

TITLE VI: TREASURY OF THE ASSOCIATION

CHAPTER 601: TREASURY OF THE ASSOCIATION

SECTION 01: TREASURY OF THE ASSOCIATED STUDENTS; REFERENCES; FUNDS WITHIN THE TREASURY

a) IN GENERAL:

The Government of the Associated Students has a Treasury of the Associated Students, which consists of two primary divisions as follows:

- 1) General Fund.
- 2) Capital Fund.

b) REFERENCES TO TREASURY:

Any reference to the Treasury or the Treasury of the Associated Students in any law, regulation, report, or other document shall be deemed to be a reference to the funds placed in the General Fund unless the context indicates otherwise.

c) CAPITAL FUND:

There is established a Capital Fund which must be used to receive all excess revenues from the ASUN Bookstore and account for all expenditures made from this account in furtherance of the purposes as set out in law.

SECTION 02: DISBURSEMENT OF FUNDS FROM TREASURY

Any expenditures exceeding \$100.00 shall not be released from any account under the control of the Associated Students without such disbursement being approved, in writing, by the President or the Presidents designee, or by the officer who has control over the account, unless otherwise provided for by law. Expenditures that total less than \$100.00 from any account may be signed and approved by the designated advisor.

SECTION 03: DELEGATION OF SIGNING AUTHORITY

The President is authorized to delegate to any department head the signing authority for the accounts for the use of the particular department. The President shall submit a document of assigned signature authority along with the proposed budget for the Fiscal Year as outlined in Chapter 405 of this Title. Each account shall have two assigned designees to sign off on expenditures from each account. One of the designees from each account must be an advisor.

SECTION 04: CHANGES TO THE DELEGATION OF SIGNING AUTHORITY

Changes of signature authority may be made at any time. When the President makes a change of this form, the President shall report this change at the Senate meeting immediately following.

SECTION 05: LIMITATIONS ON EXPENDING AND OBLIGATING AMOUNTS

Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law. An officer or employee of the Associated Students may not:

- a) make or authorize an expenditure exceeding an amount available in an appropriation or fund for the expenditure; or
- b) involve the Association in a contract or obligation for the payment of money before an appropriation is made unless authorized by law.

SECTION 06: SENATE ACCOUNTS

The Speaker of the Senate shall have signing authority over accounts under the control of the Senate. The Speaker may delegate signing authority to the chair of any committee under the jurisdiction of the Senate for the purpose of expending such funds as may be necessary for the conduct of committee business.

SECTION 07: SUIT TO REQUIRE RELEASE OF FUNDS

Except for accounts under the control of the Senate, when any official who has the lawful duty to approve the disbursement of funds from accounts of the Association fails to carry out such duty, the injured party may file with the Judicial Council of the Associated Students for a writ of mandamus requiring the official to approve the release of funds.

CHAPTER 602: GENERAL FUND

SECTION 01: ESTABLISHMENT

There is established a General Fund which shall be used to receive all revenues and account for all expenditures not accounted for as provided by law in the Capital Fund.

SECTION 02: ACCOUNTING POLICY

Governmental funds must be appropriated by focusing upon a determination of financial position and changes in financial position, rather than upon a determination of net income.

SECTION 03: SOURCES OF REVENUE

The General Fund shall consist of revenues realized from the following sources:

- a) Student fees assessed in support of the Association.
- b) Investment and endowment income.
- c) Balances of unused revenues and appropriations from the prior fiscal year.
- d) Donations, transfers, and subsidies that are in accordance with NSHE policy.
- e) Other funds deemed appropriate by the President and the Budget and Finance Committee.

SECTION 04: EXPENDITURES AND LIMITS

The General Fund shall account for all operational expenditures of the Association. No funds contained in the General Fund shall be used for capital spending unless the Senate explicitly provides for such capital spending by law.

SECTION 05: ACCOUNTS

Accounts shall be created within the General Fund at the direction of the Senate to segregate revenues and expenditures among the various branches, departments, programs, and services of the Association.

CHAPTER 603: CONTINGENCY RESERVE

SECTION 01: ESTABLISHMENT OF THE CONTINGENCY RESERVE ACCOUNT

There is established within the General Fund a Contingency Reserve Account.

SECTION 02: PURPOSE

The purpose of the Contingency Reserve Account is to provide flexibility in times of fiscal emergency by placing a certain portion of the General Fund in reserve.

SECTION 03: COMPOSITION

The fund shall consist of 2.5 percent of the total anticipated student fee revenue for the fiscal year.

SECTION 04: RELEASE OF FUNDS

Funds shall not be released from the Contingency Reserve Account unless the President certifies in writing to the Senate that a fiscal emergency necessitates the release of funds.

CHAPTER 604: THE CAPITAL FUND

SECTION 01: IN GENERAL

The Capital Fund consists of the revenues generated from the transfer of excess revenues from the ASUN Bookstore.

SECTION 02: REFERENCES

Any reference to the Capital Account, Bookstore Account, Bookstore Reserve, or any derivative thereof, in any law, resolution, regulation, contract, agreement, report, or other document shall be deemed to be a reference to the funds placed in the Capital Fund unless the context indicates otherwise.

SECTION 03: PURPOSE

The general purpose of the Capital Fund is limited to spending on:

- a) capital equipment and improvements;
- b) scholarships and other awards;
- c) grants or loans to student organizations or University entities;
- d) emergency funding to maintain the solvency of the Association;
- e) temporary transfers to maintain balance in the General Fund;
- f) emergency funding for the Nevada Wolf Shop; and
- g) other projects as expressly provided for by law.

SECTION 04: TEMPORARY TRANSFERS FROM THE CAPITAL FUND

a) LIMITATION ON TEMPORARY TRANSFERS:

Money transferred from the Capital Fund may be used only to offset structural deficits within the General Fund as a result of overspending actual fee revenues deposited into the General Fund from the fall, spring, and summer semesters. Funds transferred on this basis may not be used to increase the spending authorized for a fiscal year.

b) REPORT:

The President of the Associated Students shall report to the Senate Committee on Budget and Finance when such a transfer is to be made, its purpose, and its expected duration before reversion with guidance from the Director of the Associated Students.

SECTION 05: MAINTENANCE OF RESERVE

At no time shall the balance of the Capital Fund drop below \$500,000.00, effective once the account reaches that amount in deposited funds, except in the event of an emergency.

SECTION 06: REQUESTS FOR CAPITAL SPENDING

a) FILING:

Requests for an appropriation from the Capital Fund shall be filed in writing with the Senate Committee on Budget and Finance through the President of the Associated Students.

b) CONTENT:

The request must include:

- 1) A statement of the amount requested together with a complete itemized budget of the project.
- 2) A justification for the request, including a statement detailing how the spending project will benefit the Association.
- 3) Automatic request for a 10% contingency when working with UNR facility on capital projects in case a change order is necessary. Any amount exceeding 10% must be sent back to the ASUN Senate

c) DISPOSITION OF REQUESTS:

Any request not granted during a session of the Senate shall fall at the conclusion of that session without prejudice to being renewed in the next session.

d) HEARING:

- 1) Once a valid request has been received, the Senate Committee on Budget and Finance shall meet to consider a request within three weeks when the Senate is in session.
- 2) The requestor or designee shall be present at the meeting during which the request is considered to explain in detail the reasons for the request.

SECTION 07: CONDITIONS AND LIMITATIONS ON USE OF THE CAPITAL FUND

Capital spending shall comply with the following conditions:

- a) A tangible, material, or constructive benefit to the Association and its members exists and is capable of being quantified or qualified.
- b) The benefit, especially with respect to spending on capital improvements, shall have a usable service life of at least three years unless the funding was temporary in nature.

SECTION 08: LIMITATIONS

The Capital Fund shall not be used to fund or support any of the following:

- a) Operational expenses of any club or organization.
- b) Equipment or uniforms to an intramural or recreational sports team.
- c) Reimbursements of expenses already incurred, or obligations already entered into.
- d) Stipends, wages, salaries, or other expenses in the nature of compensation to any individual or group, except that funds may be granted for this purpose to a university department or service on when, in the judgment of two-thirds of the Senate, the grant is necessary to maintain the health, safety, or welfare of the members of the Association.
- e) Prizes or other promotional items.
- f) Pilot funds for any operational expense of a government program or service.
- g) Projects which will not benefit primarily members of the Association.

SECTION 09: REPORTS

- a) Any organization outside of the Associated Students to which was granted an appropriation from the Capital Fund shall report to the Senate Committee on Budget and Finance within three months of the appropriation being made, following the conclusion of the project, and at other times as requested by the committee. The report shall include the status of the project, any deviations from the initial spending plan, and a detailed accounting of all funds spent on the project regardless of their source.
- b) The Budget and Finance Committee may request reports of ASUN's capital expenditures at any time.
- c) The Director of the Wolfshop shall give a report at the start of each semester to the Committee on Budget and Finance, about the financial and operating standing of the Wolfshop.

SECTION 10: RECOGNITION

For any capital spending project on a physical improvement budgeted for over \$10,000.00, a permanent fixture of an appropriate form and design shall be furnished and displayed in recognition of the contributions of the Association.

CHAPTER 605: THE BUDGET

SECTION 01: DEFINITIONS

In this Chapter, “agency” means any department, program, or service of the Association, except the Senate and the Judicial Council of the Associated Students.

SECTION 02: FISCAL YEAR

The fiscal year of the Treasury begins on July 1 of each year and ends on June 30 of the following year. Accounts of receipts and expenditures required under law to be published each year shall be published for the fiscal year no later than December 31 following the fiscal year.

SECTION 03: BUDGET CEILING

Budget outlays of the Associated Students for a fiscal year shall not exceed more than the receipts of the Association for that year.

SECTION 04: BUDGET AND APPROPRIATIONS AUTHORITY OF THE PRESIDENT

- a) The President shall prepare the budget of the Associated Students in accordance to Section 05 of this title.
- b) When the President makes a basic change in the form of the budget in order to stay in accordance with law, the President shall submit information to the Committee on Budget and Finance showing where items in the budget have changed. However, the President may change the functional categories in the budget only in consultation with the Senate Committee on Budget and Finance.
- c) The President shall develop programs to improve the compilation, analysis, publication, and dissemination of statistical information by agencies in order to enhance fiscal efficiency.
- d) Under regulations prescribed by the President, each agency shall provide information required by the President in carrying out this chapter. The President has access to, and may inspect, records of an agency to obtain information.

SECTION 05: BUDGET CONTENTS AND SUBMISSION TO SENATE

- a) On or before the last meeting of the Senate of the Associated Students each April, the President for the following session shall submit a budget of the Associated Students for the following fiscal year. The President shall include in each budget the following:
 - 1) A budget memo with supporting information.
 - 2) Information on the activities and functions of each department and service funded by the Associated Students.
 - 3) A summary of the changes between the last fiscal year’s budget and next fiscal year’s budget.
 - 4) Information about the debt of the Government, if any.
 - 5) An allowance for the Contingency Reserve as outlined in Chapter 403 of this Title.
 - 6) Information on estimates of appropriations that extend for more than one fiscal year, such as grants, contracts, and other payments that have the appropriate authorization.
 - 7) Other financial information the President decides is desirable to explain in practicable detail the financial condition of the Association.
 - 8) A document of signature authority delegation as outlined in Section 3 of Chapter 401 of this Title.
- b) Estimated expenditures and proposed appropriations for the legislative branch and the judicial branch to be included in each budget shall be submitted to the President before a week following the first meeting of the following session of the Senate of the Associated Students.
- c) The President shall recommend in the budget appropriate action to meet an estimated deficiency

when the estimated receipts for the fiscal year for which the budget is submitted (under laws in effect when the budget is submitted) and the estimated amounts in the Treasury at the end of the current fiscal year available for expenditure in the fiscal year for which the budget is submitted, are less than the estimated expenditures for that year. The President shall make recommendations required by the public interest when the estimated receipts and estimated amounts in the Treasury are more than the estimated expenditures.

- d) When the President submits a budget or supporting information about a budget, the President shall include a statement on all changes about the current fiscal year that were made before the budget or information was submitted.

SECTION 06: IMPROVING ECONOMY AND EFFICIENCY

To improve economy and efficiency in the Associated Students Government, the President shall:

- a) Make a study of each agency to decide, and may send the Senate recommendations, on changes that should be made in:
 - 1) the organization, activities, and business methods of agencies;
 - 2) agency appropriations;
 - 3) the assignment of particular activities to particular services; and
 - 4) regrouping of services.
- b) Evaluate and develop improved plans for the organization, coordination, and management of the executive branch of the Government.

SECTION 07: THE SENATE AND THE BUDGET

The Senate shall have the power through legislation to do the following as it pertains to the budget:

- a) Modify and approve the budget as proposed by the President for the fiscal year.
- b) Make changes and modify the budget throughout the fiscal year by the request of agencies to the Committee on Budget and Finance.
- c) Redistribute funds within accounts of the Association through legislation as it sees fit.
- d) Redistribute funds between accounts of the Association through legislation as it sees fit.
- e) Recognize funds given to the Association in the form of but not limited to subsidies, donations, income from events, etc. This must be done in accordance to NSHE policy.

Basic changes to the budget to make it in accordance to the laws as outlined in the SAS need not have legislation passed to make these changes.

SECTION 08: FINANCIAL REVIEWS

The Senate Committee on Budget and Finance shall conduct financial reviews on each ASUN account and provide a consolidated, physical report for each review conducted. Each consolidated report shall be made publicly available to the Senate and student population. Each account shall be reviewed, at minimum, once per semester. The committee shall receive information on the following for each Financial Review:

- a) An overview of exactly what the department does for ASUN and why it is important to the campus.
- b) How the money has been allocated in the budget thus far for that fiscal year.
- c) A list of expenses from the account for that Fiscal Year and reasons for that expense.
- d) Plans for further expenses from the account for the rest of the fiscal year.

SECTION 09: ACCESS TO FISCAL INFORMATION

At all times, the Chair of the Senate Committee on Budget and Finance shall have access to all records, documents, systems, or otherwise, of the finances of the Association, its departments, partners, successors, assigns, or otherwise.

TITLE VII: ELECTIONS

CHAPTER 701: ELECTIONS

SECTION 01: ESTABLISHMENT

There are hereby established elections of the Associated Students of the University of Nevada.

SECTION 02: MISSION

The mission of the facilitation of elections is to provide for a fair and efficient election for the Association. The facilitation of elections provides an avenue for motivated Nevada students to start their understanding of a career in public service. Students become engaged locally as well as nationally and are instilled with a deep sense of leadership and civic responsibility that contributes to the development of engaged citizens.

SECTION 03: FACILITATION

The facilitation of elections of the Association shall be implemented collectively by Director of Elections and Democratic Education hired by the Center for Student Engagement as well as the Attorney General of the Association.

SECTION 04: COMPOSITION OF DUTIES

The Attorney General shall be involved in the ASUN Election Process with their following duties outlined in Chapter 205: Attorney General.

The following shall be considered the duties of the Director of Elections and Democratic Education:

- a) To execute and oversee the facilitation of the elections that are in accordance with the Election Code and the Association's Constitution.
- b) To refer all Election Code violations to the Judicial Council for adjudication,
- c) To facilitate the logistics of elections, including but not limited to outreach, planning workshops, building connections for the betterment of the elections, and ensuring elections are fair, equal, inclusive, and democratic.
- d) To plan all dates, deadlines, finance dues, marketing, and initiatives pertaining to elections.
 - a. The Director must include the date of the mandatory candidates meeting as well as the date of the mandatory retreat as decided by the Director of Executive Affairs in the candidates' packet.
- e) To create programming and initiatives that aims to educate students about democratic engagement in local, state, and national politics.
- f) To prosecute violations of this title in the absence of the Attorney General, Chair for the Senate Committee on Government Operations, or a designated spokesperson thereof.

The position is to be hired by the Center for Student Engagement Professional Staff. Updates to duties in their position shall be reflected and amended in this section.

CHAPTER 702: ELECTIONS CODE

SECTION 01: ESTABLISHMENT

The Elections Code is hereby established.

SECTION 02: PURPOSE

The purpose of the Elections Code is to provide for the conduct of all Association elections. Nothing in the Election Code shall presume authority over the unsolicited actions of individuals not considered members of ASUN (e.g., NSHE faculty, staff, administrators, graduate students, and members of the public) that may violate the Election Code, ASUN Constitution and any other ASUN governing or operational documents. However, candidates and/or agents of candidates shall be held responsible for their part in engaging individuals in activities that violate the Election Code, ASUN Constitution and any other ASUN governing or operational documents.

SECTION 03: EQUAL PROTECTION

The Election Code is intended to ensure that each candidate is afforded an opportunity for election equal to that of any other candidate for that office, and proponents and opponents of initiatives, referenda, and other petitions are afforded an equal opportunity for their respective victory.

SECTION 04: MECHANICS OF THE ELECTION

a) ELECTION DATES:

ASUN Elections shall be held in accordance with the ASUN Constitution and laws.

b) POLLING LOCATIONS:

All polling locations are classified as either a “physical polling location” or an “electronic polling location.”

1) Definitions:

i) PHYSICAL POLLING LOCATION:

Any location on-campus in which CSE facilitates voting in an election.

ii) ELECTRONIC POLLING LOCATION:

Any active device (laptop computer, mobile phone, workstation, etc.) through which ASUN Elections Ballots may be obtained.

2) POLLING LOCATION:

i) Any election of ASUN may have a physical polling location within the Student Union, which shall be open for voting at a minimum between the hours of 8 a.m. and 5 p.m., each day voting is taking place.

ii) Upon approval from the Office of Residence Life and Housing, any election of ASUN shall have a physical polling location within a Residence Hall building, which shall be open for voting for at least four (4) consecutive hours each day voting is taking place.

3) The Director of Elections and Democratic Education may determine, if necessary, another on-campus location in the interests of the student body provided that such additional locations are open:

i) On each day of polling;

ii) To all members of the campus community; and

iii) For no fewer than four hours each day.

4) The Director of Elections and Democratic Education shall place the physical polling locations so as to avoid congestion and provide easy access to the voter.

5) The locations of the polling locations shall be well-publicized before and during the election.

c) CLOSING OF PHYSICAL POLLING LOCATIONS:

No person in line to vote at the time the physical polling location closes shall be prevented from

voting at that place and time.

- 1) CONDUCT OF POLL(S): The Director of Elections and Democratic Education shall determine areas where campaigning is not allowed prior to the Candidates' Meeting.
 - 2) The area(s) shall not have campaign signs, posters, or other literature and candidates shall not be allowed to campaign in it.
 - 3) All further guidelines as defined in this section shall only be enforced on days during which any election of ASUN may occur.
 - 4) Conduct of the poll(s) is further limited as follows:
 - Physical Polling Locations:
 - There shall be no loitering at the physical polling locations.
 - The Director of Elections and Democratic Education shall provide sufficient, but not less than one, electronic devices at each physical polling location.
 - No candidate or agent of a candidate shall actively or passively campaign to any voter from within 25 feet of a physical polling location except if the campaign material falls under one of the following:
 - Social Media
 - Website
 - Email
 - Electronic Polling Locations:
 - No candidate or agent of a candidate shall actively campaign to any individual accessing an electronic polling location.
- d) STAFFING OF THE POLLS:
1. Each physical polling location shall be staffed with at least two poll workers selected by the Director of Elections and Democratic Education.
 2. Any person who claims, represents, affirms, or is staffed by a candidate cannot be selected as a poll worker.
 3. Candidates cannot be selected as poll workers.

SECTION 05: VOTERS' GUIDE

- a) PURPOSE:
- The Voters' Guide shall provide an opportunity to candidates, and proponents and opponents of petitions to express their opinions on the Elections, and for information to be disbursed to the electorate about ASUN, voting procedures, candidates, and petitions.
- b) SPECIFICATIONS:
- The Voters' Guide shall include
- 1) Candidate statements or platforms,
 - 2) The full text of all petitions and constitutional amendments,
 - 3) An explanation of voting procedures, and
 - 4) A description of the duties of the Senate and Executive Officers.
- c) DISTRIBUTION:
- The distribution of the Voters' Guide shall include, but is not limited to:
- 1) Physical polling locations
 - 2) Living areas (such as Residence Halls)
 - 3) The Nevada Sagebrush,
 - 4) The Disability Resource Center, and
 - 5) Other areas deemed by the Director of Elections and Democratic Education.

SECTION 06: CANDIDATES

- a) ELIGIBILITY:
- 1) Each candidate must meet the requirements of eligibility at the time of filing, for the office for which the Candidate is running as stated in the ASUN Constitution.

- 2) The Associate Director of the Center for Student Engagement, or designee, shall verify each candidate's eligibility.
 - 3) All candidates declared ineligible to run shall be notified by the Associate Director of the Center for Student Engagement, or designee.
 - 4) Candidates for Senate who are members of multiple colleges or schools shall file under only one college or school of their preference.
 - 5) Candidates can only file for one office.
- b) CANDIDATE NAME:
- 1) In any election, the name presented on a ballot must be either the candidate's given name and surname, or the candidates preferred name as reflected in MyNEVADA.
 - 2) NICKNAME
 - i. A contraction or familiar form of the candidate's given name can be used followed by the candidate's surname.
 - ii. A nickname may be incorporated into the name of a candidate. The nickname must be in quotation marks and appear immediately before the surname of the candidate.
 - iii. A nickname must not be vulgar or threatening and must not indicate any political, economic, social, or religious view, or affiliation and must not be the name of any person, living or dead, whose reputation is known on a campus-wide, statewide, nationwide, or worldwide basis, or in any other manner deceive a voter regarding the person or principles for which the individual is voting.
 - 3) In any election if two (2) or more candidates have the same surnames or surnames so similar as to be likely to cause confusion, the candidate's middle initials, if any, of the candidates must be included in the names of the candidates as presented on the ballot and in the Voter's Guide.
 - 4) The Associate Director of the Center for Student Engagement shall verify the validity and legality of all candidate names, as submitted on the filing form by the candidates. The Director of Elections and Democratic Education shall inform all affected candidates of any problems or inconsistencies.
 - iv. This shall be done, as far as possible, prior to the submission of information for the Voter's Guide, in order to permit corrections.

SECTION 07: CANDIDATE FILING PERIOD

- a) TIME FRAME
- 1) The Filing Period for candidates shall open at 8:00 a.m. on the eighth Monday before General Elections commence.
 - 2) The Filing Period for candidates shall close at 5:00 p.m. on the second Friday after the Filing Period opens.
 - 3) The Director of Elections and Democratic Education can alter the dates for the opening and/or closing of the Filing Period for candidates in dire circumstances with due notice to the ASUN Senate and all candidates.
 - i. Notice to the Senate will be given through public comment by the Director of Elections and Democratic Education
 - ii. The Director of Elections and Democratic Education must give notice to the ASUN Senate the meeting of or prior to "Prep Day" (as determined by the University) of the previous academic semester.
- b) CANDIDATE FILING FORM:
- 1) Each candidate shall file a Candidate Filing Form by the deadline.
 - 2) Candidate filing Forms shall be available online via the ASUN Elections website.
 - 3) Candidate Filing Forms may be filed online via the ASUN official website.
 - 4) The Candidate Filing Form shall include:
 - i. The Candidate's name as it will appear on the election ballot and the Voters'

Guide;

- ii. The office the Candidate is seeking;
- iii. Contact information of the candidate;
- iv. A list of campaign managers or individuals who are directly affiliated with the candidate's campaign; Eligibility Requirement Verification:
An electronic signature or acknowledgement confirming the candidate consent to having their GPA, enrollment and college membership verified by a CSE professional staff member;
- v. A list of all social media handles, website URL's, and other online locations where the candidate or campaign managers will disseminated campaign material as defined in Section 20: Campaign Finance Rules and Regulations.
- vi. Candidate Platform or Statement
- vii. A statement informing the candidate that they are responsible for all information presented in the Elections Code, Candidate's packet and any Candidates' Meetings.

c) **DEADLINE FOR WITHDRAWAL:**

- 1) Candidates may withdraw their name from the election by submitting a written notice to the Director of Elections and Democratic Education or the Associate Director of the Center for Student Engagement, or designee stating their withdrawal.
- 2) The deadline to withdraw from any election shall be 48 hours prior to the start of voting for that election (i.e., Primary Election, General Election or Special Election).

d) **ELECTIONS FINE:**

- 1) By filing for candidacy, all candidates consent to have a hold placed on their student account if a fine is levied against the candidate by the Judicial Council for violating the Election Code.
- 2) Candidates have 10 business days from the date of notification to pay their fine at the Center for Student Engagement. If a candidate does not pay the fine by the deadline unless otherwise noted by proof of financial hardship, a hold will be placed on their student account and if elected will not be hired.
- 3) Any candidate that accrues charges totaling fifty dollars (\$50.00) will be disqualified from ASUN elections due to noncompliance of the Elections Code.

SECTION 08: QUALIFICATIONS OF VOTERS

- a) Students shall present their Nevada University Student ID card at a physical polling location prior to voting to verify voter eligibility.
- b) For legislative elections, enrolled undergraduate students are eligible to vote in every college or school they belong.
- c) The student must be a member of the college or school by 5:00 p.m. on the "last day to add or swap classes with instructor permission" (as determined by the University) of the semester the election is held in order to be eligible to vote in a particular college or school.
- d) Students cannot vote more than once on Executive Officer positions, initiatives, referendums, and constitution amendments.
- e) Voters may not submit more than one ballot per election.

SECTION 09: PETITIONS FOR INITIATIVE AND REFERENDUM

a) **DEFINITIONS:**

1) **PETITION:**

A petition is any initiative or referendum which will be placed before the student body in an ASUN Election, in pursuance of constitutional definitions of initiative and referendum.

- i) Initiative is defined as any item of enactment may be put to a vote of the students by petition. No measure repealing a prior action shall be done by initiative.

- ii) A referendum shall be used to repeal any item of enactment of the Senate.
- 2) PRIMARY PROPONENT(S) OF A PETITION:
 - i) A Primary Proponent of a petition is any student that submits a petition. The Primary Proponent(s) of any petition is responsible for the conduct of the campaign in support of the petition.
- 3) PROPONENT OF A PETITION:
 - i) A Proponent of a petition is any person, including the Primary Proponent(s) of a petition, who acts in support of a petition by delegation, either explicitly or implicitly, of one or more of the Primary Proponents of that petition.
 - ii) This shall include any person who circulates or attempts to circulate a petition.
 - iii) This shall not be construed as to include individuals who act in support of a petition independently and without the knowledge of the Primary Proponent(s).
- 4) PRIMARY OPPONENT(S) OF A PETITION:
 - i) After the verification of a petition for an initiative petition or referendum, the Attorney General shall inform the following individuals, in the following order, that the individual may claim the role of Primary Opponent:
 - 1. The President.
 - 2. All other ASUN Elected or Appointed Officers.
 - 3. Any signatory of an ASUN sponsored Club or Organization.
 - 4. Any member of the Association.
 - ii) The Primary Opponent may then submit to the Director of Elections and Democratic Education a statement for the Voters' Guide and submit to the Attorney General a statement acknowledging that the individual is responsible for the conduct of the campaign in opposition to the petition.
- 5) OPPONENT OF A PETITION:
 - i) An Opponent of a petition is any person, including the Primary Opponent(s) who acts in opposition to a petition by delegation, either explicitly or implicitly, of one or more of the Primary Opponents of that petition.
 - ii) This shall not be construed as to include individuals who act in opposition to a petition independently and without the knowledge of the Primary Opponent(s).
- b) DATE OF VOTING:

The vote on an initiative or referendum shall take place at the next spring semester election following receipt of the petition, provided that the date of receipt is before the end of the candidate filing period for the spring election; otherwise, the vote shall take place at the next spring election thereafter.
- c) PETITION STATEMENT REQUIREMENTS:
 - 1) The statement of each petition must be at most two (2) sentences in length.
 - i) The first sentence may state the issue to be voted on in an unbiased manner.
 - ii) The last sentence shall be a neutrally worded question to which an answer of "yes" or "no" is appropriate.
 - 2) The Attorney General shall be available to assist any student interested in writing a petition.
- d) NOTIFICATION TO THE DIRECTOR OF ELECTIONS AND DEMOCRATIC EDUCATION:

It shall be the responsibility of the Attorney General to provide all of the petitions for each election to the Director of Elections and Democratic Education before the Candidates' Meeting.
- e) REQUIRED VOTES FOR PETITIONS:

Unless otherwise stated in the Constitution or laws, (or in the case of student fee questions, applicable to University Policies), a favorable vote of a majority of the votes cast for and against the petition shall be necessary for adoption of the petition.
- f) POSITIONS CHANGED BY CONSTITUTIONAL AMENDMENT:
 - 1) In the case where a constitutional amendment will delete an elected position and create a

different one with substantially the same duties, a person elected to the old position shall be considered elected to the new position if the constitutional amendment passes.

- 2) The Director of Elections and Democratic Education shall indicate that such a case exists by titling the position, on the ballot and in its other literature, with a juxtaposition of the old and new titles (e.g., "Officer Title X/Officer Title Y").
- g) SUBMISSION OF PETITION TO ATTORNEY GENERAL:
 - 1) Prior to circulating any petition, the Proponent(s) shall submit to the Attorney General the proposed question.
 - 2) The Proponent(s) shall submit a statement to the Attorney General that declare the Primary Proponent of the petition, and who is responsible for the conduct of the campaign in support of the petition.
 - 3) The Attorney General shall certify that the question is an impartial and accurate description of the proposal and shall assign the petition an Official Name and Number.
 - i) If the petition creates a law, the Attorney General shall prepare an Official Summary of the petition.
 - ii) The Attorney General shall confer with the office of Legal Counsel or designee for approval of language on questions of student fees.
 - 4) The Attorney General shall create the petition and return to the Primary Proponent three (3) copies of the petition.
- h) CONTENT OF PETITIONS:
 - 1) The petition shall contain the full title and statement of the petition as it is to appear on the ballot on each page on which signatures are to appear.
 - 2) The petition shall contain the Official Summary of the petition on each page on which signatures are to appear in Roman type not smaller than 12-point.
 - 3) The petition must have room for the signature of each petition signer and the printed name. Signature spaces must be consecutively numbered commencing with the number 1 for each page.
 - 4) Attached to each page of the petition on which signatures are to appear shall be any other material not in the text of the petition which is directly relevant to the petition.
- i) CIRCULATION OF PETITION:
 - 1) The petition may be circulated by many different people carrying separate, identical Sections.
 - 2) Petitions may be circulated only by registered University of Nevada, Reno, undergraduate students.
 - 3) Each petition circulator who obtains signatures must complete a declaration attached to the petition stating:
 - i) The petition circulator is a registered University of Nevada, Reno, undergraduate student;
 - ii) The petition circulator witnessed the appended signatures being written;
 - iii) To the best of the petition circulator's information and belief, each signature is the genuine signature of the individual whose name it purports to be; and
 - iv) The printed name, address, and telephone number of the petition circulator soliciting the signatures.
 - 4) If any information given under this statement is false, the entire Section of the petition shall not be used.
- i) PETITION SIGNATURES:
 - 1) Each signer must personally place on the petition a signature, printed name, and NO INFO HERE
 - 2) None of the above may be preprinted on the petition.
 - 3) Any signature line which is not legible or complete shall not be counted.
 - 4) Each signer may sign a petition only once.
- j) PRESENTATION OF COMPLETED PETITION:

- 1) A petition shall be considered presented when it has been physically presented to the Attorney General.
- 2) To prevent unauthorized petitions from circulating and unauthorized persons from filing petitions, only the Primary Proponent(s) of a petition, and persons authorized in writing by one or more of the Primary Proponent(s) may submit Petitions to the Attorney General.
 - ii) Any other petitions submitted will be disregarded by the Attorney General.
- 3) Once submitted, petitions may not be amended except by order of the Judicial Council.
- k) VERIFICATION OF THE PETITION:
 - 1) The Attorney General and the Ballot Coordinator shall verify that there are a sufficient number of valid signatures on each petition, by checking the student status of each person who signed the petition.
 - 2) Any signatures or pages of signatures not in compliance with this section shall not be counted towards the minimum number of signatures necessary for qualification.
 - 3) If the verifying official discovers that the petition submitted lacks sufficient valid signatures, the Attorney General shall immediately notify the Primary Proponent(s) and no further action is taken on the petition.
 - 4) The Attorney General must preserve the petition for the same time period as the Director of Elections and Democratic Education preserves the ballots for the election for which the petition qualified or attempted to qualify for placement on the ballot.
 - 5) If a petition has not been verified in time for the Candidates' Meeting, the petition shall be treated as valid until the verification is complete.
- l) PLACEMENT OF PETITION ON BALLOT:
Once a petition has qualified for the ballot, the Attorney General shall transmit the petition to the Ballot Coordinator for inclusion on the election ballot.
- m) ADDITIONAL PROVISIONS FOR CONSTITUTIONAL AMENDMENTS:
 - 1) A petition for a constitutional amendment shall be filed with the Attorney General in the same manner as a petition for initiative or referendum, who shall submit it to the Senate of the Associated Students once it has been qualified.
 - 2) No constitutional amendment shall be placed on the ballot without action of the Senate.

SECTION 10: RECALL ELECTIONS

- a) Before a petition to recall a public officer is circulated, the individuals proposing to circulate the petition must file a notice of intent with the Attorney General.
- b) After the notice of intent has been filed, the petitioner may begin collecting the constitutionally required number of signatures to initiate a recall election.
- c) If the number of signatures is achieved the special election shall be held in accordance with the ASUN Constitution by the Director of Elections and Democratic Education.
- d) The Recall Election shall be held in compliance with the Election Code as deemed appropriate by the Director of Elections and Democratic Education.

SECTION 11: THE INFORMATIONAL SESSION

- a) The Director of Elections and Democratic Education must hold a non-committal, Informational Session one week preceding the Filing Period. The date, time, location, and agenda of this meeting shall be posted on the official ASUN Election website.
- b) FUNCTION OF THE INFORMATIONAL SESSION:
 - 1) Acquaint all students with the basic structure, functions, and authority of the ASUN;
 - 2) Inform students about the election process; and,
 - 3) Answer questions, students may have about ASUN and how to become involved.

SECTION 12: THE CANDIDATES MEETING

- a) The Director of Elections and Democratic Education shall hold a minimum of one (1) mandatory Candidates' Meeting on the first Tuesday of classes following the end of the Filing Period. The date of this mandatory meeting will be included in the candidate packet.

- b) Candidates unable to attend must send a proxy in their place. Written notification must be provided to the Director of Elections prior to the meeting.
- c) All candidates (whether in attendance or not) are responsible for information presented at the meeting.
- d) FUNCTION OF THE CANDIDATES' MEETING:
 - 1) To acquaint all candidates with the basic structure, functions, and authority of the ASUN and of the Election Code.
 - 2) To discuss problems which have arisen in past elections.
 - 3) To discuss ASUN Judicial Council decisions and policies regarding elections, specifically the list of punishable infractions and their respective punishments.
 - 4) To discuss administrative details of the election.
 - 5) To explain requirements for each candidate statement for the Voters' Guide.
 - 6) Answer questions, candidates may have about ASUN and the election process.

SECTION 13: CAMPAIGN RULES

a) NO MALICIOUS ASSAULT:

The purpose of this subsection is to hold candidates and petitioners responsible for malicious assault on the most fundamental foundation of democracy, and to define and provide equitable remedy for the same. Any person, candidate, proponent, or opponent of a petition found before the ASUN Judicial Council to have committed a malicious assault on the most fundamental foundation of democracy through the following act shall be subject to punishment by the guidelines as set forth by the Election Code:

- 1) Interfering with the proper tallying of votes.

b) NO ETHICAL BREACHES:

The purpose of this subsection is to hold candidates and petitioners responsible for serious ethical breaches, which threaten the validity of the ASUN's commitment to fairness, democracy, and the legal institutions empowered to protect that democracy, as well as to define and provide equitable remedy for the same. For this reason, any person, candidate, proponent, or opponent of a petition found before the ASUN Judicial Council to have committed the serious ethical breaches stated in this section through the following acts shall be subject to punishment by the guidelines as set forth by this Election Code:

- 1) Willfully violating a lawful order from the ASUN Judicial Council or the Director of Elections and Democratic Education.
- 2) Intentionally falsifying information on any forms, or in the Voters' Guide.
- 3) Refusing to appear before the ASUN Judicial Council, if subpoenaed by the Council; the candidate shall be exempt from appearing before the Council if the candidate can show a valid excuse. It shall be the Judicial Council's obligation to ascertain the validity of any claim as to the above.
- 4) Soliciting unpaid political advertising in an ASUN-Sponsored Publication.
- 5) Using ASUN authority, facilities, funds, or resources for campaign purposes, including for long term or bulk storage of campaign materials without prior consent.
- 6) Knowingly and actively campaigning within 25 feet of a polling location on the day of an ASUN election.
- 7) Badgering or threatening witnesses subpoenaed for a Judicial Council hearing or Judicial Council members.
- 8) Obstructing an investigation by the Attorney General.
- 9) Exceeding the campaign finance spending limits as defined in the Election Code.
- 10) Potential violation of an election rule announced by the Residence Hall Association or Department of Residential Life, Housing and Food Services.

c) INTERFERING AND SAFETY:

The purpose of this subsection is to hold candidates and petitioners responsible for interfering with the mission of the ASUN, and for threatening the safety of the campus, and to define and provide equitable remedy for the same. For this reason, any person, candidate, proponent, or

opponent of a petition found before the ASUN Judicial Council to have interfered with the mission of the ASUN or threatened the safety of the campus through the following acts shall be subject to punishment by the guidelines as set forth by the Election Code:

- 1) Willfully destroying, defacing, covering, moving or removing from their places, posters, signs, banners, leaflets or flyers of ASUN groups or business operations which bring revenue to the ASUN.
 - 2) Willfully destroying, defacing, covering, moving or removing from their places, posters, signs, banners, leaflets or flyers which advertise functions, meetings, events, or existence of ASUN sponsored student groups and publications.
 - 3) Willfully destroying, defacing, covering, moving or removing from their places, posters, signs, banners, leaflets or flyers of other candidates for office in the ASUN Election.
 - 4) Persistently blocking any entrance or tight space, or otherwise significantly restricting the flow of vehicular or pedestrian traffic on campus.
- d) VIOLATIONS OF INTERNAL PROCESSES:

The purpose of this subsection is to hold candidates and petitioners responsible for violations of important legal protocols which transcend the internal processes of the ASUN, and to define and provide equitable remedy for the same. For this reason, any person, candidate, proponent or opponent of a petition found before the ASUN Judicial Council to have committed violations of important legal protocols through the following acts shall be subject to punishment by the guidelines as set forth by the Election Code:

- 1) Filing malicious, frivolous, or bad faith charges against any candidate.
 - 2) If another candidate engages a third party to file such charges, both parties shall be held responsible.
 - 3) Using e-mail lists or posting boards to campaign, with spam, which is defined as e-mail that does not meet any of the following conditions:
 - i. The author has a pre-existing relationship with the recipient(s).
 - ii. The author has permission from the leadership of the organization.
 - iii. The author is a member of the organization.
 - 4) Candidates may share endorsements of themselves or any other candidate in-person or online without penalty.
 - 5) Claiming an endorsement of an individual, group, or party without consent. Candidates should, but are not required to, obtain endorsements in writing.
- e) VIOLATIONS OF ELECTIONS CODE, CANDIDATE'S PACKET. OR UNIVERSITY GUIDELINES:

The purpose of this subsection is to hold candidates, and petitioners responsible for violations of ASUN Elections Protocol and of University Guidelines, and to provide equitable remedy for the same. For this reason, any person, candidate, proponent or opponent of a petition found before the ASUN Judicial Council to have committed violations of ASUN Elections Protocol and of University Guidelines through the following acts shall be subject to punishment by the guidelines as set forth by the Election Code:

- 1) Candidates are required to adhere to the University of Nevada, Reno's Student Code of Conduct. If the code of conduct is violated offenders will be referred to the Office of Student Conduct by CSE Professional Staff.
- 2) Failing to file a copy of all physical campaign material designs (i.e., for posters, handbills, sandwich boards, etc.) prior to the dissemination of the campaign material.
- 3) Failing to submit on the candidate filing form a list of all social media handles, website URL's and other online locations that will be used by the candidate or campaign managers to disseminate campaign material, or to otherwise provide the Director of Elections and Democratic Education an updated listed of these in the event of a change.
- 4) Campaigning prior to the campaign start date as stated in the Candidate's Packet.
- 5) Willfully placing campaign material in any University building, including classrooms, libraries, bathrooms, and on chalkboards, but excluding the posting of campaign material

- on public access bulletin boards and kiosks within University buildings.
- 6) Failing to attend and participate in the Mandatory Clean-up day that shall be established by the Director of Elections and Democratic Education on the Saturday following the election, unless campaign materials are cleaned up prior to the Clean-up day.
- 7) Claiming endorsements without bearing the disclaimer, “Titles for Identification Purposes Only” in the same size font as the majority of the text of the endorsements is written.
- 8) Failure to attend and participate in the Mandatory Clean-up day that shall be established by the Director of Elections and Democratic Education on the Saturday following the election, unless campaign materials are cleaned up prior to the Clean-up day.
- 9) Failure to attend and/or send a proxy to the Mandatory Candidate’s meeting.
- 10) Claiming endorsements without bearing the disclaimer, “Titles for Identification Purposes Only” in the same size font as the majority of the text of the endorsements is written. Excludes retweets, likes, reshares, comments, etc., on social media platforms.
- 11) Failing to submit campaign finance receipts, as required by Section 20.
- 12) Interfering with, or campaigning within 10 feet of any of the Center for Student Engagement or the University’s official sandwich boards or banners.
- 13) Unintentionally falsifying information on any forms or in the Voters’ Guide.
- 14) Failure to meet the deadline for withdrawal.
- f) **TEMPORARY RULES:**
 - 1) Temporary rules may be implemented by the Center for Student Engagement Staff where an urgent situation necessitates temporary additions, amendments, or a suspension of a portion of the Election Code, provided all candidates are affected equally.
 - 2) A Temporary Rule shall not take effect until approved by a majority vote of the ASUN Judicial Council with at least three (3) members present.
 - 3) These new rules must be sent electronically to each candidate and posted in a designated area of the Joe Crowley Student Union so that all candidates have access to them.
- g) **CONDUCT OF CAMPAIGN:**
 - 1) It is the intent of this subsection to hold a candidate responsible for violations committed by the candidate’s agents if those agents are involved in that general area of the campaign.
 - 2) A candidate shall be charged with violating Campaign Rules if an agent of the candidate acting on the candidate’s authority violates Campaign Rules.
 - 3) The alleged violation shall be referred to Judicial Council for adjudication upon review and submission by the ASUN Attorney General and Director of Elections and Democratic Engagement.
 - 4) If any Proponent of a petition is found to have violated the Election Code, the petition shall be assessed the corresponding sanction, up to and including the disqualification of the petition.
- h) **FILING A COMPLAINT**
 - 1) If a candidate is found and/or suspected of violating any provision of the Elections Code, Candidate’s Packet, ASUN Constitution and/or Bylaws a complaint against the candidate can be submitted using the online Election Complaint Form.
 - a. The Director of Elections and Democratic Education shall not file a case using the complaint form but defer to filing a charge sheet directly with the Judicial Council after consulting the Attorney General.
 - 2) The Director of Elections and Democratic Education shall receive all Election Complaint forms and forward each complaint to the Attorney General no later than two (2) business days, from the date the complaint was submitted.
 - 3) The Attorney General shall be responsible for notifying all parties included in the complaint no later than two (2) business days, from the date the complaint was received by the Attorney General. Notification shall at least include statement of complaint submitted with the online Election Complaint Form.

- 4) The Director of Elections and Democratic Education shall consider, no later than two (2) business days from the date the complaint was submitted if the Attorney General files a charge.
- 5) The Attorney General shall submit a corresponding charge sheet to the Judicial Council, if review by the Attorney General in addition to recommendation by the Director of Elections and Democratic Education deems Judicial Council action is needed. This shall happen no later than two (2) business days from the referral of the Director. The charge sheet shall be accompanied by the full text of the online Election Complaint submission including, but not limited to:
 - a. Complainant name
 - b. Date of alleged violation
 - c. Time of alleged violation
 - d. Location of alleged violation
 - e. Statement of complaint
 - f. Statement confirming the complaint is filed in good faith and will be handled in accordance with this title of Statutes of the Associated Students.
- 6) The Judicial Council shall review the charge sheet and decide whether to accept the case within five (5) business days of receiving the charge sheet.
- 7) If the case will be heard, the hearing shall be held within seven (7) business days of the decision to accept the case.
- 8) The hearing shall be conducted in accordance with Rule 4: Hearing Procedures of Chapter 302: Judicial Rules and Procedures.
- 9) The Council shall reach a decision and provide a ruling no later than five (5) business days of the hearing.
- i) **PUBLIC POSTING OF CHARGES AND RESPONSIBILITY FOR CORRECTING VIOLATIONS:**
 - 1) Reported election violations, Judicial Council decisions, and out-of-council settlements related to violations shall be posted on the official ASUN website.
 - 2) Election complaints submitted to Judicial Council shall not be filed under seal.
 - 3) Candidates, and all others cited, shall be notified by the Chief Justice of all Judicial Council decisions. Involved parties are responsible for correcting all violations (if possible to correct) by the designated deadline set by the Judicial Council.

SECTION 14: PUNISHMENT FOR ELECTION VIOLATIONS

- a) The Judicial Council shall be vested with the authority to hear and decide allegations of election violations, pursuant to its rules and regulations as set forth in ASUN Constitution and laws.
- b) All candidates are warned of the consequences of these censures at the Candidates' Meeting.
- c) A finding of violation of the conduct prohibited by this Election Code shall be punishable by charging a candidate no less than five dollars (\$5.00) to be paid to the Center of Student Engagement. A hold will be placed onto the candidate's student account if the charge is not paid within 10 business days. The hold will remain until the charge is paid in full.
- d) The Judicial Council may also choose to disqualify a candidate depending on the severity of the misconduct.
- e) In addition to the authority granted the Judicial Council herein, it shall have equitable power to assure that the punishment levied fits the violation found to occur so as to assure a fair and just result.
 - 1) Sanctions for any acts or violations by a candidate, whether before, during, or after the Judicial Council hearing, which are not specifically addressed in the ASUN Constitution and laws shall not be imposed by the ASUN Judicial Council at any time.
- f) **DEFINITIONS:**
 - 1) Badgering is defined as "interfering with a witness testimony, attempting to prevent a witness from providing honest testimony, or interfering with the processes that the Judicial Council abides by to arbitrate a case in a fair manner".

- 2) Failing to file a copy of all campaign material prior to dissemination of the campaign material.
- 3) Intentional is defined as “Committed deliberately”.
- 4) Willfully is defined as “Having prior knowledge of the consequences of the violation and intentionally committing it in such a way as to undermine the fairness of an election”.
- 5) Malicious is defined as “Deliberately harmful or spiteful”.
- 6) Frivolous is defined as “Inappropriately silly or trivial”.
- 7) Bad faith is defined as “Intentional dishonesty or deception”.
- 8) Failing to turn in campaign finance receipts as required by section 20.
- g) A candidate will be disqualified if they receive charges totaling fifty dollars (\$50.00).

SECTION 15: ASUN JUDICIAL COUNCIL

- a) **JURISDICTION:**
The ASUN Judicial Council shall have sole jurisdiction to adjudicate election violations. Unless the Election Code explicitly states a candidate will be disqualified for a specific violation.
- b) **SANCTIONS:**
The ASUN Judicial Council shall be empowered to impose sanctions up to and including disqualification for violations of the Elections Code, election processes, and the ASUN Constitution and laws.
- c) **CONTEMPT OF COUNCIL:**
The imposition of sanctions for contempt of council for violations of this Elections Code shall be imposed by the Judicial Council after a hearing at which the offending party appears and is heard.
- d) **SETTLING OUT OF COUNCIL:**
 - 1) For a violation of this Election Code a sanction can be imposed by mutual written agreement of the Attorney General and the individual being charged rather than having a Judicial Council hearing.
 - 2) The agreement must contain a waiver preventing any of the signatories or parties in which the Council may represent from bringing the case before Judicial Council in the future.
 - 3) Any such agreement must be accompanied by a written explanation of the circumstances surrounding the violation and must be approved by the Judicial Council.
- e) **STATUTE OF LIMITATIONS:**
 - 1) Sanctions may be assessed against an individual for violating the Election Code at any time, whether the individual has filed for candidacy yet or not. Any sanctions imposed shall be accumulated only until the regularly scheduled ASUN election of that year.
 - 2) The Senate may amend these rules at any time during the year.
 - 3) It is the responsibility of the campaigner to obtain the current rules and procedures for campaigning.
 - 4) No amendment to this Election Code approved after the Candidates’ Meeting shall take effect until after the Regular ASUN Election for that semester.
 - 5) All ASUN Officers shall be obliged ex-officio to answer subpoenas issued by Judicial Council or shall be barred from running in future elections. This stipulation shall apply to any case arising under their term in office. The officer subpoenaed shall be exempt from appearing before the Council if the officer can show a valid medical excuse, out-of-town commitment, death in family, employment obligations or exam or paper due 24 hours following the case. It shall be the Judicial Council’s obligation to ascertain the validity of any claim as to the above.

SECTION 17: THE BALLOT

- a) **NAMES ON BALLOT:**
The order of the names on the ballot shall be arranged in alphabetical order by last name, first name, middle initial (if available).

b) **FORM OF BALLOT:**

1. The ballot shall primarily be administered using an online voting mechanism. The selected online voting mechanism shall meet University accessibility requirements.
2. Provisional paper ballots shall be available in limited quantity at all physical polling locations, to students eligible to vote but unable to access the online ballot at a physical and/or electronic polling location due to a technical error.
3. In the event the online voting system is unavailable or becomes unavailable at any time during the voting period, the Director of Elections and Democratic Education shall adopt temporary rules to carry out the elections using paper ballots. The Director of Elections and Democratic Education in consultation with the Attorney General and CSE Associate Director, or their designee may determine whether there is sufficient cause to extend the voting period.

c) **PAPER BALLOT:**

Paper ballots may be used in the event of a technological issue or failure occurs during the elections period.

d) **PETITIONS:**

Ballots for petitions shall be presented separately, as not to include multiple petitions on one page or screen.

- 1) Ballots shall begin with the petition title and petition question, as approved by the Attorney General
- 2) Ballots for petitions shall include options, vertically, for yes, no, and abstain.
- 3) Voters shall not be able to proceed without marking one of the options on the ballot.
- 4) No option will be selected by default when the ballot is presented to the voter

SECTION 18: TALLYING OF VOTES

a) **BALLOT TABULATION:**

- 1) This section does not prohibit the filing of new charges by the Attorney General for Campaign Violations occurring after the commencement of ballot tabulation.
- 2) If any candidate(s) is disqualified prior to the results being read into the Minutes at a Senate meeting, additional ballot tabulations will commence following all decisions and settlements of lawsuits regarding elections by the Judicial Council.
- 3) Election results automatically tabulated by the software or platform used shall be reviewed and published online by a Center of Student Engagement Professional Staff member. The Director of Elections and Democratic Education, Attorney General, or their designee shall supervise the process.
- 4) The results shall be posted on the ASUN website. The results shall be clearly marked as preliminary and uncertified results.
- 5) The election results shall become effective after being read into the Minutes of a Senate meeting.

b) **HANDLING OF INCOMPLETE AND INVALID VOTES:**

- 1) A vote shall be declared invalid, and excluded from the counting in a particular race, if a voter is deemed ineligible to vote for that particular race.
- 2) Individuals who cast multiple ballots in a particular race, shall have both of their ballots disqualified and not tabulated in the final count.

c) **TABULATION OF VOTES:**

- 1) For Executive officer positions, the candidate that receives the plurality vote shall be determined the winner. In the Senate the number of seats available for each college or school shall be given to the same number in rank of most votes received by candidates.
- 2) In the event of a tie in a contested race, the current session of the ASUN Senate shall have a majority vote to determine the winner.

d) **TALLYING OF BALLOT PETITION:**

The “Yes” and “No” votes for each petition shall be counted.

SECTION 19: SAFEGUARDS AND ELECTION PROTESTS

a) STORAGE OF ELECTION RESULTS:

- 1) An electronic file of the election results and all paper ballots, tally sheets, and relative election tabulation documents shall be held permanently by CSE Professional staff and/or the ASUN Office of the Secretary. The results shall be marked with the time at which the election results were finalized.

b) THE TWO-LOCK SYSTEM:

- 1) Each ballot box, as well as all other boxes where current paper ballots are stored, must be locked at all times by a two-lock system. Each ballot box must be locked during the entirety of the voting period.
- 2) The Director of Elections and Democratic Education and the Associate Director for Center for Student Engagement, or designee, shall each possess one of the two keys to the locks. During the elections, none of these officials may surrender the key to their charge to any other person unless the official is unable to perform their duties. The ASUN Attorney General must be notified of any surrendering of these keys.

c) ADDITIONAL SAFEGUARDS:

- 1) The ASUN Attorney General shall have the privilege of attending or sending a representative to all physical polling locations and places where election results are being reviewed for posting by CSE Professional Staff, provided such representative is not a candidate or agent of a candidate in the election.

d) VOID AN ELECTION:

- 1) Any student may petition the ASUN Judicial Council to void an election, on grounds of the integrity of the Director of Elections and Democratic Education, its mismanagement of the election, or the mechanism of the count, prior to the expiration of the Statute of Limitations stated in this Election Code
- 2) The Judicial Council shall review the case and submit its finding to the Senate.
- 3) If the ASUN Judicial Council rules that there was mismanagement, or that there was an unpunished violation, the ASUN Judicial Council may void the election on the grounds that the mismanagement or the unpunished violation substantially affected the outcome of the election.
- 4) The ASUN Judicial Council may not void an election on any other grounds or by any other procedure, as stated in the Election Code.
- 5) Only the ASUN Judicial Council may void an election.
- 6) If the Judicial Council voids a general election, the Judicial Council shall provide for a new special election to be held on a Wednesday and Thursday of instruction no later than one week from the Council's decision to settle the outcome of the affected portion of the elections.
- 7) If the Judicial Council voids a primary election, the Judicial Council shall order a new special primary election to be held on a Wednesday and Thursday of instruction no later than one week from the Council's decision and possibly in conjunction with the general election to settle the outcome of the affected portion of the primaries. Additionally, the Judicial Council shall order a new special election to be held on a Wednesday and Thursday of instruction no later than one week from the special primary to settle the outcome of the affected portion of the elections.

SECTION 20: CAMPAIGN FINANCE RULES AND REGULATIONS

a) INTENT AND DEFINITIONS:

- 1) The Rules contained in this section are intended to implement the campaign finance regulations.
- 2) Campaign material is defined as material initiated by a candidate, with the intent to contact voters publicly, that explicitly speaks, pleads, or argues in favor of the election or defeat of a candidate. This includes all material content published on online web-based mediums (e.g., social media platforms, websites, listservs, message boards, etc.) that

contact voters publicly.

- 3) Further, materials that are controlled by a candidate's campaign that mention a candidate's name, or the office a candidate is seeking, shall be defined as explicitly speaking, pleading, or arguing in favor of the election of a candidate. Therefore, it will be included in the definition of campaign material.
- 4) Electronic mail, free social media accounts and telephone calls will be assessed a zero cost.
- 5) News or editorial articles in a publication not run by a candidate, not controlled by a candidate, not receiving a significant portion of their funding from a candidate, or not operating under a specific agreement between the publication and a candidate, shall not be included in the definition of campaign material.
- 6) Any material produced by a group or organization not run by a candidate, not controlled by a candidate, not receiving a significant portion its funding from a candidate, or not operating under a specific agreement between the group or organization and a candidate, shall not be included in the definition of campaign material.
- 7) Material in which a voter initiates contact, such as a website, instant message, away message, or telephone request for information, shall not be included in the definition of campaign material.
- 8) Any funds used for the purposes of designing content on a Website that falls under this Election Code shall be included in the definition of campaign material.
- 9) Any negative campaigning shall count toward the budget of the candidate that produced the material.

b) ENFORCEMENT:

- 1) The Director of Elections and Democratic Education is responsible for informing candidates of the campaign finance regulations, ensuring candidates are compliant, and reporting violations for adjudication by the Judicial Council.
- 2) The public has the right to obtain any candidate's spending information, but the information is not required to be widely disseminated by the Director of Elections and Democratic Education.
- 3) It shall be the responsibility of the candidate to provide one copy of all campaign material designs to the Commission before dissemination, as well as a list of online locations where digital campaign materials will be distributed.
- 4) It shall be the responsibility of the candidate to provide proof of purchase or proof of donation of campaign materials prior to dissemination. If unable to provide a receipt, they may indicate so and instead provide an estimate of fair market value. Receipts must be provided beginning with the Candidates' Meeting and thereafter. Receipts must be provided beginning with the first Candidates' Meeting and thereafter. The Director of Elections and Democratic Education has the power to set a deadline for all proofs of donation and proofs of purchase.
- 5) The Director of Elections and Democratic Education shall have the responsibility of determining a fair market value for any campaign material not accompanied by a receipt of purchase. The interpretation of fair market value may be appealed to the Judicial Council.
- 6) Campaign materials that count as part of a candidate's spending, must have been produced, or authorized, by the candidate.
- 7) Any campaign material advocating, by name, office seeking, or ballot number, more than one candidate, shall have its cost divided equally among all candidates listed on the material.
- 8) The candidates or parties involved in the election shall have the responsibility of providing the Director of Elections and Democratic Education with all documentation and receipts. Receipts must be itemized.
- 9) As with any other violation of the ASUN campaign rules, the ASUN Attorney General shall be responsible for investigating alleged violations of these rules and prosecuting

them before the ASUN Judicial Council.

10) All disputes or arbitration that arise over these rules shall be handled by the Judicial Council.

c) **CAMPAIGN FINANCE LIMITS:**

Candidates running for election are limited to spending as follows:

- 1) Presidential candidates, \$600.00.
- 2) Vice Presidential candidates, \$500.00.
- 3) Senate candidates, \$200.00.

d) **CAMPAIGN DONATIONS:**

- 1) Donations consist of any item or service granted to the candidate which will be recorded as half the going rate for said item or service on the candidate's spending budget.
- 2) Candidate's running for election are not permitted to donate to other candidates who are also running for election.

SECTION 21: PRIMARY ELECTION

- a) In the event there are more than two candidates running for an Executive Office there will be a primary election held on the Wednesday and Thursday one week prior to the General Election.
- b) Top two candidates who receive the most votes, shall move onwards to the General Elections
 - 1) In the event of a tie, the two candidates may be forwarded to the General Elections for three candidates to be placed on the General Elections ballot.

SECTION 22: POSTING POLICY

Material as defined in the Elections Code is prohibited from being posted before the Wednesday following the mandatory Candidates' Meeting.

SECTION 23: ADMINISTRATION OF ELECTRONIC FILING OF DOCUMENTS

The Director of Elections and Democratic Education may allow for the electronic filing of documents and shall provide such regulations as may be necessary.

SECTION 24: SEVERABILITY

If any provision of this Elections Code, or the application of such a provision to any person or circumstance, is held to be unconstitutional, the remainder of the Elections Code, and the application of the provisions of this Elections Code to any other person or circumstance, shall not be affected by such holding.

TITLE VIII: OATHS OF OFFICE

CHAPTER 801: AUTHORIZATION TO ADMINISTER

SECTION 01: OFFICIALS AUTHORIZED TO ADMINISTER

Except for the Senators and the officers of the Senate; the President, the Chief Justice or an Associate Justice of the Judicial Council, shall be authorized to administer the oath or affirmation as required by this section.

SECTION 02: SPEAKER OF THE SENATE MAY ADMINISTER OATHS

The presiding officer of the Senate of the Associated Students shall have power to administer all oaths and affirmations that are or may be required by the Constitution, or by law, to be taken by any Senator, officer of the Senate, witness, or other person in respect to any matter within the jurisdiction of the Senate.

SECTION 03: SECRETARY OF THE SENATE MAY ADMINISTER OATHS

The Secretary of the Senate shall have power to administer any oath or affirmation required by law, or by the rules or orders of the Senate, to be taken by any officer of the Senate, and to any witness produced before it.

SECTION 04: DEADLINE FOR ADMINISTERING AND TAKING OATHS

- a) The oaths of office required to be administered and taken by this Title shall be administered according to the provisions of this Title at a Senate meeting no later than two weeks following the appointment to their office.
- b) If a person who must take the oath is unavailable at the time provided for in subsection a, the oath may be administered by an authorized individual, or taken before a notary public, who together shall provide a written certificate that the oath required by law was administered and taken regularly.

SECTION 05: PROHIBITION ON EXERCISING OFFICES

After the deadline provided for in Section 04 of this Chapter has expired, no member of this Government shall exercise the powers and duties of office without taking the oath as required by this Title. For the purposes of this section, any member who fails to take the oath shall be considered to be suspended from office.

CHAPTER 802: OATHS OF OFFICE

SECTION 01: OATH OF OFFICE

- a) The oath or affirmation required by the first article of the Constitution of the Associated Students shall be administered in the following form, to wit: "I, __, do solemnly swear (or affirm) that I will support the Constitution of the Associated Students; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter." This section does not affect other oaths required by law.
- b) Except for the Senators and the officers of the Senate, the Chief Justice, or an Associate Justice of the Judicial Council, shall be authorized to administer or affirmation as required by this section.

SECTION 02: OATH OF OFFICE FOR THE PRESIDENT

- a) The Chief Justice shall administer the Constitutional oath to the President, which is as follows: "I, __, do solemnly swear (or affirm) that I will faithfully execute the office of President, and will, to the best of my ability, preserve and protect the Constitution of the Associated Students of the University of Nevada."
- b) The Associate Justices of the Judicial Council are authorized to administer the Constitutional oath to the President when the Chief Justice is unable.

SECTION 03: OATH OF OFFICERS FOR OFFICERS

All officers appointed, or hereafter to be appointed under the authority of the Associated Students, shall, before the individuals act in their respective offices, take the same oath or affirmation provided for in Section 01 of this Chapter, which shall be administered by the Chief Justice, Associate Justices or Speaker of the Senate to such officers their respective oaths of office; and such officers shall incur the same penalties in case of failure, as shall be imposed by law in case of failure in taking their respective oaths of office.

SECTION 04: OATH OF OFFICE FOR SPEAKER AND SENATORS

- a) At the convening of the session of the Senate after every general election of Senators, the oath of office shall be administered by any Senator to the Speaker; and by the Speaker to all the Senators present, and to the Secretary, previous to entering on any other business; and to the Senators who afterward appear, previous to their taking their seats.
- b) The Secretary of the Senate of the Seventy-Fifth Session of the Senate and each succeeding Senate shall cause the oath of office to be printed, furnishing one copy to each Senator who has taken the oath of office in accordance with law, which shall be subscribed in person by the Senator, who shall thereupon deliver them to the Secretary, to be filed in the records of the Senate, and such signed copies, or certified copies thereof, or of either of such records thereof, shall be admissible in evidence in any court of the Associated Students, and shall be held conclusive proof of the fact that the signer duly took the oath of office in accordance with law.

SECTION 05: OATH OF JUSTICES

Each justice or judge of the Associated Students shall take the following oath or affirmation, in addition to other oaths required by law, before performing the duties of his office: "I, __, do solemnly swear (or affirm) that I will administer justice without respect to persons, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as __ under the Constitution and laws of the Associated Students."

TITLE IX: OPEN MEETINGS

CHAPTER 901: OPEN MEETINGS

SECTION 01: PURPOSE

The purpose of this policy is to provide a definite course of action for the production, filing and retrieval of public documents produced by the Associated Students of the University of Nevada.

SECTION 02: REFERENCES TO NEVADA REVISED STATUTES

Any references made to Nevada Revised Statutes shall apply to such provisions as indicated, or their successors.

SECTION 03: ADMINISTRATION

Unless the context indicates otherwise, the chief administrator of the provisions of this Act shall be the Attorney General.

SECTION 04: REGULATIONS

The Attorney General is authorized to promulgate regulations with respect to the Government's compliance with:

- a) this Title;
- b) the Nevada Open Meeting Law;
- c) the Public Records Act (NRS 239 et seq.); and
- d) any other applicable provision of law, regulation, rule, or otherwise, governing the disposition of the Associated Students' records.

SECTION 05: POLICY REGARDING OPEN MEETING LAW REQUESTS

a) **POLICY STATEMENT:**

The Nevada Open Meeting Law (NRS 241 et seq.) requires a public body to make available for inspection all public records of that body. The law also requires that copies of certain documents be provided free of charge to any member of the public who so requests. This Act governs the related policy of the Associated Students.

b) **REQUESTS FOR DOCUMENTS UNDER NRS 241.020(5):**

Upon request, the Associated Students will provide at no charge one copy of:

- 1) an agenda for a public meeting;
- 2) a proposed ordinance or regulation which will be discussed at the public meeting; and
- 3) any other supporting material provided to the members of the public body for an item on the agenda, except materials:
 - i) submitted to the public body pursuant to a nondisclosure or confidentiality agreement;
 - ii) pertaining to the closed portion of such a meeting of the public body; or
 - iii) declared confidential by law.
- c) Supporting material typically includes draft minutes, proposed legislation, budget requests, budget reconciliation publications and other related documents.
- d) Draft minutes shall only be provided under this section until their approval. After their approval, minutes may be requested as public records pursuant to section 4 of this Chapter.
- e) A request for material shall be made in writing directed to the Archives of the Associated Students.
- f) Material shall be made available to the public when it is made available to members of the public body.

SECTION 06: REQUESTS FOR PERSONAL NOTICE OF MEETINGS

- a) The Associated Students will provide notice of meetings upon a request made in writing for a certain board for extended periods of time without having to file separate requests. The request should indicate the following:
 - 1) The body for which notice is requested.
 - 2) The address to which said notice should be mailed.
- b) Such requests shall be valid for six months from the date of receipt or until a time specified by the requestor, whichever is shorter.
- c) Requests shall be directed to the Archives of the Associated Students.

SECTION 07: POLICY REGARDING REQUESTS FOR PUBLIC RECORDS

- a) The minutes of a public body are deemed public records. Requests for minutes and exhibits shall be subject to the following policy. Documents kept in the custody of University Archives are not subject to this policy.
- b) **FREE ACCESS:**
The Associated Students shall endeavor to provide access for inspection to public records kept in its custody free of charge. Typically, the Associated Students will maintain custody of documents for five years after their production.
- c) **REQUESTS:**
Requests for access to public records shall be filed with the Archives of the Associated Students. Requests which require extraordinary use of resources may be subject to the fee schedule in subsection (d) of this section.
- d) **FEE SCHEDULE:**
 - 1) Copies at \$0.10 per page.
 - 2) Persons who make requests that require extraordinary use of resources or personnel will be charged an hourly fee of \$11.00. Such extraordinary use of resources shall include, but is not limited to, searches that take in excess of 45 minutes, searches for archived documents, and copies for electronic audio recordings of meetings.
 - 3) Audio Recordings: \$5.00 per meeting.
 - 4) Persons making requests shall be advised of the foregoing fee schedule in advance of processing a request and provided with a fee estimate for the request.

SECTION 08: AUTHENTICITY OF RECORDS

- a) **DOCUMENT OF RECORD:**
Except as otherwise provided by statute of the Associated Students or by law, only the designated original printed copy of agendas, minutes, legislation and other documents shall be considered the document of record.
- b) **SIGNATURE:**
Documents requiring the affixal of a signature shall be official only when they bear an original signature of the proper official.

SECTION 09: AGENDAS AND SUPPORTING MATERIAL

- a) **AGENDAS:**
The presiding officer of a public body under the jurisdiction of the Associated Students:
 - 1) shall have the appropriate power to set the agenda for the respective public body;
 - 2) shall publish and post agendas in accordance with the Nevada Open Meeting Law;
 - a. The presiding officer should refer to the NOML Handbook Compliance Checklist to ensure all steps are completed.¹
 - 3) may direct the Office of the Secretary to distribute agendas and supporting material as necessary.

¹ NOML Handbook Compliance Checklist (pages 8-14): <https://nevada.box.com/s/ke1sx5p0edevcke3mxalhajzlz03pqj>

b) DEFINITION:

Supporting material includes, without limitation, any item provided to a public body for consideration of an agenda item. For the purposes of the Associated Students, this includes applications, budget requests, letters, and any other relevant documents.

c) DISTRIBUTION OF AGENDAS:

For the Senate and its committees only, the Office of the Secretary of the Senate shall:

- 1) distribute copies of the agenda and supporting material as directed; and
- 2) ensure that a copy of the agenda and supporting material are available for public inspection at a meeting.

d) CANCELLATION NOTICE AND ANNOUNCEMENT:

- 1) The Attorney General shall send a meeting cancellation notice to the presiding officer and the Secretary of the Senate no later than twenty-four hours before the meeting is to take place.
 - a. In the cancellation notice, the Attorney General must list what violation(s) occurred.
- 2) In the event of a meeting cancellation, the presiding officer shall make arrangements for the posting and distribution of a cancellation announcement.
- 3) To appeal a meeting cancellation, the presiding officer may file a charge sheet with the Judicial Council.

e) INVALIDATION NOTICE:

- 1) The Attorney General shall send a meeting invalidation notice to the presiding officer and the Secretary of the Senate.
 - a. In the invalidation notice, the Attorney General must list the violation(s) that occurred.
- 2) To appeal a meeting invalidation, the presiding officer may file a charge sheet with the Judicial Council.

f) CONTENT OF AGENDAS:

Each agenda shall contain the following elements, pursuant to the Open Meeting Law:

- 1) The time, place, and location of the meeting.
- 2) A list of locations where the notice was posted.
- 3) A list of all topics scheduled to be considered during the meeting including a clear description of each item on the agenda.
- 4) A clear denotation of items on which action may be taken.
- 5) An item designated for public comment. The agenda shall also include the following statement: "Action may not be taken on the matters considered during this period until specifically included on an agenda as an action item. Public comment may be limited to three minutes per person at the discretion of the chair. Public comment may be taken on each action item."
- 6) The following statement regarding consideration of agenda items out of the order presented: "Agenda items may be considered out of order at the discretion of the chair."
- 7) The following statement regarding assistance and accommodations for physically handicapped people: "The Associated Students supports providing equal access to all programs for people with disabilities. Reasonable efforts will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Please call the ASUN at 775/784-6589 in advance so that arrangements may be conveniently made."
- 8) The following statement regarding requests for supporting material: "Requests for supporting material for an agenda item should be directed to the Archives of the Associated Students. All other inquiries should be directed to [NAMES AND TITLES OF PRESIDING OFFICERS] at ____."
- 9) The agenda need not contain a notice as to what time it was posted, but sufficient proof of posting in compliance with the Open Meeting Law shall be executed by the person who posted the agendas.

g) **POSTING OF AGENDAS:**

Agendas shall be posted in the following manner:

- 1) A copy shall be posted at:
 - i) the Offices of the Associated Students;
 - ii) the Frandsen Humanities Building;
 - iii) the Mathewson-IGT Knowledge Center; and
 - iv) the Pennington Student Achievement Center.
- 2) An electronic copy shall be posted on the ASUN Website.
- 3) Each copy shall be posted no later than 9 a.m. three working days prior to a meeting.
- 4) Only the current agenda and the prior meeting's agenda should remain posted at any physical location.
- 5) Proof of posting by the presiding officer must be filed with either the Secretary of the Senate or the Legislative Clerk no later than 9 a.m. three working days prior to the meeting. Filing of proof of posting shall consist of e-mailing timestamped images of the agenda on each of the posting location boards.

h) **PRINTING OF AGENDAS:**

The presiding officer, in conjunction with the Office of the Secretary, shall:

- 1) print and distribute a copy of the agenda and supporting material for each member of the public body; and
- 2) e-mail a copy of the agenda and supporting material to the members of the public body and to the Office of the Secretary of the Senate or the Archives of the Associated Students.

i) **TEMPLATE:**

The Office of the Secretary of the Senate and the Archives of the Associated Students is authorized to create a template for each public body to assist the presiding officer in the preparation of the agenda and to provide for a uniform appearance of government documents.

SECTION 10: MINUTES

The following policy shall be followed as it relates to the taking and filing of minutes.

a) **DEFINITION:**

In this section, "Secretary" means the person appointed to carry out the functions of the secretary of the public body.

b) **MINUTES:**

The Secretary shall:

- 1) take minutes at assigned meetings and as required by law;
- 2) make proper arrangements for the audio recording of each meeting; and
- 3) distribute paper or electronic copies of draft and approved minutes as needed, and exhibits only as requested, within 48 hours of the adjournment of the meeting and no later than 12 hours before the next scheduled meeting of the same body whenever possible.

c) **ABSENCE OF A SECRETARY:**

For meetings which a staff secretary has not been assigned or cannot attend, the committee/department shall appoint a member to act as Secretary:

- 1) The member designated to act as Secretary shall be the second person in comment at meeting
 - i. Executive Cabinet: Director of Executive Affairs
 - ii. Department of Clubs and Organizations: Assistant Director of Clubs and Organizations
 - iii. Department of Event Programming: Assistant Director of Budget and Assessment or Assistant Director for Marketing and Interns
 - iv. Department of IDEA: Assistant Director of IDEA
 - v. Department of Government Affairs: Assistant Director of Government Affairs
 - vi. Senate: Speaker Pro Tempore
 - vii. Judicial Council: Senior Associate Justice

- viii. Department of Sustainability: Assistant Director of Events and Community Projects
- 2) The member designated to act as Secretary shall:
 - i. Take minutes at each meeting as required by this Chapter and the appropriate law;
 - ii. Distribute paper or electronic copies in a manner equivalent to the staff secretary; and
 - iii. Perform all other duties determined to be necessary by the presiding officer and the Office of the Secretary of the Senate.
- d) The member who acts as Secretary on committees shall not be the custodian of documents. The Secretary of the Senate, acting jointly with the Archives of the Associated Students, shall be the custodian of documents, and the Secretary makes arrangements with the committee secretary for the proper filing of all records with the Archives of the Associated Students.
 - 1) All records taken by an acting secretary in their absence, shall be made available and accessible to the Senate Secretary
- e) **CONTENT OF MINUTES:**
 The minutes shall include the following:
 - 1) A record of the roll call at the beginning of the meeting which should make note of the presiding officer, the secretary recording the minutes, and the attendance of members. After any recess of a body, the minutes shall make note of the attendance of the members.
 - 2) On each motion, the disposition of the motion and the announced abstentions unless:
 - i. a division has been called, which would require the numerical count to be noted; or
 - ii. a roll call vote has been ordered, which would require the vote of each member to be recorded.
 - 3) The substance of all matters proposed, discussed or decided.
 - 4) The substance of remarks made during public comment and remarks.
 - 5) Any other item ordered to be included in the record.
- f) **DOCUMENTS:**
 In the process of maintaining the minutes, the Secretary shall:
 - 1) maintain an original file of exhibits to include the following:
 - i. Roll call vote tally sheets.
 - ii. Audience sign-in sheets.
 - iii. Reports to the body.
 - iv. Material submitted for the body's consideration.
 - v. Printed material from a member of the public who asks for the material to be included in the record, provided the material is relevant to the topic being considered.
 - vi. Other items ordered to be included with the record.
 - 2) publish signed draft minutes, after a board meeting, to be approved by that body:
 - i. present approved minutes to the presiding officer for signature;
 - ii. publish signed approved minutes after a board has approved the draft minutes; and
 - iii. provide the Secretary of the Senate with copies of draft and approved minutes.
- g) **TEMPLATE:**
 The Office of the Secretary of the Senate shall create a template to assist the Secretary in the production of the minutes and to provide for uniformity in government documents.

SECTION 11: PUBLICATION OF MINUTES

- a) **DRAFT MINUTES STYLE AND FORMAT:**
 As a matter of style and format, draft minutes shall include the following elements:
 - 1) An indication on the title page and footer of each page that the minutes are draft in nature.

- 2) The original copy shall be stamped in the header on the title page with a DRAFT stamp.
- b) **APPROVED MINUTES STYLE AND FORMAT:**
As a matter of style and format, approved minutes shall include the following elements:
 - 1) Removal of any draft reference.
 - 2) The original copy shall be stamped in the header on the title page with an APPROVED stamp.
- c) **NON-ORIGINAL ITEMS:**
Any document included in the record that is not an original shall be stamped with a COPY stamp.
- d) **SIGNING OF MINUTES:**
 - 1) Draft minutes shall be signed only by the secretary who recorded the minutes.
 - 2) Approved minutes shall be signed by both the Secretary and the presiding officer.
- e) **ROLL CALL TALLY:**
When a vote is taken by roll call, the presiding officer shall sign the tally sheet.
- f) **ELECTRONIC VERSION:**
The original copy of both the draft and approved minutes shall be produced in searchable PDF format whenever possible and filed electronically with the Archives of the Associated Students.

SECTION 12: PRINTING OF MINUTES

- a) Draft minutes shall be provided in paper and electronic form to each member of a body.
- b) Approved minutes shall be provided in electronic form to each member of a body unless otherwise specified by the presiding officer.
- c) **DOUBLE-SIDED COPIES:**
Any copy print of minutes shall be double-sided whenever feasible. Original copies shall be single-sided.

SECTION 13: FILING OF DOCUMENTS; BOOK OF MINUTES

- a) **FILING:**
When the approved minutes of a meeting have been published, the following items shall be filed within 48 hours with the Archives of the Associated Students:
 - 1) The approved minutes.
 - 2) The exhibits to the minutes.
 - 3) A copy of the agenda.
- b) **BOOK OF MINUTES:**
At the conclusion of each semester, the Office of the Secretary of the Senate, in conjunction with the Archives of the Associated Students, shall prepare a book of minutes for each body. The Book shall contain the original records listed below for each meeting in the following order:
 - 1) The agenda.
 - 2) Supporting material to the agenda.
 - 3) The approved minutes.
 - 4) The exhibits to the minutes.
 - 5) Miscellaneous material.

SECTION 14: PRODUCTION AND FILING OF AUDIO RECORDINGS

- a) The Associated Students shall audio record each meeting of a body subject to the Open Meeting Law under the jurisdiction of the Associated Students.
- b) The Secretary of a public body or a designated person shall be responsible for recording each meeting.
- c) The Office of the Secretary of the Senate, acting jointly with the Archives of the Associated Students, shall provide for the appropriate filing of each recording.

SECTION 15: PUBLICATION OF DOCUMENTS ON THE INTERNET

- a) It is the policy of the Associated Students to publish on the Web site of the Associated Students agendas, minutes, legislation, reports, governing documents, and any other document that, in the

opinion of the Secretary of the Senate (for the Senate and its committees) or the Legislative Clerk (for all other public bodies), acting jointly with the presiding officer of a public body, the public will benefit from by its publication.

- b) Documents shall be published in searchable PDF format whenever possible.
- c) The Office of the Secretary of the Senate shall provide for the publication of documents on the appropriate web site in coordination with the webmaster or other appropriate person.
- d) No document shall be published on the Internet without the appropriate redaction as may be required by law to ensure the confidentiality of certain information.

SECTION 16: REFERENCE COPY OF MINUTES

The Secretary of the Senate shall cause to be printed a reference copy of the minutes of each session of the Senate in a single book. The book need not contain copies of the exhibits to the minutes, but should include appropriate citations so the exhibits may be accessed. The minutes shall be paginated with consecutive numbers for the entirety of a session.