



# ASSOCIATED STUDENTS OF WHITWORTH UNIVERSITY

## ASWU BYLAWS

(Revised Spring 2013)

### **Preamble**

These bylaws, which are given power under Article XII of the ASWU Constitution, are the means by which the Articles of the Constitution are implemented and the guidelines and procedures by which the ASWU operates.

### **Article I. Organizational Structure: Executive Body**

#### **Section 1.**

- a. The Executive Body shall consist of a president, an executive vice president, and a financial vice president.
- b. Job descriptions for each officer shall be posted on the ASWU website.

#### **Section 2. Executive Council**

- a. The executive council shall comprise the president, the executive vice president, and the financial vice president.
- b. The executive council shall meet weekly with the director of student activities to create an agenda for the assembly meetings and shall coordinate other events as necessary.

### **Article II. Legislative Assembly**

#### **Section 1. Voting Philosophy**

- a. Senators and representatives are not obligated to vote according to the majority opinion of their constituents, but they should make every effort to assure that their vote reflects the best interests of their constituencies.
- b. Senators and representatives must report back to their constituencies their decisions on voting matters.
- c. With issues or feedback that needs to be kept confidential to the student body at large, ASWU assembly will call an executive session of voting members only to decide how ASWU will respond.

#### **Section 2. Assembly Meetings**

- a. All assembly agenda items must be set and approved by the president.
- b. All paperwork must be completed and submitted to the appropriate executive officer at least 24 hours prior to the meeting.
- c. If a presentation must be made to the assembly regarding resolutions or student concerns, the president must be contacted so that s/he may provide an explanation

of procedure, make certain that all paperwork has been done correctly, and provide a date and time for the presentation.

- d. All assembly meetings shall be run in accordance with standard parliamentary procedure.
- e. At the beginning of each meeting, a roll call shall be taken. A member may be present, absent, excused, or late. An excused member is one who has informed the executive vice president and has found a proxy to take his/her place.
- f. An assembly member who must be absent is required to inform his/her proxy prior to the assembly meetings and must obtain the necessary information from that proxy after the assembly meeting.
- g. Under normal circumstances, a proxy must be approved 24 hours prior to the assembly meeting.
- h. A proxy cannot represent a living area in which he/she does not reside.
- i. Special meetings may be called by the president or by a majority vote of the assembly and shall be called 24 hours in advance.
- j. All executive officers, assembly members, and media heads are required to attend all meetings. One unexcused absence shall result in a meeting between the officer, member or media head and the executive vice president. Two unexcused absences shall result in a meeting with the Review Board.

### **Section 3. Senator**

The senators' job description shall be posted on the ASWU website.

### **Section 4. Off-Campus Senator**

The off-campus senators' job description shall be posted on the ASWU website

### **Section 5. Representative**

The representatives' job description shall be posted on the ASWU website.

### **Section 6. Off-Campus Representative**

The off-campus representatives' job description shall be posted on the ASWU website.

## **Article III. Staff and Employees**

### **Section 1. Assembly Secretary**

The assembly secretary's job description shall be posted on the ASWU website.

### **Section 2. Campus Activities Coordinator**

The campus activities coordinator's job description shall be posted on the ASWU website.

### **Section 3. Intramural Coordinator**

The intramural coordinator's job description shall be posted on the ASWU website.

#### **Section 4.** Whitworth.fm General Manager

The Whitworth.fm general manager's job description shall be posted on the ASWU website.

#### **Section 5.** *Natsihi* Editor

The *Natsihi* editor's job description shall be posted on the ASWU website.

#### **Section 6.** Outdoor Recreation Coordinator

The outdoor recreation coordinator's job description shall be posted on the ASWU website.

#### **Section 7.** Senior Class Coordinator

The senior class coordinator's job description shall be posted on the ASWU website.

#### **Section 8.** Special Events Coordinator

The special events coordinator's job description shall be posted on the ASWU website.

#### **Section 9.** *Whitworthian* Editor in Chief

*The Whitworthian's* editor-in-chief's job description shall be posted on the ASWU website.

### **Article V. Committees and Councils**

#### **Section 1.** Committees

- a. **Purpose:** The purpose of ASWU committees shall be to further the mission of the ASWU through direct participation of the students and leadership of Whitworth University. An official ASWU committee is defined as any committee approved by the president.
- b. **Membership:** All committees shall comprise at least three students at large and two ASWU employees or elected officials.

#### **Section II.** Student Elections Committee

- a. **Purpose:** The purpose of the Student Elections Committee (hereafter the SEC) is to conduct all elections. This includes establishing a timetable for all elections, due dates, hours, availability of petitions, providing ballots, conducting elections, counting votes, developing campaign guidelines, and posting the results of all elections. The SEC is also responsible for determining proper candidate conduct and consequences for violations of campaign conduct.
- b. **Membership:** The SEC shall consist of three assembly members, four students at large, and the chair who will be the executive vice president. No student who is seeking an executive or assembly office may serve on the committee. If the executive vice president is ineligible to serve as the chair, the president shall hold this position. A quorum shall consist of five members.
- c. **Meetings:** Meetings of the SEC shall be held as deemed necessary by the SEC chair.

### Section III. Media Committee

- a. **Purpose:** The purpose of the Media Committee is to discuss issues pertaining to the student media and to direct and coordinate the efforts of the student media.
- b. **Membership:** The membership of the Media Committee shall include the editor-in-chief of *The Whitworthian*, the *Natsihi* editor, and the KWRS general manager. The executive vice president shall preside as chair of the Media Committee.
- c. **Meetings:** The Media Committee shall meet at least once a semester.

### Section IV. Media Board

- a. **Purpose:** The Media Board is responsible for the hiring (and, if necessary, the removal) of the media heads, comprising the editor-in-chief of the *Natsihi*, the editor-in-chief of *The Whitworthian*, and the general manager of KWRS.
- b. **Membership:** The Media Board shall comprise the advisors for the specific medium, the director of student activities, the ASWU executive vice president, current media heads, and two staff members of the specific medium. The media heads will be responsible at the beginning of each academic year to appoint two staff members to the board. Members must be selected no later than 10 days after the start of fall semester, and a chair for this board must be selected by the board within this same time frame.
- c. **Meetings:** The Media Board shall meet when necessary to discuss the hiring (and, if necessary, the removal) of a media head. A meeting can be called by the chair. The members of the board are responsible for the creation of policies and standards for the board and for hiring and disciplinary processes.

### Section V. Budget Committee

- a. **Purpose:** The purpose of the Budget Committee is to formulate and submit the ASWU budget for the following year to the assembly. The budget proposal must be approved by a two-thirds majority vote of the assembly. The budgeting process shall be conducted as outlined in the Financial Standard Operating Procedures.
- b. **Membership:** Each spring the newly elected financial vice president shall form and chair the Budget Committee comprising the new and old executive officers, the director of student activities, the administrative secretary, the ASWU secretary, four voting members of the assembly, and two non-voting members.
- c. **Meetings:** The Budget Committee shall convene within two weeks of the election of the new financial vice president. All discussion regarding the budget shall remain confidential until the assembly has approved the budget.

### Section VI. Finance Committee

- a. **Purpose:** The Finance Committee is responsible for making recommendations to the assembly on all financial expenditures of the ASWU. It shall follow the Financial Standard Operating Procedures and ensure that the ASWU is spending responsibly and following the proper procedures.
- b. **Membership:** The Finance Committee shall consist of four assembly members and four members of the student body at large who are appointed by the financial

vice president. The financial vice president shall chair the Finance Committee meetings.

- c. **Meetings:** The Finance Committee shall meet whenever necessary to give recommendations to the assembly on financial expenditures, or whenever deemed necessary by the financial vice president.

## **Section VII. Club Council**

- a. **Purpose:** The purpose of the Club Council is to provide a forum where club presidents or their equals gather under the leadership of the financial vice president to resolve the issues and concerns that confront the ASWU chartered organizations.
- b. **Representation:** Representation on the Club Council shall comprise the presidents of all officially recognized chartered organizations. Proxy representation is acceptable if the financial vice president is notified before the meeting. The meetings shall be run in accordance with standard parliamentary procedures.
- c. **Meetings:** The Club Council shall meet at least once a month, and preferably once during Jan Term. The meeting times shall be established at the beginning of each semester by a simple majority vote of the Club Council. A roll call of the Club Council shall establish whether a president is present, excused, absent, or late.

## **Article VI. Record-Keeping**

### **Section 1. Record-Keeping**

The executive officers, assembly members, and all ASWU committees must keep records of all their proceedings.

### **Section 2. Process**

All archives must be compiled each year in an official document that shall be passed down to the next year's ASWU elected and hired officials.

### **Section 3. Accessibility**

All archives shall be easily accessible to any member of the ASWU and must be filed in an organized an appropriate manner.

### **Section 4. Elections**

All election timetables, election results, candidates, and any other pertinent election materials shall be archived by the SEC.

## **Article VII. Elections**

### **Section I. Nomination of Officers**

- a. **Applications:** In order to become an official candidate and appear on the ballot, an applicant must turn in a completed application by the due date set by the SEC.
- b. **Write-in Candidates:** Write-in candidates must complete an application within 24 hours of the closing of the primary polls in order to become an official candidate.
- c. **Grade Point Average:** All prospective candidates, including write-in candidates, must have a cumulative grade point average of 2.5 or better to be eligible for election. The SEC chair must validate each candidate's grade point average before placing the candidate's name on the ballot.

## Section II. Campaign Guidelines

- a. **Money:** Candidates shall not spend more than \$175 on their campaigns. Candidates must submit receipts to the financial vice president for all campaign expenditures to assure that candidates are within the limit prior to each vote. This includes donated professional services and materials.
- b. **Donations:** Donations to candidates for election use must have a dollar value placed upon them and must be mutually agreed upon by the candidate and the SEC.
- c. **Reimbursement:** The financial vice president shall be responsible for reimbursing candidates with matching funds. The ASWU shall match up to \$20 of each candidate's expenses during the primary election week and up to \$25 of each candidate's expenses during the general election week. In the event of a re-election, candidates will be reimbursed for half of the dollar amounts mentioned above.
- d. **Campaign Materials:** All campaign materials shall be approved, initialed, and stamped by a member of the SEC before being posted.
  - i. In accordance with Whitworth policy, candidates and students shall not be allowed to use Whitworth-generated email lists (including but not limited to student-wide, off-campus, senior, dorm lists, etc.) for campaigning.
- e. **Removal of Campaign Materials:** All campaign materials must be removed within 24 hours of the announcement of the winners of the election.
- f. **Poster Restrictions:**
  - i. Campaign materials must not obstruct other candidates' materials.
  - ii. Candidates shall be charged for any damage to campus property.
  - iii. No campaign materials shall be posted on trees or glass doors.
  - iv. All campaign materials shall be posted in appropriate places as advised by the person responsible for that specific building or area.
- g. **Debates:** Any candidate desiring to hold any type of speech, rally or debate must inform all official candidates for that office and the SEC chair at least 24 hours in advance. At least one SEC member must attend the event.
- h. **Active Campaigning:** Active campaigning shall be defined as communicating in any way to anyone that s/he should vote. This includes, but is not limited to, wearing campaigning materials (T-shirts, ribbons, etc.) reminding people to vote, or using other media forms such as Facebook, text messaging, or Twitter to tell people to vote.
  - i. Prior to campaigning, the SEC shall specifically define active campaigning in terms of social media, and shall inform all candidates of these regulations.
- i. **Other:** All candidates may campaign only for themselves. They may not support or oppose any candidate running for another office.

### Section III. Violations of Campaign Conduct

- a. **Enforcement:** All policies established in these bylaws shall be enforced by the SEC, which shall act as the primary authority for all elections.
- b. **Violations:** Any campaigning by candidates which violates the campaigning procedures set forth in these bylaws shall be subject to action by the SEC.
- c. **Grievances:** Any grievance shall be directed to the chairperson of the SEC, who shall then present it immediately to the SEC.
- d. **Misconduct:** Any candidate in question for campaign misconduct shall be notified privately of the grievance by the chairperson of the SEC and given a chance to retract the questionable statement or correct the error. However, if the violation continues or is flagrant, the issue shall be taken to a special meeting of the SEC.
- e. **Courses of Action:** The SEC may respond to misconduct by withholding material or public announcements, withholding reimbursement, making a public statement of the violation, removing the candidate's name from the ballot, or, in extreme circumstances, referring the candidate in violation of the campaign guidelines to the Review Board.

### Section IV. Elections Timetable

An elections timetable shall be set up by the SEC and must be approved by a majority vote of the assembly. The timetable shall include:

- a. the availability of applications;
- b. due dates of applications;
- c. the time of the beginning of campaigning;
- d. the times that the primary and general polls will be open;
- e. the date of the primary and general elections;
- f. the availability of absentee ballots.

### Section V. Primary Elections

- a. **Executive Elections:** All voters are allowed to vote for only one candidate in each position.
- b. **Senatorial Elections:** Voters are allowed to vote only for candidates who would represent the constituency in which they currently live. Voters are allowed to vote for one senator.
- c. **Representative Elections:** Voters are allowed to vote only for candidates who would represent the constituency in which they currently live. A voter may vote as many times as there are positions available.
- d. **Winning the Primaries:** In executive and senatorial races, as well as in representative races where only one seat is available, the two candidates who receive the most votes will move on to the generals. However, if a constituency is allowed to have more than one representative, then double the number of positions available will be open for primary candidates to move on to the generals.
- e. **General Elections:** The general elections must take place within 14 days following the primary elections.

## Section VI. Write in Candidates

- a. **Jurisdiction:** Write-in candidates must meet all of the same election guidelines and follow the same rules as candidates who complete the application process.
- b. **Reimbursement:** Write-in candidates shall receive no matching funds during primary election week.
- c. **Debates:** Write-in candidates will not be allowed to participate in formal debates or forum speeches until they advance to the general election and become official candidates.
- d. **Privileges:** Write-in candidates who receive enough of the primary votes to proceed to the general elections will be allowed to participate in all scheduled election events during general election week and will enjoy all the benefits of being an official candidate.

## Section VII. Voting

- a. **Booth Operators:** Only members of the SEC and the assembly, along with coordinators and media heads, shall be allowed to operate the polls.
- b. **Code of Conduct:** All persons working the polls shall sign this code of conduct: “While serving in the ballot booth, I agree not to share my bias as to candidate preference and to refrain from any action that might affect a voter’s selection.”
- c. **Computers:** ASWU will provide a computer at a voting table for students to use.
- d. **Campus-wide e-mail:** The SEC chair shall send out a campus-wide e-mail at the time the polls will open with a link to the website for voting.
- e. **Campus-wide e-mail:** The SEC chair shall send out an e-mail prior to general elections voting explaining to voters the option of voting “None of the above.” The “None of the above” option shall be explained briefly on the ballot.

## Section VIII. Election Results

- a. It is the duty of the SEC chairperson to inform candidates of the election results as soon as possible after the polls close.
- b. The winner of any general election is the one who receives the most votes.
- c. Election results must be made available to the student body within 24 hours of the closing of the polls.

## Section IX. Special Circumstances

- a. **Primary Election Ties:** If there is a circumstance in which candidates reach a tie in a primary election, all who tie shall move on to the generals if the number of votes that they receive is the first or second highest in the primaries.
- b. **General Election Ties:** If there is a tie in the general elections, a runoff shall be held within 10 days of the last general election. The SEC must immediately meet to decide the conditions and timetable for the runoff elections. These (condition and timetable) need not be approved by the assembly.
- c. **Appeals:** A candidate may appeal a decision of the SEC to the assembly. The appeal must be decided by a two-thirds majority vote of the assembly.
- d. **Disqualifications During Generals:** If a candidate is disqualified for any reason (by himself/herself or by the SEC) during general election week, a re-election is not mandatory. In this circumstance, however, a petition demanding a re-vote can

be presented to assembly within one week of the closing of the general polls along with a petition that includes the signatures of 10 percent of the voting constituency.

- e. **Grievances:** If a grievance is filed, a re-election shall be called for by a two-thirds vote of the assembly. The grievance must be submitted to the president within 24 hours of the closing of the polls. The re-election shall take place within 10 days of the invalidated election.

## **Section X. Non-Election Votes**

- a. **Non-Election Votes:** Non-election votes include requisitions, resolutions, constitutional revisions or amendments, the removal of executive officers, and any issue the assembly desires to present to the student body.
- b. **Timetable:** Once an issue is presented to the student body, at least one week prior to the vote will be set aside for advertisements and information will be presented to students.
- c. **Majority Vote:** All ASWU elections shall be decided by a majority vote of the student body.
- d. **Re-Vote:** A petition contesting the voting process and including signatures from 10 percent of the student body may be submitted to the assembly. Once the signed petition has been submitted, a re-vote shall be called for by a two-thirds vote of the assembly.

## **Article VIII. Vacancy of Office**

### **Section 1. Executive Vice President**

In the event that the executive vice president must permanently fulfill the duties of the president or he/she is unable to fulfill his/her duties, the assembly shall hold a vote to elect a senator to the office of executive vice president. Nominations for the office shall be held within one week of the vacancy (except in times incongruent with the regular academic year) and must remain open for one week. The assembly shall vote on the nomination within one month of the date of the vacancy. The newly elected executive vice president shall immediately assume the position and duties of office following the vote of the assembly.

### **Section 2. Financial Vice President**

In the event that the office of the financial vice president is vacated or the FVP is unable to fulfill his/her duties, the assembly shall hold a vote to elect a senator or representative to the office of financial vice president. Nominations for the office shall be held within one week of the vacancy (except in times incongruent with the academic year) and must remain open for one week. The assembly shall vote on the nomination within one month of the date of the vacancy. The newly elected financial vice president shall immediately assume the position and duties of office following the vote of the assembly.

### **Section 3. Senators and Representatives**

In the event that a seat becomes vacant on the assembly, an interim senator or representative shall be appointed by the executive vice president until an election can be held. The interim senator or representative must be a current tenant of the residence hall in which the seat was

vacated. An election must be held within one month of the date of the vacancy (except in times incongruent with the regular academic year).

## **Article IX. Legislation**

### **Section 1. Initiative, Referendum, and Recall**

Whereas all members of the ASWU have the powers of initiative, referendum, and recall, any member of the ASWU may present a petition that includes the signatures of 10 percent of the student body to the president.

- a. Initiative: Any ASWU member may present an initiative including the signatures of 10 percent of the student body to the president, whereupon it shall be taken directly to a vote by the student body. The initiative must be approved by a majority of the students in order to pass.
- b. Referendum: Any ASWU member may present a referendum including the signatures of 10 percent of the student body to the president, whereupon the referendum shall be taken directly to a vote by the assembly.
- c. Recall: Any legislation that has been passed, failed, amended, or rescinded by the assembly may be sent to a vote of the entire ASWU if a petition including the signatures of 10 percent of the student body is given to the president. The petition must be approved by a majority of the students in order to pass.

## **Article X. Interpretation of this Constitution and its Bylaws**

### **Section 1. Process**

If a member of the ASWU requests that an interpretation of this Constitution and its bylaws be given, the president must take this request to the Executive Council. The Executive Council will then decide by a majority vote the correct interpretation of the desired part of this Constitution and its bylaws.

### **Section 2. Appellate Process**

If the interpretation given by the Executive Council is unsatisfactory, the individual or group asking for the interpretation may appeal to the assembly for a correct interpretation. The assembly must approve a correct interpretation by a vote of two-thirds of the assembly.