

SENATE BILL #2019

Title: ASUW By-Law Changes

Date: November 6, 2002

Authors: Constitution Committee

Sponsors: Senators Barney, Fisher, Graf, and Jones

1. WHEREAS, the By-Laws should outline the specific procedures for ASUW's
2. functions; and
3. WHEREAS, the By-Laws should provide further definition and detail to the
4. ASUW Constitution; and
5. WHEREAS, the current By-Laws are insufficient in outlining the specific
6. procedures for ASUW's Elections; and
7. WHEREAS, proper actions for violations to the Code of Ethics is not
8. provided.
9. THEREFORE, be it enacted by the Student Senate of the Associated Students
10. of the University of Wyoming that the ASUW By-Laws be amended to reflect
11. the changes outlined in Addendums A and B and implemented upon approval
12. by the ASUW Senate.

Referred to: Elections Committee

Date of Passage: December 3, 2002

Signed:

UNANIMOUSLY

Lou Reed
(ASUW Chairperson)

"Being enacted on December 9, 2002, I do hereby sign my name hereto

and approve this Senate action."

Keith Gapp
ASUW Resident

ARTICLE IV

Elections

Section 1. Committee Responsibilities

Specific responsibilities and authorities of the Election Committee throughout the duration of the election process include the following:

- A. There shall be a general election with an optional primary election at the discretion of the ASUW Senate Elections Committee with the approval of the ASUW Senate.
- B. The Elections Committee, with the advice and consent of the ASUW Senate, shall determine the dates of the elections and related election events.
- C. During the primary and general elections the number, location and hours of the polling places shall be determined by the Elections Committee with the advice and consent of the ASUW Senate.
- D. Applications, financial statements, and election rules shall be provided by the Elections Committee, and be made available in the ASUW Office.
- E. It will be at the discretion of the Elections Committee each year to set the maximum amount of money that may be spent by the candidates for President, Vice President, and Senator for both the primary and general elections, with the approval of the ASUW Senate.
- F. The results of the voting in each election, including the number of votes received by each candidate, shall be released by the Election Committee as soon as possible after the polls close.
- G. For purpose of determining the number of the senators from each college, the Elections Committee shall determine the enrollment by college for the current academic year.
 1. This shall be accomplished by averaging the enrollments as certified by the Institutional Analysis Office of the fall semester by individual college.
 2. Results of these averages shall be collected no later than one month before the primary elections.
- H. The general elections calendar shall be submitted by the Elections Committee to the ASUW Senate for approval in the fall of each academic year; and its submission shall take place no later than the last senate meeting of the fall term.
 1. The general election Calendar shall include:
 - i. The dates of the application filing period;
 - ii. The date of the meeting for Candidates;
 - iii. The date campaigning begins;
 - iv. The date candidates' filing petitions are due;

- v. The date of the primary ballot approval by the senate;
- vi. The date of the primary election;
- vii. The dates of the general election;
- viii. The date by which all campaign material must be taken down;
- ix. The date candidates' expense declarations are due; and
- x. The date by which all violations are due.

Section 2. Candidate Requirements:

- A. A candidate for Senator must meet the following requirements:
 - 1. Must be **enrolled at the University** as a full-time student.
 - 2. Must have and maintain a minimum 2.0 cumulative grade point average as an undergraduate and a minimum 3.0 cumulative grade point average as a graduate or professional student, (unless the program does not require it).
 - 3. Must have completed not less than thirty (30) hours of University credit at the beginning of the academic year of the term of office.
 - 4. Must have completed not less than twelve (12) of those hours at the University of Wyoming unless completed an undergraduate degree at the University of Wyoming.
 - 5. Must submit an application provided by the ASUW Election Committee.
- B. A candidate for ASUW President or Vice President must meet the following requirements:
 - 1. Must be **enrolled at the University** as a full-time student.
 - 2. Must have and maintain a minimum 2.0 cumulative grade point average as an undergraduate and a minimum 3.0 cumulative grade point average as a graduate or professional student (unless the program does not require it).
 - 3. Must submit an application provided by the ASUW Election Committee.
 - 4. Must have completed not less than sixty (60) hours of University credit.
 - 5. Must have completed not less than eighteen (18) hours of University of Wyoming credit unless completed an undergraduate degree at the University of Wyoming.
- C. Financial statements itemizing expenditures and accompanied by receipts shall be returned to the ASUW Office by 4:30 p.m. of the day following the general election.

Section 3. Primary Election:

- A. If there are more candidates running than twice the number of allotted positions in a particular college or for Vice President and President, a primary election will be used to determine whose name will appear on the general election ballot.

- B. The names of all qualified candidates shall appear on the ballot.
- C. In the event of a primary election for President and Vice President, each voter shall vote for not more than one (1) candidate for ASUW President and one (1) candidate for ASUW Vice President.
- D. In the event of a primary election for senators, each student shall be permitted a number of votes equal to the number of senators being selected from his college.
- E. Write-in candidates shall be permitted but any candidate must submit an application to be declared a winner. Such application shall be due within twenty-four (24) hours of his winning.
- F. In accordance with the number of seats in any particular office, a tie in the primary election shall increase the number of candidates normally to be carried into the general election.

Section 4. General Election:

- A. The candidates for ASUW Office who receive a plurality of the votes for any position shall be declared the winners of those positions.
- B. Each voter may vote for not more than one (1) candidate for ASUW President and Vice President.
- C. Each voter may vote for as many senatorial candidates as he chooses, not to exceed the maximum number equal to the number of senate seats allotted to his college.
- D. Executive candidates to be listed on the ballot shall include: two (2) ASUW Presidential candidates and two (2) ASUW Vice Presidential candidates (except in case of a tie).
- E. In the event that a primary election is held, the number of candidates shall not exceed twice the number of senators for that college unless there is a tie for last place in that college, in which case all candidates will be allowed in the general election.
- F. Write-in voting shall be permitted, but in accordance with election rules.

Section 5. Campaigning

- A. Campaign materials for the primary election and general elections shall be posted no sooner than the date determined by the Elections Committee stated in Section 2 of these By-laws.
- B. Rules for campaigning material shall be as follows:
 - 1. All materials displayed must conform to the restrictions placed on them by the administrator of that area.
 - 2. Signs hung on the outside of the Union or on the fence surrounding it must be approved by the Union.
 - 3. According to the ASUW-recommended addition to UNIREG 178 (4) (b) (vii): "An internal user may not attach posters to or write on with any substance, the exterior or interior of any building or structure except at designated locations. Outside signs may be displayed on the kiosks provided at various locations on the campus for that purpose. Trees, sidewalks and signposts or lamp posts shall

not be used for the display of signs, posters, or any writing.”
If posters are found in any of the prohibited areas, the candidate will be subject to University fines.

4. The number of recipients allowed in a single e-mail will be determined by the Elections Committee. Any violation of this may result in disqualification from the election.
 5. All political advertisements, including banners, posters, and Branding Iron ads, must include a disclaimer identifying the sponsor or may be subject to removal. The disclaimer must state either “paid for by,” or “sponsored by.”
 6. There shall be no defacing or removal of another candidate’s campaign materials by a candidate or a candidate’s campaign staff.
 7. Campaign materials displayed in the Union shall be limited to two posters per candidate. These posters must be displayed in the designated areas. (The election committee will determine the size of the poster. Candidates will be notified of the exact size and location later.)
 8. The use of the ASUW logo or current AUSW title on campaign materials is prohibited.
 9. Campaign materials in the residence halls must follow the rules and regulations set forth by the residence hall director.
 - i. All election materials must be given to the front desk to be stamped and hung by the residence life staff.
 - ii. Only an 8 ½ x 11” poster may be hung in the main lobby of each hall.
 - iii. Candidates may put one flyer in each mailbox for election campaigning.
 - iv. Candidates may not campaign door to door.
 10. Any campaign materials in violation of any of the above rules will be subject to removal by the Elections Committee Chair.
- C. Elections committee shall determine the spending ceilings for President, Vice President and Senator candidates in the primary **and** general elections no later than the date of the last senate meeting in the fall term.
- D. Use of the University radio station shall be limited by the policy of the station.
- E. The use of the Branding Iron for personal campaign purposes is limited to BI coverage of campaigns/debates, ASUW space for candidates to explain platforms, and advertisements. Candidates who are employed by the Branding Iron shall not write columns or articles to promote themselves.
- F. There shall be no posters hanging within 30 feet of the three identified

polling areas. There shall also be no campaigning within 30 feet of these polling places; campaigning includes, but is not limited to possession of campaign materials such as buttons, flyers, clothing etc. On the date of the primary and general election, there shall be no campaigning within any of the computer labs on campus.

- G. There shall be no campaigning in class.
- H. Candidates wishing to sponsor parties or barbeques on campus must obtain approval from the Campus Activities Center first.
- I. Candidates will be held responsible for making their supporters aware of all election rules.
- J. If a candidate or candidate's supporters break any election rule, the party in violation shall be reviewed by the judicial council.

Section 6.

Results

- A. No information shall be available until the Elections Committee has finished tabulating all ballots.
- B. The results of voting in each election shall be announced in the Senate Chambers and posted in the ASUW office and the Campus Activities Office window as soon as they are available.
- C. If there is a tie in the General Election, a run-off election shall be called to resolve the tie and determine the winner.
 - a. The run-off election shall occur no later than five school days following the general election. The candidate who holds a plurality of votes for any one position shall be declared the winner of that position.

Section 7.

Violations

- A. Failure by any candidate to comply with either the spending limit or return of the financial statement by the deadline will result in a referral to the Judicial Council.
 - 1. Punishment can be, but not limited to, immediate, automatic disqualification of that candidate, regardless of election results.
 - 2. Disqualified candidate can appeal the decision of the Judicial Council through appropriate measures set forward in the ASUW Constitution and By-Laws.
- B. Complaints filed by any member of ASUW, concerning nominations, campaigning, or balloting, must be filed in writing to the Elections Committee.
 - 1. The complaint must be received after the day elections packets are turned in and no later than (1) hour after the polls close on the night of the election.
 - 2. The Elections Committee shall decide if a complaint is valid
 - 3. The Elections Committee shall take the proper steps to correct the complaint in a timely manner.
 - i. The Committee shall contact the said violator
 - ii. The Committee is required to explain the situation to the violator and ask them to correct the violation

in a timely matter.

4. If the elections committee cannot correct the said complaint or the violation occurs a second time, the violation shall be referred to the Judicial Council for their review, with copies of the complaint sent to the complainant, the alleged violator and the ASUW Advisor or designee.
6. Upon review of the complaint, the Judicial Council shall call a formal meeting with the alleged violator. Upon finding alleged violator in violation of the ASUW Constitution, By-Laws, or Elections Code and Procedures, they may bring forth appropriate sanctions, which could be, but not limited to, immediate disqualification of the candidate.

Section 8.

Voting

Any full-fee paying student shall be permitted to vote by presenting his current student identification card at a designated voting area, or by logging on to their personal University account and voting on-line.

Article VI

Code of Ethics

Section 1. Preamble

We, the elected and/or appointed representatives of the Associated Students of the University of Wyoming Student Government, seek to promote the interests and well being of all students, regardless of race, religion, age, sexual orientation, disability gender, veteran or resident status. In doing so, we will respect the integrity, dignity and worth of individual students and will recognize and acknowledge the differences in each. We will be sensitive and protective of the liberties and respect to which each individual student is entitled. We will refrain from and discourage behaviors that threaten these ideals and freedom and civility that every individual deserves.

Section 2. Standards of Behavior.

As an elected and/or appointed representative of the Associated Students of the University of Wyoming Student Government (ASUW):

- A. I will not misuse my position as an elected representative or the resources of ASUW for personal gain.
- B. I will express my opinions and views on subjects brought before this governing body in a professional and civil manner and will respect the objectively evaluate the opinions and views of others.
- C. I will not tolerate language or actions that may discriminate against or discredit any individual student, group of students, or student organizations.
- D. I will endeavor to allow the presentation of all views, however diverse, of any student, group of students, or student organizations or subject, which may come before this governing body.
- E. I will actively promote open two-way communication between the ASUW leadership and the students we serve.

Section 3. Obligations and Duties.

As an elected and/or appointed representative of the Associated Students of the University of Wyoming Student Government (ASUW):

- A. I will at all times, refrain from conduct involving dishonesty, fraud, deceit, Misrepresentation, discrimination or other actions contrary to the spirit or Intent of this Code of Ethics.
- B. I will familiarize myself with the Constitution, By-laws and other rules and procedures of this governing body and will act within the spirit and intent of these documents.
- C. I will endeavor to advance and promote the interests of the students of the University of Wyoming, taking into account their diverse needs and views.
- D. I will acknowledge and make public any potential conflict of interest arising from my other involvements and will be encouraged to abstain from voting in the matter and will be encouraged to refrain from misusing my position in ASUW to influence the vote of any voting member.
- E. I will present an accurate portrayal of the nature and extent of my qualifications and competencies when applying for positions within ASUW and when representing ASUW.

Section 4. Procedures of Violations.

- A. Proceedings against an individual for an alleged violation of the Code of Ethics may be initiated by the following methods upon receiving a written complaint from any source indicating that a violation may have occurred.
 - 1. Senate Violations: complaints pertaining to the code of ethics violations committed by members of the senate shall be presented to the ASUW Vice President.
 - 2. Executive Violations: complaints pertaining to the code of ethics violations committed by the members of the executive board shall be presented to the ASUW President. If the violator is the ASUW President or Vice President complaints shall be presented to the Judicial Council.
- B. Upon delivery of a complaint, the ASUW Vice President or the Judicial Council shall meet with the alleged violator and discuss why the action of the individual was not appropriate. It is up to the discretion of the recipient to refer the complaint directly to the Judicial Council for their review, if the complaint is egregious enough to merit such a decision.
 - 1. The complaint recipient shall inform the said violator that future violations can be considered negligent and can be grounds for impeachment upon review by the Judicial Council.
 - 2. Said party shall receive a copy of the complaint in writing at the Meeting with the complaint recipient.
 - 3. A copy of the complaint shall also be sent to the ASUW Advisor.
 - 4. All communications between the said party and the complaint recipient shall remain confidential, including any copies sent to the Advisor or designee.
 - 5. All other disciplinary procedures that are not outlined in this document shall follow the guidelines set forth by the regulations of the University of Wyoming.