deadline are eligible for candidacy as long as they register for and maintain the minimum credit load during the quarters of the election and the duration of the term of office.*
- ii. Be listed in “good academic standing” by the Registrar’s Office and maintain a cumulative and current GPA of 2.0 or above.
 - a. This requirement does not apply to newly admitted students who have not yet received grades from WWU.
- iii. For college-specific ASWWU Senator seats:

- a. Have a declared major or pre-major in the college they are running to represent on record in the current University official record system (e.g. Banner) at the time of filing and for duration of term (if elected).
- b. *If a candidate drops or switches their major into a different college **before the end of the candidate filing period**, the candidate can run for Senator in the college they are now declared in or run for an At-Large Senator position.*
- c. *If a candidate drops or switches their major into a different college **after the end of the candidate filing period**, the candidate is no longer eligible to run in the election.*
- iv. For At-Large Senator seats:
 - a. Have any major status or lack thereof.
- v. For AS President or Senate President seats:
 - a. Have completed 50 or more credits at WWU **or** have been enrolled on the Bellingham campus for 5 quarters **or** have served as a voting member of ASWWU Government for at least 1 academic quarter before the candidate filing period closes.
- vi. Not currently serve as a volunteer or paid employee working in roles related to the operation of AS elections.

Eligibility Verification

- i. Candidate eligibility must be verified by the ASWWU Governance Advisor before the start of the campaign period.
- ii. Candidates found to be ineligible will be administratively removed from the ballot.

Candidate Conduct

- i. Candidates, ballot measure sponsors, and any person involved in a campaign must adhere to the candidate conduct agreement in the candidate filing form.
- ii. Candidates, ballot measure sponsors, and any person involved in a campaign must adhere to the WWU Student Conduct Code.
- iii. Under no circumstances are drugs or alcohol to be present at campaign-related events, regardless of location or participant age.
- iv. Bribes, incentives, or compensation in exchange for votes or ballot measure signatures are prohibited.

Candidate Filing Requirements

The candidate filing form will be available in an online format by the first day of the candidate filing period.

To run for elected positions and begin campaigning, eligible candidates must:

- i. Be eligible to run at the time of filing for candidacy.
- ii. File all required forms by 11:59 pm on the last day of the candidate filing period.
- iii. Only file to run for 1 elected position per election.
- iv. Attend 1 Mandatory Candidate Meeting (MCM).
 - a. MCMs will take place within 5 business days after the end of the candidate filing period

- b. Candidates who do not attend an MCM will not be eligible to run for office. Exceptions to this rule will only be made if a candidate has:
 - i. Required attendance for an official WWU class (in-person or online) that conflicts with all MCM times
 - ii. A verifiable and documented illness or emergency preventing reasonable attendance of an MCM
 - iii. Extraordinary and unavoidable circumstances (e.g., military reservist activation)
 - iv. Required participation in official university events and travel (e.g., Departmentally Related Activities Committee sponsored events, varsity athletics, sport clubs) with dates set prior to the announcement of the candidate filing period.
 - v. Unavoidable and verifiable employment requirements (WWU or off-campus)
 - vi. Record of any granted exceptions must be kept on file by the Elections Coordinator. Exceptions not listed above can be granted by the Elections Coordinator in consultation with the ASWWU Governance Advisor. All candidates granted an exception must schedule a make-up MCM before they can begin campaigning.

Campaigning

Guidance for campaigning applies to all activities related to and individuals associated with campaigns for elected positions and for/against approved ballot measures.

Permitted & Prohibited Campaign Activities

- i. Campaign activities permitted at any time:
 - a. Announcement of intended candidacy.
 - b. Sponsorship of a ballot measure.
 - c. Meetings to organize the campaign or recruit volunteers (as long as physical campaign material is not distributed, posted, or displayed). Volunteer sign-up sheets do not constitute physical campaign materials.
- ii. Campaign activities permitted only during the campaign period:
 - a. Distribution, posting, or display of any physical campaign materials
 - i. All posting must comply with all WWU policies (Appendix Attachment A and B) in addition to the following:
 - 1. Each candidate/sponsor is limited to 1 poster per free board.
 - 2. Maximum physical campaign material size at any posting location is 8.5 inches by 11 inches, unless limited by WWU policies.
 - 3. Yard signs and other freestanding campaign materials are prohibited.
 - ii. WWU employees can not wear any physical campaign materials (e.g., buttons) during working hours.
 - iii. Physical campaign materials and adhesive must be completely removed and cleaned up by the candidates/ sponsors who posted/distributed them by 4:00pm on the third calendar day after the last day of the campaign period.

- b. Online campaigning and the establishment of websites, web pages, social media, etc.
 - i. All online campaign platforms (websites, social media, etc.) must be reported via form with the Elections Coordinator.
 - ii. All online campaign platforms must be deleted or remain inactive by 1 calendar day after the reporting of election results to the student body.
 - 1. If the account remains inactive rather than deleted, the page must have a permanently visible disclaimer provided by the Elections Coordinator no later than 1 calendar day after the reporting of election results to the student body.
 - iii. Any previously established campaign-related platform can be reactivated after the start of the campaign period for any future election in which the individual is running for office or sponsoring/opposing a ballot measure.
- c. General informational events
 - i. All campaigns for the position(s)/ballot measure(s) of focus at the event must be invited at least 3 business days prior to the event.
 - ii. All invites must be sent at the same time.
 - iii. All invites must be sent using the sender and recipients' WWU email addresses. The Elections Coordinator must be included in the email.
 - iv. The event can continue without the presence of invitees who decline, do not show, or do not reply to the invite.
 - v. All attending candidates must be given equal speaking time
- iii. Prohibited campaign activities
 - a. Posting campaign material or writing campaign-related messages inside WWU classrooms
 - b. Posting campaign material or writing campaign-related messages on any WWU computer screensaver or background
 - c. Distribution, posting, or display of any physical campaign materials on the Bellingham campus outside of the times and places permitted by this Code and WWU policies.
 - d. Disruptive in-person campaigning in the public spaces of WWU, as outlined in WWU's Guide to Expressive Activities (Appendix Attachment C)
 - e. In-person campaigning in any non-public space of WWU (e.g., program offices, classrooms, residence hall rooms)
 - f. Verbal campaigning in academic classes (except for the announcement of candidacy or of a general informational event). Individual/personal conversations regarding candidacy or election events are permitted in academic classes.
 - g. Campaigning within 30 feet of any Bellingham campus computer station or official voting station.
 - h. Use of the logos of ASWWU offices and programs, WWU offices and programs, and ASWWU councils and committees.
 - i. Use of the general ASWWU logo is permitted
 - ii. Online campaign sites can share items related the groups listed above
 - i. Intentional tampering with any other campaign's materials, including, but not limited to, defacing, removal, crossing out, marking on, or covering up.

- i. Unintentional damage must be immediately reported to the Elections Coordinator and to the party affected, and must be remedied by the damage-causing party in a time frame set by the Elections Coordinator.
- j. Use of AS funds or resources for or in opposition of a campaign, candidate, or measure, unless the resource is available to all WWU students.

Official Endorsement of Candidates and/or Ballot Measures

- i. The Elections Coordinator must be notified of all endorsements by the endorsed candidate/sponsor within 3 calendar days after the endorsement is made.
- ii. Use of WWU/ASWWU Resources
 - a. WWU/ASWWU resources **cannot** be used to endorse or speak out against a candidate or ballot measure, including but not limited to:
 - i. WWU employment paid/official work time
 - ii. WWU employee work email
 - iii. WWU/ASWWU social media accounts
 - iv. WWU employee work computers
 - v. WWU employee office space and supplies
 - b. WWU/ASWWU resources **can** be used to plan/host a general informational event regarding the election if each candidate and/or ballot measure campaign is invited to participate.
- iii. ASWWU/WWU Programs/Offices/Departments/Councils/Committees
 - a. **Cannot** endorse or speak out against a candidate or ballot measure.
 - b. **Cannot** plan/host events in support of or against a candidate or ballot measure.
- iv. Student Engagement Clubs
 - a. **Can** endorse or speak out against a candidate or ballot measure.
 - b. Clubs **can** plan/host events in support of or against a candidate or ballot measure, but money spent on the events count towards and cannot exceed the spending maximum allocated toward each candidate/campaign.
 - i. The endorsed candidate cannot sit on the executive board (e.g. president, treasurer) of the club, but can be a member of the club.
- v. Residential Programming Boards (RPBs)
 - a. **Can** endorse or speak out against a candidate or ballot measure.
 - b. RPBs **cannot** plan/host events in support of or against a candidate or ballot measure, but **can** host general election-related events.
- vi. Candidates, Ballot Measure Sponsors, and current AS Elected Officials
 - a. **Can** endorse or speak out against a candidate or ballot measure.
 - b. **Can** request endorsement from any individual or group permitted to give endorsements.
 - c. Designated campaign funds are the **only** source of funds that can be used to create materials related to endorsement/opposition of any candidate or ballot measure.
- vii. WWU Student Employees (including AS Elected Officials)
 - a. **Can** support any referendum on the ballot.

- b. **Can** support candidates and/or ballot measures outside of work hours, without using WWU/ASWWU resources, and without identifying themselves as a WWU/ASWWU employee.

Campaign Financing/Spending

To support equitable access to student government, each candidate/sponsor is eligible for Public Campaign Financing from designated funds. Public Campaign Financing management and distribution is the responsibility of the Elections Coordinator and is supervised by program advising staff.

Campaign Expenditures

- I. Each campaign is limited to spending a maximum of \$50 in campaign expenditures per election.
- II. All campaigns must file a Financial Disclosure Statement and submit it to the Elections Coordinator by the approved deadline, even if no funds are spent or requested.
- III. Financial Disclosure Statements must include an itemized list of all campaign expenditures with receipts (or screenshots of proof of payment) for all campaign expenditures.
- IV. Expenditures that **must** be reported include:
 - a. Funds spent directly by a candidate/sponsor in support of a campaign and related activities.
 - b. Funds spent on behalf of a candidate/sponsor by a third party.
 - c. The value of any donated contributions to a campaign regardless of donation source, which includes items used on other campaigns supporting a candidate/measure. Final valuation of donations is subject to the discretion of the Elections Coordinator.
 - d. Any funds spent in support of public or private campaign-related events.
 - e. Any campaign expenses reimbursed through public financing.
 - f. Any funds spent on online advertising or social media campaigning.
- V. Expenditures that **do not need** to be reported include:
 - a. The value of volunteer labor.
 - b. The value of donated campaign-related digital photography or designs.
 - c. Tools used for a campaign that were not acquired specifically for the campaign (e.g. If a personal printer is used for printing posters, the cost of the printer does not need to be reported as an expenditure)
- VI. Physical campaign materials that are intentionally tampered with can be reported as a \$0 expense after receiving approval from the Elections Coordinator.

Public Financing Reimbursement

- I. If a campaign makes a permitted expenditure, reports it in the Financial Disclosure Statement, and provides proof of payment, they can get money back through public financing reimbursement.
- II. Every campaign is eligible for public financing support of up to \$50 for permitted campaign expenditures.
 - a. The total amount of public financing available annually for elections (general and special combined) will be capped at \$3,000. If more candidates and campaigns file than the \$3,000 will cover, the total amount will be divided equally among all campaigns.

- III. To receive public financing reimbursement, campaigns must submit an Expenditure Request (ER) form with the ASWWU Governance Advisor by 4:00pm on the last day of the campaign finance disclosure filing period.
- IV. Expenditures eligible for reimbursement:
 - a. The costs of purchasing, shipping, and/or printing physical campaign materials, and
 - b. Stationery, paper, and office supplies purchased during the campaign period and used to create and display physical campaign materials.
- V. Expenditures **not** eligible for reimbursement:
 - a. Food and beverages,
 - b. Payment or compensation for any labor associated with a campaign, and
 - c. Any expenditure for which proof of payment is not provided.
- VI. Any expenditures not listed above can be approved for public financing by the Elections Coordinator with approval of the ASWWU Governance Advisor.

Article II: Ballot Measures

Ballot measures are specific issues/questions placed on a ballot that can be voted on directly by eligible ASWWU voters.

All proposed ballot measures and any associated actions, impacts or outcomes must be within the authority of ASWWU Government as defined by the currently approved/adopted ASWWU Government Charter to be eligible for inclusion on any ballot. Every ballot measure is subject to administrative review for compliance with applicable state laws and WWU and ASWWU Government policies. Ballot measures can be minimally adjusted or modified for clarity/administrative detail if deemed necessary by administrative review. If major adjustments or modifications are deemed necessary, the ballot measure may not be approved for the intended ballot and will be returned to the individual/group responsible for initiating the measure proposal for revision/clarification. The measure may be proposed for inclusion on future ballots after needed clarification is addressed.

Approved ballot measures will be included on the next available annual general election ballot. Any proposed ballot measures that do not address student fee creation/modification/renewal can be deemed appropriate for a special election by a simple majority vote of the ASWWU Executive Board and Senate. If approved for a special election, the ballot measure must comply with all special election guidance and described timelines.

Ballot Measure Authority

- I. To pass, a ballot measure must...
 - a. Receive a simple majority of the total votes cast for the ballot measure in support of the measure, and
 - b. Have the total votes cast for the ballot measure equal at least 2/3rds of the total votes cast in the election.

- i. “Total Votes Cast in the election” is defined as the highest number of total votes (for and against combined) received for any single race/ballot measure on the same ballot as the measure in question.
- II. An approved ballot measure has the authority to...
 - a. Instruct the ASWWU Government to create, change, or terminate current ASWWU Government policies
 - b. Advise ASWWU Government to pursue/not pursue an action
 - c. Instruct ASWWU Government to make a declarative statement on behalf of voters
 - d. (Referenda only) Create, change, renew, or terminate a voluntary student fee and any requirements of its use
- III. Approved ballot measures are subject to the restrictions of any/all WA state laws and WWU policies
- IV. Any change or termination of ASWWU policies, procedures, or actions is subject to administrative review and approval prior to implementation to ensure alignment with state law and WWU policies

Ballot Measure & Opposition Campaign Filing Requirements

- I. All ballot measure sponsors must attend a Mandatory Candidate Meeting
- II. There can only be one opposition campaign per measure. Opposition campaigns will be approved in the order that they are filed.
 - a. The filing deadline for opposition campaigns is 7 calendar days after the ballot measure filing deadline.
 - b. Opposition campaign sponsors must attend a Mandatory Candidate Meeting.
 - c. The name of the individual/organization(s) in opposition will appear on the ballot alongside their opposition statement.
- III. Any ballot measure approved to appear on an election ballot that is expected to have a financial impact on students or ASWWU Government operations must have a complete fiscal note developed in partnership with relevant university budget authorities. Fiscal notes will be saved and made available to the public upon request, in addition to appearing on the ballot alongside the associated ballot measure. The fiscal note must describe any projected change in revenue, cost, expenditures, or indebtedness that ASWWU or WWU will experience if the ballot measure is approved. For ballot measures proposing the creation, renewal or modification of fees, the fiscal note must include a Fund Balance Statement and 5-year Fund Balance Trend (if available).
- IV. All ballot measures that meet these requirements will be placed on the ballot with the exact language that it was filed with.

Referenda

Referenda are the mechanism by which ASWWU Government presents a question on a single issue of concern directly to ASWWU voters for a vote.

Referenda that propose the establishment, modification, or abolishment of voluntary student fees must be passed by both the ASWWU Executive Board and Senate before being placed on the ballot and are subject to any/all prescribed timelines (renewal votes, etc) in ASWWU Government policy and/or governing documents.

- I. A referendum proposing a new student fee can be placed on the next available ASWWU General Election ballot
- II. Subsequent renewal timelines will be adjusted such that all fees due for renewal appear together on the same General Election ballot. This will occur at least once every 4 years with the intent of increasing fee renewal transparency and clarify for ASWWU members and WWU students as a whole.

ASWWU Governing Bodies may independently sponsor referenda at their discretion without an individual ASWWU Member request.

Individual ASWWU members (students) may present/propose referendum topics for inclusion on an election ballot using the following procedures:

Referenda Filing Process

- I. Eligible ASWWU voter submits suggestion for a referendum to the ASWWU Executive Board or Senate
- II. Eligible ASWWU voter requests that an ASWWU elected official be a sponsor of the referendum
- III. Sponsor creates an official referendum packet, which must include:
 - a. A question able to be answered with “approve” or “reject”.
 - b. A ballot statement describing the impacts of the referendum if approved, limited to 250 words or less.
 - c. Supporting documentation/evidence of these impacts.
 - d. Fiscal Impact Statement required for referenda proposing the establishment, modification, renewal or abolishment of voluntary student fees.
 - i. Required content for Fiscal Impact statements are available upon request from ASWWU Governance Advisor or designated staff.
- IV. Sponsor provides the official referendum packet to the ASWWU Executive Board and Senate for approval
- V. Once approved to be included on a ballot, sponsor presents the official final referendum packet to the ASWWU Governance Advisor by the candidate filing deadline. No more changes can be made to the referendum after this action.

Initiatives

Initiatives are the mechanism by which any eligible ASWWU voter can present a single issue of concern directly to ASWWU voters for a vote.

Individuals may file an initiative to appear on the next applicable ASWWU Election ballot using the following procedure:

Initiative Filing Requirements

- I. Any single, eligible, ASWWU voter, either as individuals or as part of a club/group, can file for no more than 1 initiative per election.
- II. The filing individual is considered the official sponsor and is responsible for compliance with filing and campaign requirements.

Initiative Filing Process

- I. Create the official initiative packet, which must include:
 - a. A question addressing a single issue able to be answered with “approve” or “reject”.
 - b. A ballot statement describing the impacts of the initiative if approved, limited to 250 words or less.
 - c. Supporting documentation/evidence of these impacts.
 - d. A declaration of the ballot measure authority category the initiative is being submitted under.
- II. Schedule an appointment with the ASWWU Governance Advisor to review the official initiative packet.
 - a. Administrative questions brought up in the appointment must be addressed in the official initiative packet.
 - b. The initiative can continue through the approval process while under administrative review.
- III. Present the official initiative packet to the ASWWU Executive Board and Senate at a regular meeting.
 - a. Contact the AS President and AS Senate President to get added as an agenda item prior to the meeting.
 - b. At the meeting, request approval to proceed with signature gathering.
 - c. The Executive Board and Senate must decide on approval within 14 calendar days of the request (not including intersession or summer term). If action is not taken within this timeframe, the initiative will be automatically approved for signature gathering.
 - d. If amendments are proposed by either ASWWU governing body, they must not change the substance of the initiative.
 - e. Rejection is allowed only if the initiative language is misleading or if there are concerns about alignment with law or WWU policies.
- IV. Gather signatures
 - a. Signature gathering activities must comply with Article I of this Code.
 - b. Only the signatures of eligible ASWWU voters are valid.
 - c. Signatures must be collected using an official petition form provided by the Elections Coordinator. This form will be provided within 2 school days after approval for signature gathering.
 - d. Signatures can be collected only during the academic quarter (excluding summer) prior to the election in which the initiative will appear on the ballot.
 - e. Signatures collected must total a minimum of 40% of the votes cast in the most recent general election.
 - f. Petition forms must include:
 - i. Name of the initiative sponsor
 - ii. Academic year in which signatures are being collected
 - iii. Exact wording of initiative
 1. Any change to wording made after signature gathering begins invalidates all signatures gathered prior to the change.
 - iv. Signature collection fields, which must include:
 1. Printed first and last name
 2. W#
 3. Signature

4. Date signed

g. Ineligible, duplicate, or incomplete signature collection fields will not be counted

- V. File the official initiative packet and petition form with the Elections Coordinator by 4:00pm on the last day of the candidate filing period.

Challenging Signatures

The validity of signatures can be challenged.

- I. Request a petition signature challenge form from the ASWWU Governance Advisor. This form will be provided within 2 school days after approval for signature gathering.
- II. Submit the petition signature challenge form to the ASWWU Governance Advisor.
 - a. Third parties must submit the form by the candidate filing deadline.
 - b. Opposition campaigns must submit the form by 7 days after the candidate filing deadline.
- III. The ASWWU Governance Advisor will resolve signature challenges. If the initiative no longer has the required number of valid signatures, it will be disqualified from the ballot.
- IV. The initiative and sponsor can continue through the regular initiative process while undergoing signature review.

Article III: Grievances

If a candidate, any person associated with a campaign, or an AS employee violates the Election Code before, during, or after the election, any student can file a grievance against that person.

Grievance Filing Requirements

- I. Grievances cannot be filed anonymously.
- II. The official grievance form must be used and submitted to the ASWWU Governance Advisor between 8:00am and 5:00pm within 2 school days of the time of discovery of the alleged violation.
- III. Grievances can be submitted up to two school days after the last day of voting. The Elections Coordinator can file grievances outside this time constraint.

Grievance Review

- I. Date and time that the grievance is received will be recorded.
- II. Grievance forms are reviewed by the Elections Coordinator and ASWWU Governance Advisor
- III. The Elections Coordinator and ASWWU Governance Advisor settle grievances according to the rules established in the Election Code. All decisions made are final and cannot be appealed.
- IV. Penalties for violation of the Election Code can include forfeiture of up to \$25 of public financing reimbursement, administrative charges of up to \$25, or disqualification from the election.
 - a. Administrative charges will be deposited in the ASWWU Government Elections budget.
- V. If a grievance is filed against the Elections Coordinator, all procedures still apply, except that the grievance will be reviewed solely by the ASWWU Governance Advisor. Disqualification would entail them being removed from their position as Elections Coordinator.

Article IV: Elections Operations

General Election

General Election Timeline

A timeline for the general election will be published as early as possible during winter quarter and determined through collaboration between the Elections Coordinator, ASWWU Governance Advisor, and ASWWU Government.

- I. Candidate Filing Period
 - a. Lasts for a minimum of 21 calendar days before the last offered Mandatory Candidate Meeting
 - b. A minimum of 1 Mandatory Candidate meeting will be offered after the end of the candidate filing period and before the start of the campaign period.
- II. Ballot Measure Filing Period
 - a. Ballot measures can be filed at any time, but to be placed on the general election ballot, they must be submitted for approval by the Executive Board and Senate meetings taking place on the last full week of candidate filing.
 - b. Ballot measures approved to be included on the general election ballot will be posted on Tuesday of the following week.
 - c. A minimum of 1 Mandatory Candidate Meeting will be offered for ballot measure sponsors and opposition campaign leaders during the first week of the campaign period.
- III. Opposition Campaign Filing Period
 - a. Lasts for 1 week, beginning the day ballot measures approved to be included on the general election ballot are posted.
 - b. A minimum of 1 Mandatory Candidate Meeting will be offered for ballot measure sponsors and opposition campaign leaders during the first week of the campaign period.
- IV. Campaign Period
 - a. Lasts for a minimum of 14 calendar days (including that of the voting period) starting after the close of the candidate filing period
- V. Voting Period
 - a. Lasts 7 calendar days, starting at least 7 calendar days after the start of the campaign period
 - b. Voting will open at 12:00am on the first day and close at 8:00pm on the last day of the voting period
 - c. The voting period can be extended by agreement between the Elections Coordinator and ASWWU Governance Advisor in the event of technical issues with the online voting system
- VI. The Financial Disclosure Statement submission deadline is 5pm the last day of the voting period.
- VII. The campaign material takedown deadline is 4:00pm 3 calendar days after voting closes

Reporting of Results

Certified election results that do not have a pending grievance will be reported in the following manner:

- I. By official WWU email to all candidates within one school day of the election certification
- II. During the next regular meeting time of the ASWWU Executive Board and Senate
- III. By official WWU email to the student body within three school days of the election certification
- IV. On a publicly available website by the beginning of the following fall quarter

Elected individuals take office at the start of their official term as described in current ASWWU Governing Documents (e.g. By-laws of relevant body).

Voting

Voter Eligibility

- I. All undergraduate and graduate students who are registered for one or more credits at any WWU location where students pay the Services and Activities Fee are eligible to vote for all ASWWU Executive Board positions, Senate President, At-Large Senator positions, and ballot measures.
- II. Students declared as a major/pre-major in official WWU systems of record can vote for ASWWU Senate candidates in their declared college.
 - a. Students with multiple declared majors can vote in each of their declared colleges.
- III. All eligible ASWWU voters can only vote once in any given election.
- IV. Voter eligibility lists for ballot development are created from official University systems of record by relevant professional University staff, coordinated by ASWWU Governance Advising permanent staff as needed for each election. All student information handling for voting eligibility purposes is subject to all relevant laws, regulations, policies applicable to Western Washington University (e.g. FERPA, etc) and is only to be used for official voter eligibility verification purposes.

Voting Locations

- I. All voting is done using the currently adopted, secure, online voting platform (e.g. WIN) and is accessed by voters using their individual WWU credentials (voter identity verification) using individual or University computers/devices available to all students (e.g. computer labs). In the event of major extenuating circumstances (technical issues, etc.) impacting the availability of the current online voting platform (or an appropriate, secure, online alternative), election voting periods may be adjusted or paper balloting implemented as a last resort.
- II. Candidates, ballot measure sponsors (pro or opposition), or any person affiliated with a campaign may not establish or operate a voting station.
- III. The Elections Coordinator will coordinate official voting information stations in public areas on the Bellingham campus during the voting period.
 - a. In the event paper ballots are required, the Elections Coordinator will coordinate official voting stations during the voting period.

Ballots

- I. Ballots are created in the official, secure, online ballot system (e.g. WIN) for each election by the ASWWU Governance Advisor and Elections Coordinator with support from ATUS Technical Support as needed.

- a. Administrative access to the official ballot system is limited to ASWWU Governance Advising Program permanent staff and the Elections Coordinator as needed to administer online voting ballots.
- II. Ballots for ASWWU government positions must accommodate ranked-choice/instant run-off voting as appropriate to the individual race.
- III. Names of candidates will appear vertically under the title of the position for which they are running alphabetically by first name.
- IV. Names on the ballot will be stated exactly as they appear on the candidate filing form. If this is not possible or the provided name can reasonably lead to a misrepresentation of the candidate's identity, the candidate will be notified, and changes will be made by the Elections Coordinator before the ballot is published.
- V. Ballots will include all duly approved ballot measures.

Election Results

Ballot Counting

- I. Ballots will not be counted until voting has ended on the last day of the voting period. ASWWU Governance Advising permanent staff is primarily responsible for ballot counting and official results tabulation with review by the Elections Coordinator.
- II. The Elections Coordinator and AS Governance Advisor are prohibited from revealing candidate standings or vote count numbers to anyone during the voting period or prior to official reporting of results.
- III. In the event of any public request to review individual ballot results and with guidance from the University Office of the Attorney General, ASWWU permanent advising staff is responsible for responding to and sharing information requested.
 - a. No identifying information of ASWWU voters will be shared as part of any public request to protect voter identity and privacy.
 - b. Online voting platform is specifically designed to protect voter identity and privacy, requiring secure login of voters (ID/eligibility) verification and use of a unique ballot ID numbers in place of any voter identity information in reporting of results.

Determining Results

- I. Winners of races for elected positions will be determined by ranked choice/instant run-off best practices and procedures relevant to each seat (i.e. number of candidates, number of open seats, etc.).
- II. Results of ballot measures will be determined by simple majority of the approve or reject votes cast for that measure as long as the total votes cast equal at least 2/3rds of total voters participating in the election.
 - a. "Total votes cast in the election" is defined as the highest number of total votes (for and against combined) received for any single race/ballot measure on the same ballot as the measure in question.

- III. If a winner is disqualified after the calculation of election results, the candidate receiving the next highest number of votes for the given position will be declared the winner. If all candidates are disqualified, the position will go unfilled.
- IV. Positions not filled during the general election can be filled starting the following fall quarter by special election or by appointment as allowed by ASWWU Government by-laws.

Ranked-Choice/Instant Run-Off Voting

- I. All races for ASWWU elected positions with more than one candidate per available seat will be determined by ranked-choice/instant run-off voting. The official online voting system is programmed to record individual voter ranked choices for each eligible race. Official results from the voting system are calculated following ranked-choice voting best practices, including extra vote allocations.
- II. The ballot will allow each voter to rank in order of preference (1 = highest) as many of the candidates for that position as desired.
- III. If no candidate meets the threshold to win after the first round of ballot counting, additional rounds of ballot counting will proceed until a winner is determined.

Ranked-Choice Calculations for Single-Seat Races

For single-seat races with 2 candidates, a simple majority will determine the winner.

For positions with 3 or more candidates:

- I. First vote counting round
 - a. All 1st choice votes are counted for each candidate
 - b. Any candidate receiving a simple majority of total 1st choice votes for the position after the first round is declared the winner
 - c. If no candidate receives a simple majority of total votes, the candidate with the lowest number of 1st choice votes is eliminated and additional rounds of ballot counting proceed.
- II. Each additional vote counting round
 - a. Ballots for the eliminated candidate are recast for the voters' next preferred candidate, adding to their next preference's cumulative total.
 - b. If no candidate has a simple majority of total votes, the candidate with the lowest number of cumulative votes is eliminated and vote counting round(s) repeat until a winner is identified (simple majority achieved or all other candidates eliminated).

Ranked-Choice Calculations for Two-Seat Races (e.g. college Senators)

- I. 3 or more candidates are needed for ranked-choice voting to apply
- II. Rounds of vote counting proceed until 2 candidates receive 33% +1 of the total votes cast or all but the top 2 candidates have been eliminated. The candidate with the fewest calculated votes for each round is eliminated and their vote preferences redistributed.

Ranked-Choice Calculations for Four-Seat Races (e.g. at-large Senators)

- I. 5 or more candidates are needed for ranked-choice voting to apply

- II. Rounds of vote counting proceed until 4 candidates receive 20% +1 of the total votes cast or all but the top 4 candidates have been eliminated. The candidate with the fewest calculated votes for each round is eliminated and their vote preferences redistributed.

Tie Breaking

- I. Tied last place candidates are eliminated each round and the voters' next preference distributed, as long as there are enough remaining candidates to fill all open seats.
- II. Any 2 remaining tied first place candidates will advance to special election after all other candidates have been eliminated.

Special Elections

All rules outlined in Article I and Article IV apply during special elections. These can be modified to better fit the time, resources, and purpose of any special election at the discretion of the Elections Coordinator and ASWWU Governance Advisor.

- I. Special elections cannot be called during summer term, during a period when another ASWWU election is scheduled and/or operating, or if the Elections Coordinator position is unfilled.
 - a. Only in the case of recalling an ASWWU elected official can a special election be called while the Election Coordinator position is unfilled.
- II. Money for public financing for special elections taking place in fall or winter quarters will come from the following general election's budget. Special elections taking place during spring quarter will use money from the general election that occurs/occurred during that quarter.

Filling Executive Board and Senate Vacancies

- I. The Executive Board and Senate may call special elections to fill vacancies as prescribed in their respective, currently approved governing documents (e.g. by-laws).
- II. The Elections Coordinator will schedule a special election to begin between 14 and 21 days after the calling of the special election. If this falls during intersession or summer quarter, the special election will be scheduled for the second and/or third week of the following quarter.
- III. The candidate filing period lasts from the calling of the special election to the day before the Mandatory Candidate Meeting.
- IV. The campaign period lasts from 9:00am on the day after the Mandatory Candidate Meeting until 4:00pm on the last day of the special election.
- V. The winner(s) of the special election will begin their position immediately after result certification.

Recalling an ASWWU Elected Official

- I. Any ASWWU elected official can be recalled by a majority vote of eligible ASWWU voters in a special election.
- II. Recall can be initiated by a majority vote of any one of the following:
 - a. A majority vote by the Executive Board
 - b. A majority vote by the Senate

- c. A petition with verified signatures of eligible ASWWU voters totaling at least 40% of the number of votes cast in the last general election (or election of position being recalled if different/applicable)
- III. A recall petition may be filed by any eligible ASWWU voter, who must:
 - a. Request a recall petition form from the ASWWU Governance Advisor, who will provide the form within 3 school days of the request,
 - b. Ensure the petition form includes:
 - i. The date it was distributed
 - ii. The name and position of the ASWWU elected official attempting to be recalled
 - iii. The reason(s) for the proposed recall
 - iv. The name of the sponsor(s) of the proposed recall
 - c. Gather verified signatures of eligible ASWWU voters totaling at least 40% of the number of votes cast in the last general election
 - i. Alongside signatures, W# and printed name must be included.
 - ii. Ineligible, duplicate, or incomplete signature collection fields will not be counted.
 - d. Submit the petition form to the ASWWU Governance Advisor within 21 days of when the petition form was obtained.
- VI. The Elections Coordinator will schedule a special election to begin between 14 and 21 days after the initiation of the recall. If this falls during intersession or summer quarter, the special election will be scheduled for the second and/or third week of the following quarter.
- VII. The campaign period lasts from the date and time recall was voted on/the recall petition form was filed until 4:00pm on the last day of the special election.
 - a. The individual being recalled may run an opposition campaign in support of themselves remaining in the position.
- VIII. The voting period will be determined and publicized by the Elections Coordinator after the filing of all required materials.
- IX. The recall ballot will state: Should [name of ASWWU elected official], who currently holds the position of [elected position], be recalled and removed from office effective immediately upon conclusion of this special election?
- X. An ASWWU elected official will be recalled and removed from office by a simple majority vote.

Deciding Urgent Ballot Measures

- I. If a ballot measure (excluding those proposing new or renewing student fees) is filed and approved but cannot be addressed during the spring election, a special election can be called during a fall or winter Term.
- II. Special elections for ballot measures filed during the last 4 weeks of the quarter (including finals week) will be scheduled for the following academic term (excluding summer quarter). Special elections for ballot measures filed before the last 4 weeks of an academic term will be scheduled for the current term.
- III. The opposition campaign filing period will open at 9:00am the day after the filing of the ballot measure until 4:00pm 7 days after the Mandatory Candidate Meeting.

- IV. The Elections Coordinator will schedule a Mandatory Candidate Meeting between 14 and 21 days before the voting period begins.
- V. The campaign period lasts from 9:00am on the day after the Mandatory Candidate Meeting until the close of the special election.

Breaking Ties

- I. If two or more candidates are tied after the ranked-choice voting process is completed, a special election will be called if neither candidate concedes voluntarily.
- II. Only the tied candidates can participate in the special election.
- III. The Elections Coordinator will schedule a special election to begin between 14 and 21 days after the reporting of the tie. If this falls during intersession or summer quarter, the special election will be scheduled for the second and/or third week of the following quarter.
- IV. The campaign period lasts from 9:00am the day after the tie is reported until the close of the special election. If the special election is scheduled for the following quarter, the campaign period will begin at 9:00am on the first day of the quarter.
- V. The results will be determined using ranked-choice voting.
- VI. The results will be reported at the Executive Board and Senate meetings following the election certification.
- VII. The winner will be installed immediately after the reporting of the results.
- VIII. If the special election results in a tie, all candidates will be given the option to consent to the use of random lots. If any candidate does not consent, a special election will be called.
 - a. Random lots will take place in a public space on WWU’s Bellingham campus will all candidates present.

Article V: Interpretation of the Election Code

The interpretation of this Code is the responsibility and authority of the Elections Coordinator, and all questions or matters of uncertainty should be directed at them. Conflicts in Code interpretation can be resolved by the ASWWU Governance Advisor in consultation with WWU’s Assistant Attorneys General.

Article VI: Election Code Revision

- I. The Elections Advisory Committee (EAC), led by the Elections Coordinator, can propose revisions to this Code during the academic year in accordance with the EAC’s charge and charter.
- II. The Elections Coordinator can propose revisions without convening the EAC if the revisions are:
 - a. Corrections of minor grammatical, spelling, format, or syntax errors, or
 - b. Changes to year-specific dates, times, and figures.
- III. All proposed revisions by the EAC must be **acknowledged** by the AS Executive Board and AS Senate.
- IV. All proposed revisions by the Elections Coordinator must be **approved** by the AS Executive Board and AS Senate.

- V. The Election Code cannot be revised between the opening of the candidate filing period and the close of the election.

Appendix

Attachment A: Approved Campus Posting Locations

[Posting on Main Campus: Policy Overview](#)

[List of Permitted Posting Areas](#)

Attachment B: University Residences Solicitation Policy

[Solicitation & Commercial Activities for On-Campus Housing](#)

Attachment C: Expressive Activities on Campus

[Guide to Expressive Activities on WWU's Bellingham Campus](#)

Reviewed & Acknowledged by the ASWWU Executive Board and Senate on [DATE]