



ELECTION CODE
OF THE
AUGUSTANA STUDENT ASSOCIATION
Revised September 2012

Article I: Purpose

The Election Code of the Augustana Student Association (ASA) is intended to establish clear and equitable procedures for conducting ASA elections. All provisions of this Code shall be in accordance with the Constitution of the Augustana Student Association, and no provision of the Code is intended to, or shall be construed to deny any student equal opportunity under the Code.

Article II: Election Commission

Section 1: The chair of the ASA Personnel and Development (P&D) Committee shall serve as Election Commissioner for all elections identified in Section 5.

Section 2: The P&D Committee shall serve as the Election Commission. Committee (commission) membership will be identified at least two weeks prior to the fall election. Members will serve one academic year term.

Section 3: The Election Commissioner shall have authority to replace commission membership when there are vacancies, pending Senate approval.

Section 4: Any election procedures and policies that are not stated in this Code shall be determined by the Election Commission within the limits clearly provided under Article I of this Code. No ruling by the Election Commission may deviate from the provisions of the Constitution of the Augustana Student Association or the Augustana College Student Handbook.

Section 5: The following elections shall be conducted under the provisions of this Code:

- Clause A. The fall election of ASA Senators.
- Clause B. The spring election of ASA Senators
- Clause C. The spring election of a ticket for ASA President and Vice President.
- Clause D. The spring election of the ASA Treasurer.
- Clause E. The spring primary election.
- Clause F. Senatorial run-off elections.
- Clause G. All referenda.

Section 6: The Election Commission shall have, with a majority vote, the power to overrule any decision of the Election Commissioner.

Section 7: The Election Commission shall meet at any time called by the Election Commissioner, or at a time determined by a majority vote of the Election Commission.

Section 8: No member of the Election Commission may be a candidate for an Augustana Student Association office while serving on the Commission, nor shall an election commission member campaign in any way for a candidate for an ASA office.

Section 9: If the Election Commissioner and/or a member of the Election Commission intend to be a candidate for election, he/she shall be required to resign their membership fourteen (14) calendar days prior to the election.

Section 10: In the event that a vacancy occurs on the Election Commission (as identified in Section 9.), the Senate shall appoint a replacement(s) to ensure that the Commission has at least five members.

Article III: Scheduling Elections

- Section 1: The Election Commission, in consultation with the Augustana Student Association President shall set date(s) for all ASA elections.
- Section 2: Elections shall be publicized by any means approved by the Election Commission.

Article IV: Declaration of Candidacy for ASA Treasurer and ASA Senators

- Section 1: Candidates for Augustana Student Association Treasurer and Senate positions shall file Declaration of Candidacy forms with the Election Commissioner no later than fourteen (14) days prior to the date of the spring election and seven (7) days prior to the date of the fall election. Declaration of Candidacy forms shall be obtained at the times and places specified and publicized by the Election Commission.
- Section 2: The Election Commissioner shall prepare the Declaration of Candidacy Forms, and make them available to prospective candidates at least twenty-one (21) calendar days prior to date of the spring election and fourteen (14) days prior to the date of the fall election. The Declaration of Candidacy Form shall include, but shall not be limited to, the candidate's address, telephone number, and signature. The Declaration of Candidacy Form shall indicate which senate seat he/she is seeking. The form shall also clearly indicate on its face the date and time the form is due.
- Section 3: Candidates identified in this article of the Election Code may seek candidacy for only one elected position in an ASA election.
- Section 4: The Treasurer shall be elected by votes cast from all enrolled students (full- and part-time). The Election Commissioner, in conjunction with the Dean of Students Office, shall review the Declaration of Candidacy Forms to ensure that each candidate is running for the appropriate electorate.
- Section 5: Senators shall be elected by popular vote of all members of the ASA (all full- and part-time enrolled students) during the Spring Election. An exception is made for the Fall election of Senators (see Article VI, Sections 4 and 5). The Election Commissioner, in conjunction with the Dean of Students Office, shall review Declaration of Candidacy forms to ensure that each candidate is running for the appropriate electorate. The names of all candidates shall be made public at least ten (10) days prior to the date of the spring election and five (5) days prior to the date of the fall election, at which time campaigning may begin.

Article V: Declaration of Candidacy for the ASA President and Vice President Ticket

- Section 1: A ticket for Augustana Student Association President and Vice President must file a petition with the Election Commission no later than fourteen (14) days prior to the date of the spring primary election. Said petition shall include signatures from at least one hundred (100) ASA members for the purpose of validating the ticket's Declaration of Candidacy to run. Signatures may not appear on more than one ticket's petition. Duplicate signatures shall be declared void on all petitions. Petitions shall be obtained at the times and places specified and publicized by the Election Commission.
- Section 2: Candidates identified in this article of the Election Code may seek candidacy for only one elected positions in an ASA election.
- Section 3: Tickets for President and Vice President shall be elected by all members of the ASA. The Election Commissioner, in conjunction with the Dean of Students Office, shall review each ticket's petition to ensure that candidates are eligible to run for office as per the Constitution of the Augustana Student Association. Candidate's eligibility shall be validated at least twelve (12) days prior to the date of the spring primary election.
- Section 4: The Election Commission shall prepare the petition forms and make them available to prospective candidates at least twenty-one (21) calendar days prior to the first day of the spring primary election. The petition shall include, but shall not be limited to, the candidate's address, telephone number, signature, and the date of validation. The petition shall also include space for the signatures of at least one hundred (100) ASA members. The petition shall also clearly indicate on its face the date and time the petition is due.
- Section 5: The names of all candidates shall be made public at least ten (10) calendar days prior to the spring primary election, at which time campaigning may begin.

Article VI: Fall Election of ASA Senators

Section 1: In each fall semester there shall be an ASA Election to elect the following positions:

- Clause 1. Three (3) Senators representing the freshmen class. Freshmen shall be defined as students who are enrolled in their first semester of their first-year (freshmen) year at Augustana College.
- Clause 2. One (1) Senator representing Off-Campus (non-college owned/managed) Housing.
- Clause 3. One (1) Senator representing South-Side Housing, which includes Bergsaker and Solberg residence halls.
- Clause 4. Two (2) Senators representing North-Side Housing, which includes Granskou, Stavig, East, and Tuve residence halls.
- Clause 5. Two (2) Senators representing college-owned alternative housing, which includes the College's apartments and theme houses.

Section 2: Absentee ballots shall be made available at a time and location specified by the Election Commission.

Section 3: Only currently enrolled freshmen students shall be entitled to vote for the three Freshmen Senator positions and the South Side Housing Senator position. They shall not vote for any additional positions in the Fall Election. All other enrolled students shall be entitled to vote for the remaining Senator positions in the Fall election, with the exception of the International Student Senator (see Article VI, Section 5). All votes shall be cast by secret ballot.

Section 4: The candidates or tickets shall be listed under the heading indicating the office or position for which they are candidates. Ballot position shall be determined by a random draw. The Election Commissioner shall determine the form of the ballots.

Section 5: Write-in votes shall not be allowed. Ballots so marked shall not be counted.

Section 6: The Election Commission shall determine the number and location of ballot places on the campus.

Section 7: No less than two (2) students shall preside at the ballot box(es) of each precinct on the day of the Fall Election. Those eligible to preside at the ballot box(es) are students approved and trained by the Election Commissioner. Candidates for election are not eligible to preside at the ballot box. Those students presiding at the ballot box(es) shall remain impartial and unbiased.

Section 8: Campaigning and the use of campaign signs and literature distribution within one hundred (100) feet of the ballot box(es) is strictly prohibited.

Section 9: If a candidate is disqualified from an election, voters shall be informed about the disqualification at the polling place. Ballots cast for a disqualified candidate or ticket shall not be counted.

Section 10: An initial tally of votes shall be conducted by the Election Commission within twelve (12) hours after the polls have closed. Votes shall be counted in the presence of the Election Commissioner, at least two members of the Election Commission, and anyone else to be invited at the discretion of the Election Commission.

Section 11: The Election Commission shall certify the results of the election, and they shall be responsible for the accuracy of the certified results.

Section 12: Senate races shall be determined by a plurality of the votes cast. A run-off election shall be held only in the event that two or more candidates are tied for the last available seat. All candidates who are tied will be included in the run-off.

Section 13: In the event of a tie in a run-off election for a senate seat, the following tie breaking guidelines shall apply:

- Clause 1. Both candidates involved in the tie shall fill the one seat.
- Clause 2. Both senators shall have full debate privileges in senate and committee meetings.
- Clause 3. Each senator shall have one-half (1/2) vote during senate meetings, and a full vote during committee meetings. If one senator is absent at a senate meeting, the other senator has a full vote.

Section 14: In the event that no Declaration of Candidacy forms are filed for a particular senate position, the ASA Personnel and Development Committee shall appoint an eligible student to fill the vacancy. Approval of the senate appointment shall be subject to a two-thirds (2/3) majority vote by the Senate.

Section 15: The term of office for senators elected in the fall election shall be approximately one (1) year following the fall election and ending after the next fall election.

Section 16: Each senator shall be classified as a member of their respective electorate and shall remain so during the entire term of their office.

Section 17: Members of the Election Commission will notify all candidates of the results of the election.

Article VII: Spring Election of ASA Senators

Section 1: In each spring semester, a general election will be held in conjunction with the ASA President and Vice President election to elect the ASA Treasurer and ASA Senators.

Section 2: The following Senate positions shall be elected:

Clause 1. One (1) senator representing adult learners. Adult learners shall be defined as students who are either married, are parents, or are at least 23 years of age.

Clause 2. Five (5) senators representing the senior class. Seniors shall be defined as students who have completed at least seventy-five (75) college credits.

Clause 3. Five (5) senators representing the junior class. Juniors shall be defined as students who have completed at least forty five (45) college credits, but no more than seventy-four (74).

Clause 4. Five (5) senators representing the sophomore class. Sophomore shall be defined as students who have completed at least fifteen (15) college credits, but no more than forty-four (44).

Section 3: Absentee ballots shall be made available at a time and location specified by the Election Commission.

Section 4: Only currently enrolled students (full- and part-time) are eligible to vote.

Section 5: All votes shall be cast by secret ballot.

Section 6: The candidates or tickets shall be listed under the heading indicating the office or position for which they are candidates. Ballot position shall be determined by a random draw. The Election Commissioner shall determine the form of the ballots.

Section 7: Write-in votes shall not be allowed. Any ballots so marked will not be counted.

Section 8: The Election Commission shall determine the number and location of polling places on the campus.

Section 9: No less than two (2) students shall preside at the ballot box(es) of each polling place on the day of the election. Those eligible to preside at the ballot box(es) are students approved and trained by the Election Commissioner. Candidates for election are not eligible to preside at the ballot box. Those students presiding at the ballot box(es) shall remain impartial and unbiased.

Section 10: Campaigning and the use of campaign signs and literature distribution within one hundred (100) feet of the ballot box(es) is strictly prohibited.

Section 11: Should a candidate be disqualified from an election, voters shall be informed about the disqualification at the polling place. Ballots cast for a disqualified candidate or ticket will not be counted.

Section 12: An initial tally of votes shall be conducted by the Election Commission within twelve (12) hours after the polls have closed. Votes shall be counted in the presence of the Election Commissioner, at least two members of the Election Commission, and anyone else invited by the Election Commission.

Section 13: The Election Commission shall certify the results of the election, and they shall be responsible for the accuracy of the certified results.

Section 14: Senate races shall be determined by a plurality of the votes cast. Run-off elections shall be held only in the event that two or more candidates are tied for the last available seat. All candidates who are tied will be included in the run-off.

Section 15: In the event of a tie in a run-off election for a senate seat, the following tie breaking guidelines shall apply:

Clause 1. Both candidates involved in the tie shall fill the one seat.

Clause 2. Both senators shall have full debate privileges in senate and committee meetings.

Clause 3. Each senator shall have one-half (1/2) vote during senate meetings, and a full vote during committee meetings. If one senator is absent at a senate meeting, the other senator has a full vote.

Section 16: In the event that no Declaration of Candidacy forms are filed for a particular senate position, the ASA Personnel and Development Committee shall appoint an eligible student to fill the vacancy. Approval of the senate appointment shall be subject to a two-thirds (2/3) majority vote by the Senate.

Section 17: The term of office for senators elected in the spring election shall be one (1) year in length, beginning immediately after their installation.

Section 18: Each senator shall be classified as a member of their respective electorate and shall remain so during the entire term of their office.

Section 19: Members of the Election Commission will notify all candidates of the results of the election.

Article VIII: Spring Election of the ASA Treasurer

Section 1: Each spring semester there shall be an ASA election to elect the Treasurer, in concurrence with the election of senators and the ASA President and Vice President.

Section 2: Absentee ballots shall be made available at a time and location specified by the Election Commission.

Section 3: Only currently enrolled students (full- and part-time) are eligible to vote.

Section 4: All votes shall be cast by secret ballot.

Section 5: Ballot position shall be determined by random draw. The Election Commissioner shall determine the form of the ballots.

Section 6: Write-in votes shall not be allowed. Any ballots so marked shall be considered spoiled.

Section 7: The Election Commission shall determine the number and location of voting precincts.

Section 8: No less than two (2) students shall preside at the ballot box(es) of each precinct on the day of the Fall Election. Those eligible to preside at the ballot box(es) are students approved and trained by the Election Commissioner. Candidates for election are not eligible to preside at the ballot box. Those students presiding at the ballot box(es) shall remain impartial and unbiased.

Section 9: Campaigning and the use of campaign signs and literature distribution within one hundred (100) feet of the ballot box(es) is strictly prohibited.

Section 10: Should any candidate or ticket be disqualified from an election, voters shall be informed about the disqualification at the polling place. Ballots cast for a disqualified candidate or ticket shall not be counted.

Section 11: An initial tally of votes shall be conducted by the Election Commission within twelve (12) hours after the polls have closed. Votes shall be counted in the presence of the Election Commissioner, at least two members of the Election Commission, and anyone invited by the Election Commission.

Section 12: The Election Commission shall certify the results of the election, and they shall be responsible for the accuracy of the certified results.

Section 13: The Treasurer shall be determined by a plurality of the votes cast. A run-off election shall be held only in the event that two or more candidates are tied. All candidates who are tied will be included in the run-off.

Section 14: In the event of a tie in a run-off election for Treasurer, the following procedure shall guide the election's outcome:

Clause 1. The Treasurer shall be determined by a simple majority vote of the Senate.

Clause 2. If the Senate's balloting is equally split, the Treasurer will be determined by a simple majority vote by members of the Personnel and Development Committee.

Section 15: The terms of office for the Treasurer shall be approximately one (1) calendar year in length, beginning inauguration day.

Section 16: Members of the Election Commission will notify all candidates of the results of the election.

Section 17: The inauguration of ASA Treasurer shall occur as early as seven (7) but no more than twenty-eight (28) calendar days after the spring election.

Article IX: The Spring Primary Election

Section 1: In the event that more than two (2) tickets for ASA President and Vice President file petitions declaring an intent to run, a primary election shall be held at least seven (7) calendar days prior to the spring election.

Section 2: Absentee ballots shall be made available at a time and location specified by the Election Commission.

Section 3: Only currently enrolled students (full- and part-time) are eligible to vote.

Section 4: All votes shall be cast by secret ballot.

Section 5: The ballot position of each ticket shall be determined by a random draw. The Election Commissioner shall determine the form of the ballots.

Section 6: Write-in votes shall not be allowed. Any ballots so marked shall be considered spoiled.

Section 7: The Election Commission shall determine the number and location of voting precincts.

Section 8: No less than two (2) students shall preside at the ballot box(es) of each precinct on the day of the election. Those eligible to preside at the ballot box(es) are students approved and trained by the Election Commissioner. Candidates for election are not eligible to preside at the ballot box. Those students presiding at the ballot box(es) shall remain impartial and unbiased.

Section 9: Campaigning and the use of campaign signs and literature distribution within one hundred (100) feet of the ballot box(es) is strictly prohibited.

Section 10: Should any candidate or ticket be disqualified from an election, voters shall be informed about the disqualification at the polling place. Ballots cast for a disqualified candidate or ticket shall not be counted.

Section 11: An initial tally of votes shall be conducted by the Election Commission within twelve (12) hours after the polls have closed. Votes shall be counted in the presence of the Election Commissioner, at least two members of the Election Commission, and anyone else at the discretion of the Election Commission.

Section 12: The Election Commission shall certify the results of the election, and they shall be responsible for the accuracy of the certified results.

Section 13: In the event of a tie for second place in the Primary Election, the three tickets receiving the most votes will be placed on the Spring Election ballot.

Section 14: Members of the Election Commission will notify all candidates of the results of the election

Article X: Spring Election of the ASA President and Vice President

Section 1: Each spring semester there shall be an ASA election to elect one (1) ticket for ASA President, Vice President. This election will be held in concurrence with the spring election for senators and the ASA Treasurer.

Section 2: Absentee ballots shall be made available at a time and location specified by the Election Commission.

Section 3: Only currently enrolled students can vote.

Section 4: All votes shall be cast by secret ballot.

Section 5: Ballot position shall be determined by a random draw. The Election Commissioner shall determine the form of the ballots.

- Section 6: Write-in votes shall not be allowed. Any ballots so marked shall be considered spoiled.
- Section 7: The Election Commission shall determine the number and location of voting precincts.
- Section 8: No less than two (2) students shall preside at the ballot box(es) of each precinct on the day of the Spring Election. Those eligible to preside at the ballot box(es) are students approved and trained by the Election Commissioner. Candidates for election are not eligible to preside at the ballot box. Those students presiding at the ballot box(es) shall remain impartial and unbiased.
- Section 9: Campaigning and the use of campaign signs and literature distribution within one hundred (100) feet of the ballot box(es) is strictly prohibited
- Section 10: Should any candidate or ticket be disqualified from an election, voters shall be informed about the disqualification at the polling place. Ballots cast for a disqualified candidate or ticket will not be counted.
- Section 11: An initial tally of votes shall be conducted by the Election Commission within twelve (12) hours after the polls have closed. Votes shall be counted in the presence of the Election Commissioner, at least two members of the Election Commission, and anyone else at the invitation of the Election Commission.
- Section 12: The Election Commission shall certify the results of the election, and they shall be responsible for the accuracy of the certified results.
- Section 13: The ticket for ASA President and Vice President that receives a plurality of votes cast in the contest shall be elected.
- Section 14: In the event of a tie, the following procedure shall guide the selection of the President and Vice President ticket:
- Clause 1. The ticket shall be determined by a simple majority vote of the Senate.
 - Clause 2. If the Senate's balloting is equally split, the ticket will be determined by a simple majority vote by members of the Personnel and Development Committee.
- Section 15: Members of the Election Commission will notify all candidates of the results of the election.
- Section 16: The terms of the ASA President and Vice President shall be approximately one (1) calendar year in length, beginning inauguration day.
- Section 17: The inauguration of ASA President and Vice President shall occur as early as seven (7) but no more that twenty-eight (28) calendar days after the spring election.

Article XI: Referenda

- Section 1: All referenda shall be made public by the Election Commission, (7) seven calendar days prior to the election.
- Section 2: Voters shall cast ballots either “for” or “against” the issue in question, and “for” shall be listed before “against.”
- Section 3: The Augustana Student Association may have a referendum placed on the ballot by passing a resolution in the Senate with a two-thirds vote at a regular Senate meeting.
- Section 4: Students may submit proposed referendums with a petition of at least two hundred fifty (250) student signatures.
- Section 5: At least thirty (30) percent of the ASA membership must vote in a referenda election in order for the outcome of the election to be certified by the Election Commission.

Article XII: Violations of the Election Code

- Section 1: Should the Election Commission find a basis for charging an individual with a violation of this Code, the Election Commission in consultation with the Dean of Students shall refer the student(s) to the Election Commission for a formal review of the charge. The Election Commission has the authority to disqualify candidates, invalidate ballots, and/or impose other disciplinary consequences including referral to the College’s Judicial System.
- Section 2: Any student shall have the right to protest an alleged violation of election policies in written form with the Election Commission up to forty-eight (48) hours after the closing of the polls. The Election Commission shall convene a review process within two (2) class days to consider the protest and to determine what actions if any shall be taken.
- Section 3: Slander or libel against any candidate shall be illegal and the Election Commission shall investigate any charges of slander or libel. If the Election Commission deems necessary, the accused student must stand trial by the Election

Commission. The Election Commissioner shall serve as prosecutor. The accused student shall be allowed to defend himself or herself.

Section 4: Destruction of campaigning materials or any other violation of election policies and procedures shall be dealt with as outlined in this Code.

Section 5: Should a candidate be aware of any illegal action being committed by his or her supporters without attempting to halt that action and without reporting that action to the Election Commissioner, the candidate shall be charged with the same offense.

Section 6: A decision by the Election Commission pursuant to either Section 1 or Section 2 of this Article may not be appealed unless facts may be presented that show either:

Clause 1. An error in procedural due process by the Election Commission which prejudiced the outcome to the extent that the candidates or students in question were denied a fundamentally fair hearing as a result of the error.

Clause 2. The emergence of new evidence that could not have been previously discovered by the exercise of due diligence and which, had it been presented at the initial hearing, would have substantially affected the original decision of the Election Commission.

Article XIII: Validity of the ASA Election Code

Section 1: This Code shall be in effect immediately upon its approval by the ASA Senate.

Section 2: Upon approval by the ASA Senate, all previous election documents and legislation shall be null and void.