



# ASSOCIATED STUDENTS OF WHITWORTH UNIVERSITY

## ASWU BY-LAWS *(Revised Spring 2009)*

### **Preamble**

These By-Laws, 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, executive vice-president, and the 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 be comprised of the president, 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 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 their vote reflects the best interests of their constituency.
- b. Senators and representatives must report back to their constituency their decisions on voting matters.

#### **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 to 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 either 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 adequately inform his/her proxy prior to the Assembly meetings and 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 with the executive vice-president. Two unexcused absences shall result in a meeting with the Review Board.

### **Section 3. Senator**

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

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

The off campus senator's job description shall be posted on the ASWU website

### **Section 5. Representative**

The representative job description shall be posted on the ASWU website.

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

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

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

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

The Assembly Secretary job description shall be posted on the ASWU website.

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

The Campus Activities Coordinator job description shall be posted on the ASWU website

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

The Intramural Coordinator job description shall be posted on the ASWU website.

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

The Whitworth.fm General Manager job description shall be posted on the ASWU website.

**Section 5.** Natsihi Editor

The Natsihi Editor job description shall be posted on the ASWU website.

**Section 6.** Outdoor Recreation Coordinator

The Outdoor Recreation Coordinator job description shall be posted on the ASWU website.

**Section 7.** Senior Class Coordinator

The Senior Class Coordinator job description shall be posted on the ASWU website.

**Section 8.** Special Events Coordinator

The Special Events Coordinator job description shall be posted on the ASWU website.

**Section 9.** Whitworthian Editor in Chief

The Whitworthian Editor in Chief 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 be comprised of 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, then 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 Whitworth.FM 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 removal) of the media heads, comprised of the editor-in-chief of the Natsihi, the editor-in-chief of The Whitworthian, and the general manager of Whitworth.FM.
- b. **Membership:** The Media Board shall be comprised of the advisors for the specific medium, the director of student activities, the ASWU executive vice president, the 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 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 of the new and old executive officers, the director of student activities, the administrative secretary, four members of the Assembly, and four members from the student body at large.
- 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 insure 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 consist of 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 the January 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, one 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 an election. The SEC chair must validate each candidate's grade point average before placing them on the ballot.

## Section II. Campaign Guidelines

- a. **Money:** Candidates shall not spend more than \$175.00 on their campaign. Candidates must submit receipts to the financial vice-president for all campaign expenditures to assure the 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 reimburse up to \$45.00 of each campus wide candidate's expenses during the campaigning process. The ASWU shall reimburse up to \$25.00 of each dorm/zone candidate's expenses during the campaigning process. All food expenditures must be preapproved by the EVP and Sodexo. All receipts must be turned into the EVP by the time the polls close for general elections.
- d. **Campaign Materials:** All campaign materials shall be approved, initialed, and stamped by a member of the SEC before being posted.
- 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 another candidate's 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 and at least one SEC member must attend.
- h. **Active Campaigning:** Active campaigning shall cease during voting hours.

## Section III. Violations of Campaign Conduct

- a. **Enforcement:** All policies established in these By-Laws 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 By-Laws 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 of 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 announcement, withholding reimbursement, making a public statement of the violation, removing the candidate's name from the ballot, or, in extreme circumstances, the SEC shall refer 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 only allowed to vote for one candidate in each position.
- b. **Senatorial Elections:** Voters are only allowed to vote for candidates that would represent the constituency in which they currently live. Voters are allowed to vote for one senator.
- c. **Representative Elections:** Voters are only allowed to vote for candidates that 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 amount 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 the 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 an official candidate.
- 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 for the 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, Assembly members, 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 which might affect a voter’s selection.”
- c. **Computers:** ASWU will provide a computer at a voting table for students to use.
- d. **Campus-wide email:** The SEC chair shall send out a campus-wide email at the time the polls will open with a link to the website for voting.

## **Section VIII.** Election Results

- a. It is the duty of the SEC chairperson to inform the 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 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, then a run-off shall be held within ten days of the last general election. The SEC must immediately meet to decide the conditions and timetable for the run-off elections. These do not need to 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 themselves or 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 with a petition containing ten percent of the signatures of the voting constituency.
- e. **Grievances:** A re-election shall be called for by a two-thirds vote of the Assembly if a grievance is filed. This grievance must be submitted to the president within 24 hours of the closing of the polls. The re-election shall take place within ten 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 must be given in which advertisements and information are presented to students prior to the vote.
- c. **Majority Vote:** All student body votes shall be decided by a majority vote of the student body.
- d. **Re-Vote:** A petition contesting the voting process may be submitted to the Assembly containing signatures from ten-percent of the student body. Once 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 an event where 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 an event where the office of the financial vice-president becomes vacated or he/she 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 containing ten percent of the student body's signatures to the president.

- a. **Initiative:** Any ASWU member may present an initiative containing ten percent of the student body's signatures 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 containing ten percent of the student body's signatures to the president whereupon it 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 containing ten percent of the student body's signatures 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 By-Laws**

### **Section 1. Process**

If a member of the ASWU requests that an interpretation of this Constitution and its By-Laws 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 By-Laws.

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

If the interpretation given by the executive council is unsatisfactory, the individual or group may appeal to the Assembly to give a correct interpretation. The Assembly must approve a correct interpretation by a two-thirds.