

**SENATE BILL #2100**

**Title:** Expansion of ASUW By-Laws Concerning Elections

**Date:** January 24, 2005

**Authors:** Senators Case, Chollak, Christoffersen, Fowler, Sanchez, Executive Freeburn, Students-at-Large Goodson, McNiven, Peacock

**Sponsors:** Senators Chollak, Thoman

1. WHEREAS, an effective elections code is necessary to govern a successful election;
2. and
3. WHEREAS, any election rules should be a part of codified set of laws governing any
4. organization; and
5. WHEREAS, in the past, the ASUW elections code has not been created through a
6. legislative process, casting doubt on the legitimacy of any such document.
7. THEREFORE, be it enacted that the intent of the 2005 Election Code be included as
8. a part of the ASUW By-Laws in accordance with the language included in
9. Addendum A.

**Referred to:** Committee of the Whole

**Date of Passage:** February 1, 2005

**Signed:**

  
(ASUW Senate Chairperson)

“Being enacted on \_\_\_\_\_, I do hereby sign my name hereto and  
approve this Senate action.” \_\_\_\_\_

**ASUW President**

## ADDENDUM A

# Proposed Inclusion of Elections Code into ASUW By-laws Language to be removed is stricken through New language is in bold

### ARTICLE IV

#### Elections

- Section 1.** Specific responsibilities and authorities of the ASUW Elections 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 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.~~
  - 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 by 4:00 p.m. the first Wednesday of February. If this date falls on a non school day, they shall be available the school day immediately preceding February 1.
  - E. **All candidates must submit applications to the ASUW Office by 4:00 p.m. on the first Wednesday of March to be considered. Candidates who submit applications after that date will not have their names placed on the ballot. Candidates will be required to attend a workshop to explain these rules on the first Wednesday of March at a time and place to be announced by the ASUW Elections Committee. Reasons constituting legitimate excuses for missing the workshop will be determined in advance by the Committee. Candidates with valid excuses must submit them to the Committee prior to the workshop and will be asked to attend an alternate session with members of the Committee.**
  - F. 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.
  - G. Campaigning and publicity rules shall be established by the Committee with the approval of the ASUW Senate.
  - H. The results of the voting in each election, including the number of votes received by each candidate, shall be released by the Committee as soon as possible after the polls close.
- Section 2** **Voting**
- A. **Any ASUW fee paying student will be permitted to vote at the polling places or by voting online. The vote of the students will determine the winners of the election.**
  - B. **Students will only be allowed to vote for candidates in their college, excluding presidential and vice-presidential candidates. Undeclared students will vote for candidates in the College of Arts and Sciences.**
  - C. **Each student will be permitted a number of votes equal to the number of senators being elected from his/her college. Write-in votes will be permitted.**
  - D. **Thirty total senators will be elected (excluding at-large senators). These seats will be divided among the seven colleges as stipulated by the ASUW By-Laws.**
  - E. **Polling places will be considered as any university-operated computer**

lab and any computer station set up by the ASUW Elections Committee for the purpose of voting. Such stations will be clearly identified. Students will be able to cast votes from any computer connected to the Internet with access to the University of Wyoming website.

- F** All voting will be conducted with electronic online ballots unless technical difficulties make an online election impossible. Students with disabilities will be afforded the opportunity to use paper ballots. These ballots will be available on the Wednesday of the primary election (if needed) and/or general election in the Union from 8:00 a.m. to 4:00 p.m.

### Section 3

#### Ballots:

##### A. Primary Election

1. If there are more candidates running for Senator than twice the number of allotted positions in a particular college, or if there are more than two tickets running for the executive positions, a primary election will be used to determine whose names will appear on the general election ballot.
2. The names of all qualified presidential, vice-presidential, and senatorial applicants will appear on the ballot.

##### B. General Election

1. The names to be listed on the ballot will include two presidential candidates and two vice presidential candidates, in order of ticket, and all qualified senate candidates. (In the event of a tie in the primary election, the names of candidates from both tickets will appear on the ballot.)

##### C. Paper Ballots

1. In the case that the use of paper ballots is necessary (because of technical difficulties or to meet the needs of disabled students) the order of candidates on the primary and general ballots will be determined by a random drawing at the mandatory candidate workshop. Candidates who miss the workshop will be placed in alphabetical order at the end of the ballot.

### Section 4.

#### Primary Election:

- A. The names of all qualified candidates shall appear on the ballot.
- B. Any necessary primary elections will be held 12:00 a.m. the last Monday in March through 5:00 p.m. the following Wednesday.
- C. In the event of a primary election for President and Vice President, each voter shall vote for not more than one (1) candidate ticket for ASUW President and ~~one (1) candidate for~~ ASUW Vice President.
- D. In the event of a primary for senators, each student shall be permitted a number of votes equal to the number of senators being selected from his/her 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/her 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 5.

#### 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. General elections will be held 12:00 a.m. the second Monday in April through 5:00 p.m. the following Wednesday.
- C. In the case of a tie in the general election, a run-off election shall be called to resolve the tie and determine the winner. The run-off election shall occur no later than five (5) school days following the general election. The candidate who holds a plurality of votes for any one (1) position in the run-off election shall be declared the winner of that position.
- D. Each voter may vote for not more than one (1) candidate for ASUW President and Vice President.

- E. Each voter may vote for as many senatorial candidates as he/she chooses, not to exceed the number of senate seats allotted to his/her college.
- F. Executive candidates to be listed on the ballot shall include two (2) ASUW Presidential candidates and two (2) ASUW Vice Presidential candidates tickets for ASUW President and ASUW Vice President (except in the case of a tie).
- G. 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.
- H. Write-in voting shall be permitted, but in accordance with election rules. **Any write-in candidate must submit an application and expense statement within 24 hours of notification of winning an election and meet all the requirements for nomination in order to be elected. Write-in candidates must also abide by all election and campaigning rules to be considered eligible for office.**

**Section 6.**

Candidate Requirements:

- A. A candidate for Senator must meet the following requirements:
  - 1. He/she must be enrolled at the University as a full-time student: **an ASUW fee paying student.**
  - 2. He/she must have and maintain a minimum 2.0 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)~~: **or a 2.0 if the program does not require it.**
  - 3. He/she must have completed not less than thirty (30) hours of University credit at the beginning of the academic year of his term of office.
  - 4. He/she 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. He/she must submit an application provided by the Elections Committee.
  - 6. **All candidates for Senator will run individually.**
- B. A candidate for ASUW President or Vice President must meet the following requirements:
  - 1. He/she must be enrolled at the University as a full-time student: **an ASUW fee paying student.**
  - 2. He/she must have and maintain a minimum 2.0 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)~~: **or a 2.0 if the program does not require it.**
  - 3. He/she must submit an application provided by the Elections Committee.
  - 4. He/she must have completed not less than sixty (60) hours of University credit by June 10 of the calendar year in which he/she was elected as an undergraduate student, or, as a graduate or professional student, he/she must have completed not less than eighteen (18) hours of University credit by June 10 of the calendar year in which he/she was elected unless he completed his/her undergraduate degree at the University of Wyoming.
  - 5. **Candidates for President and Vice-President will run jointly, on a combined ticket, through both the primary and general elections. Students will not be able to vote for a President and Vice-President individually, but must instead vote for a ticket. All election rules will apply jointly to candidates for President and Vice-President running on the same ticket.**
- C. **Candidates for President and Vice-President who wish to be eligible as candidates for senator in the event they do not advance past the primary election must submit a separate application to run for Senate and must be among the winning primary candidates to reach the general election ballot for Senate.**

- D. Financial statements itemizing expenditures and accompanied by receipts shall be returned to the ASUW Office by 4:00 p.m. of the day following the general election.
- E. Failure by any candidate to comply with either the spending limit or return of the financial statement by the deadline will result in immediate, automatic disqualification of that candidate, regardless of election results.

Section 7

**Rules for campaign materials shall be as follows:**

- A. Campaign materials regulated by these rules shall not include non-broadcast spoken words, e-mails or Internet websites, with the following exceptions: candidates must account for any costs incurred by the use of these campaign materials; non-broadcast spoken words shall be considered campaign materials in the event they are used within an identified polling place during an election; and no candidate may send campaign e-mails to more than 50 UW e-mail accounts within a 24-hour period (list serves shall count only as one account).
- B. Campaign materials may not be posted until 5 p.m. the first Wednesday of March. All materials displayed must conform to the restrictions placed on them by the administrator of that area.
- C. Signs hung on the outside of the Union or on the fences surrounding it must be approved by the Wyoming Union.
- D. 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 writings." If posters are found in any of the prohibited areas, the candidate will be subject to University fines.
- E. 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."
- F. There shall be no defacing or removal of another candidate's campaign materials by a candidate or a candidate's campaign staff.
- G. Campaign material displayed in the Union shall be limited to two posters per candidate, with no poster to exceed 8½ inches by 11 inches in area. These posters must be displayed in the areas designated by the Union.
- H. The use of the ASUW logo on campaign materials is prohibited.
- I. Campaign materials in the residence halls must follow the rules and regulations set forth by the residence hall director:
  - 1. All election materials must be given to the front desk to be stamped and hung by residence life staff.
  - 2. Only one poster, not to exceed 8½ inches by 11 inches in area, may be hung in the main lobby of each hall.
  - 3. Candidates may put one flyer in each mailbox for election campaigning.
- J. All candidates are responsible for removing all election materials by 10 a.m. on the day following the election.
- K. Any campaign material in violation of any of the above rules will be subject to removal by the Elections Committee. Candidates in violation will be subject to sanctions by the Judicial Council.
- L. An itemized statement of expenses incurred during the election must be submitted to the ASUW Office by 4:00 p.m. the business day following the general election. All expenditures and expense statements must conform to the following criteria:
  - 1. Items or services that are donated to the candidate must be included in the expense statement at retail value. All copying and printing costs (including those made in University labs or on personal printers) must be included.
  - 2. Attached to the expense statement must be receipts for all expenditures. If, for any reason, a receipt is unavailable, the candidate must note the lack of receipt

on the expense statement. If the exact amount for expenditures is not known, candidates are expected to accurately estimate the cost involved.

3. All candidates must submit a signed expense statement, even if no costs were incurred. Separate signed expense statements must be submitted for each campaign if a candidate is running for a senate position as well as a president/vice president position. Expense statements must be submitted to the ASUW Secretary no later than 4:00 p.m. on the business day following the general election.
- M. Use of the University radio station for campaigning shall be limited by the policy of the station.
- N. There shall be no posters hanging within 30 feet of the polling areas on the dates of the elections. There shall also be no active campaigning within 30 feet of these polling places on the dates of the elections; campaigning includes, but is not limited to possession of campaign materials such as buttons, flyers, clothing, etc.
- O. There shall be no disruptive campaigning in class. This will be at the discretion of the presiding instructor and the Elections Committee.
- P. Candidates wishing to sponsor parties or barbeques on campus must complete an Activities Notification Form, obtain a noise and/or a food permit if necessary, and include the cost incurred by or donations given to these events on the aforementioned itemized statement of expenses. A copy of the Activities Notification Form must be filed with the Elections Committee in the ASUW Office two weeks prior to the event.
- Q. Candidates will be held responsible for making their associated supporters aware of all election rules.

#### Section 8

##### Complaints and Violations

- A. All complaints must be referred to the Judicial Council following the method prescribed in the ASUW By-Laws, Article III, Section 3, and all violations must be turned in to the ASUW secretary in the ASUW Office no later than 4:00 the day after the election in which the violation occurred.

#### Section 9

##### Sanctions

- A. No sanctions reached by the Judicial Council will be final unless approved by the University of Wyoming Vice President for Student Affairs (as stipulated in Article III, Section 3, Letter B of the ASUW By-laws).
- B. Any candidate who fails to abide by the verdict and sanctions approved by the Vice President for Student Affairs may be disqualified from the election or from the position won in the election if the Vice President so decides.
- C. No candidate shall be disqualified from a previously elected or appointed office for a campaign violation for the most recent election; nor shall a candidate be disqualified from running for or serving in another ASUW position.
- D. If sanctions were imposed by the Judicial Council, appeals may be made by the sanctioned student to the UW Board of Student Appeals.
- D. Sanctions may include but are not limited to placing that candidate's /ticket's name at the bottom of the ballot, removal from the ballot, or disqualification from office.

#### Section 10

##### 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 outside the Senate Office and posted in the ASUW Office and the Campus Activities Office windows as soon as they are available.
- C. At-large seats on the Senate will also be given to any unsuccessful general election candidate for president and vice-president. If any person is elected to more than one position in the election, that person must resign from all but one position.
- D. If there is a tie in the General election, a run-off election shall be called to resolve the tie and determine the winner.
- E. 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 in the run-off election shall be declared the winner of that position. An additional itemized cost

statement must be submitted to the ASUW Office no later than 4:00 p.m. on the day following the run-off election.

**Section 11**      **Changes to Election Rules**

**A.** No changes will be made less than two weeks before the general election and candidates will be given written notice of the changes. Candidates should make themselves aware of any other university regulations or policies that might affect their campaign.

~~Section 6.~~ — 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.

~~Section 7.~~ — Any complaint, filed by any member of the ASUW, concerning nominations, campaigning, or balloting, must be filed in writing to the Elections Committee within one (1) hour after the polls close on the night of the election.

# UNIVERSITY OF WYOMING

ASUW Student Government

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## Memorandum

**To:** ASUW Senators  
**From:** David Willms, ASUW President  
**CC:** ASUW Executives, ASUW Ex-officios  
**Date:** February 8, 2005  
**Re:** ASUW Senate Bill #2100

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ASUW Senators, Executives and Ex-officios:

I have no intention of vetoing Senate Bill #2100; however, I have chosen not to sign the legislation. As per the ASUW By-Laws, Article I, Section I(D)(1) if the ASUW President "...fails to act on any piece of legislation within ten (10) days of passage...the legislation shall go into effect without the President's signature." I have represented the Senate's position to the Vice President of Student Affairs as well as the Dean of Student's; however, I have represented my disappointment with the decision as well. While not required to do so, I wanted to provide an explanation for taking this course of action.

My primary contention with the legislation centers on ASUW's decision to amend the bill to lower the GPA requirement in the election code and corresponding By-Laws provision from a 2.25 to a 2.0. Under different circumstances, I may have considered a veto for such action; however, in this instance it would serve no constructive purpose. The elections code would resort to a 2.25 GPA requirement, but the By-Laws would remain a 2.0. Since the By-Laws preempt the elections code there would still be a 2.0 requirement to run for elected office. Additionally, the By-Laws is the appropriate location for the election code and I would not want to jeopardize such inclusion.

ASUW is recognized by the student body, UW administration, the UW Board of Trustees, and the State of Wyoming as being the governing body for students. Many of the items we seek to accomplish as a body are dependant on support from said stakeholders. These aspirations require more than mere *recognition* of being a governing body; they require *respect and credibility*.

Respect and credibility are earned through actions, and the actions of the Senate in lowering the previously approved GPA requirement may hurt ASUW's respect and credibility with our stakeholders, and thus our ability to realize our full potential. We may be seen as an organization that is not true to its word, by changing an opinion within weeks of its issuing. We also run a risk of being viewed as a body that lacks the appropriate thoroughness and



diligence by passing a GPA change with little to no debate, only to revisit the issue several weeks later after finally reading the content of the document.

Superior GPAs are commonplace among those individuals placed in positions of great responsibility and leadership on campus. Being an RA requires at least a 2.7 GPA, campus honoraries require GPA minimums of up to a 3.3, RHA has a 2.5 minimum GPA, and IFC and Pan-Hellenic recently raised theirs to a minimum 2.5 GPA. While the University recognizes "good standing" as being a 2.0, these groups have raised the bar and as such are among the most respected organizations on campus. Student fees fund ASUW, and as such students should have every opportunity to participate. And as with the aforementioned organizations, it should be with a competitive standard. As UW's recognized governing body for students we do not send a strong message when we allow ourselves to hold to the lowest academic standards among campus leaders.

I applaud IFC and Pan-Hellenic for demanding more of themselves and would encourage the Senate to do the same. One debate amongst Senators is not sufficient to rule out increasing the GPA requirements for ASUW service. As such, I would encourage the Senate to engage in conversations with our stakeholders about the issue, and readdress it before the end of our term.

Respectfully,



David Willms

ASUW President