



CONSTITUTIONAL AMENDMENT PROPOSAL

MAY 2017 ELECTIONS

ASO CONSTITUTION ARTICLE XI SECTION 1 AMENDMENTS AND REVISION:

“The ASO Constitution may be amended or revised by a two-thirds (2/3) vote of the ASO members voting. All proposed amendments and revisions must be made public not less than ten (10) days before the regularly scheduled ASO election”

The ASO Senate proposes the following changes to the ASO Constitution:

**Note:*

Underline text is being inserted

Stricken text will be removed

ARTICLE VII **THE ELECTION BOARD**

Section 1: There is hereby established the ASO General Elections which shall be under the jurisdiction of the Coordinator of Elections & the Election Board. The Coordinator of Elections & the Election Board are hereby authorized, to ensure the certification of all pertinent Petition for Nomination forms, to determine the exact dates of the elections, and to direct the conduct and equitable adherence of the Election Code by all candidates. The Election Code must govern the Coordinator of Elections, the Election Board, and all ASO General Elections.

Section 2: The Coordinator of Elections must be appointed, with Senate approval, by the ASO President during the first five (5) weeks of each spring semester. The Coordinator of Elections will assume office in the meeting of Senate approval. The Chairperson must introduce the new Coordinator of Elections to the Senate and swear him/her into office.

Section 3: The Election Board must be comprised of the Coordinator of Elections and an additional five (5) Election Board Officers appointed by the Coordinator of Elections from the Associated Students no later than the first week of the month of April each spring semester. In the event of a vacancy on the board, immediate measures must be taken by the Coordinator of Elections to fill the position.

Section 4: No person who is currently a member of, has been a member throughout the academic year of, or is a current candidate for any branch of the Associated Student Organization may serve as the Coordinator of Elections or on the Election Board.

Section 5: The Coordinator of Elections

Clause 1: Qualifications:

1. See Article III, Section 2.
2. No student will hold the office of Coordinator of Elections more than twice.

Clause 2: Appointment of Coordinator of Elections:

1. The term of office for the Coordinator of Elections will be one spring semester.

Clause 3: Duties of the Coordinator of Elections

The Coordinator of Elections must be responsible for:

1. Chairing the Election Board



2. Appointing the members of the Election Board in consultation with the Coordinator of Student Activities.
3. The conduct of the members of the Election Board during ASO General Elections.
4. The conduct & equitable adherence to the Election Code by all candidates.
5. Hosting an annual ASO General Elections Candidates Meeting to review the Election Code, register party affiliations, & authorize the initialization of the campaign period.

Section 6: The Vice Coordinator of Elections

Clause 1: Qualifications:

1. See Article III, Section 3.
2. No student will hold the office of Vice Coordinator of Elections more than twice.

Clause 2: Appointment of Vice Coordinator of Elections:

1. The term of office for the Vice Coordinator of Elections will be one spring semester.
2. The Vice Coordinator of Elections must be a current Election Board Officer selected by the Election Board.

Clause 3: Duties of the Vice Coordinator of Elections

The Vice Coordinator of Elections must:

1. Take the place of the Coordinator of Elections when deemed necessary by the Coordinator of Elections.

Section 7: Duties of the Election Board

Clause 1: The Election Board is hereby conferred the authority to conduct the ASO General Elections & is hereby charged the responsibility of policing candidates' campaigns and ensuring the equitable adherence to the Election Code by all candidates. Failure to adhere to the Election Code could result in the candidate being disqualified.

Clause 2: During ASO General Elections the Election Board must act as the decision-making body in cases and controversies dealing with questions of Election Code interpretation & may make decisions regarding areas not covered by the Election Code pertaining to the elections process, but must be bound by the provisions of the ASO Constitution & By-Laws.

Clause 3: The Election Board must also serve as a judicial body as needed during ASO General Elections. The Election Board shall have the authority to impose sanctions upon candidates for violating the Election Code. Those sanctions range from verbal warnings, written citations, to disqualification.

Section 8: Meetings of the Election Board

Clause 1: The Coordinator of Elections shall act as Secretary to the Election Board & post all proceedings. Agendas of the Election Board shall be posted twenty-four (24) hours prior to the meeting.

Clause 2: Shall there be a tie on a determination of the Election Board, the Coordinator of Elections must have the right to break the tie.

Section 9: Election Code Interpretations



Clause 1: Any candidate may request an Election Board decision on an election practice not specified in the Election Code. A decision shall be rendered prior to any action by the candidate on the matter. Shall a decision rendered affect any candidate's campaign, it shall be the duty of the Coordinator of Elections to inform the candidate and ensure Election Code adherence.

Clause 2: When presented with an Election Code inquiry the Coordinator of Elections must convene the Election Board within forty-eight (48) hours to review the matter.

Clause 3: All decisions rendered shall be communicated to all candidates, compiled, and referred to the incoming administration's Constitution Committee for review of the matter.

Section 10: Election Code Violations

Clause 1: Any individual may report an Election Code violation to the Coordinator of Elections, any Election Board Officer, or the Coordinator of Student Activities.

Clause 2: The Coordinator of Elections, any Election Board Officer, or the Coordinator of Student Activities may inform the parties involved when an Election Code violation occurs and require them to adhere to the Election Code. If the violation is not rectified immediately; the violation must be brought before the Election Board.

Clause 3: Numerous violations shall merit consideration for disqualification at the discretion of the Election Board.

Clause 4: In the event of a claim of an Election Code violation it is the responsibility of the Coordinator of Elections to identify the violation, and take the appropriate measures to resolve it within twenty-four (24) hours.

Clause 5: If the Coordinator of Elections has not resolved the identified violation within the twenty-four (24) hour period, the violation must be brought before the Election Board. If the Coordinator of Elections has not presented the complaint to the Election Board, any interested party may present the violation in writing to the Coordinator of Elections, any Election Board Officer, or the Coordinator of Student Activities. An individual who chooses to present their concern in writing, may only do so after the Coordinator of Election's twenty-four (24) hour period to address the issue. This process shall exclude weekends, and holidays.

Clause 6: All candidates reserve the right to appeal the Coordinator of Elections' resolution of any violation by presenting the appeal to the Elections Board.

Clause 7: When presented with a violation the Election Board must convene within forty-eight (48) hours to review the matter. At that time, the person presenting the complaint and the candidate in question must appear before the Election Board with any witnesses. If the person presenting the complaint or the candidate in question cannot appear within the forty-eight (48) hour period, an alternate hearing time can be scheduled in consultation with both parties and the Coordinator of Elections. The Election Board will review the complaint, determine its merit, decide what actions should be taken, and ultimately determine in what manner the nature of the complaint shall be released to the public.

Section 11: Coordinator of Elections & Election Board Accountability



Clause 1: If any individual feels the Coordinator of Elections or the Election Board have not carried out their responsibilities in direct accordance to the Election Code, the matter will be taken to the SJRB for their review & decision.

Section 12: Abeyance of ASO General Election Results

Clause 1: All candidates shall have until one (1) hour following the closure of voting to submit a complaint to the Election Board or the SJRB, the time which shall be the Final Complaint Hour.

Clause 2: Shall the Election Board receive a claim of an infraction of the Election Code by a candidate or a member of his or her campaign staff, the Election Board must be immediately convened & the ASO General Election results will be held in abeyance until all matters are resolved.

Clause 3: Shall the SJRB receive a complaint against the Coordinator of Elections or the Election Board, the SJRB must be immediately convened & the ASO General Election results will be held in abeyance until all matters are resolved.

Section 13: Votes for Election Board Action

Clause 1: Votes Required

<u>Disqualification</u>	<u>4/5</u>
<u>Render Election Code Interpretation</u>	<u>3/5</u>
<u>Validate Election Code Violation</u>	<u>3/5</u>
<u>Render General Decisions</u>	<u>3/5</u>

The proposed changes will do the following:

- Formally provide a comprehensive Constitution Article which establishes the Election Board in the ASO Constitution;
- Moving the By-Law sections regarding the Election Board to the Constitution
- Establish past practices in the elections process to increase fairness in policing of ASO General Elections;

Vote:

Shall the ASO Constitution be amended to include Article VII The Election Board?

☐ Yes ☐ No