

TITLE III: THE JUDICIAL BRANCH

CHAPTER 301: JUDICIAL BRANCH COMPOSITION

SECTION 01: COMPOSITION

The Judicial Branch is comprised of four Associate Justices including a Senior Associate Justice, one Chief Justice and Judicial Interns, each appointed by the President and confirmed by the Senate of the Associated Students of the University of Nevada to serve a two-year term. The Senior Associate Justice will be the Associate Justice who has served the longest on the council. In an instance where all Associate Justices are appointed at the same time, it is up to the Chief Justice's discretion to appoint a Senior Associate Justice. The only qualification to serve in these positions is to be a member of the Association and fulfill the requirements laid out in the constitution.

SECTION 02: ASSOCIATE JUSTICE DUTIES

The Duties of an Associate Justice include, but are not limited to:

- a) Interpret the legal and governing documents of the Associated Students of the University of the Nevada.
- b) Hear all charges brought against the executive and legislative branches of the Association.
- c) Review past decisions of previous Judicial Councils in order to establish foundation for precedent.
- d) Meet no less than twice per semester to discuss and review matters of legality and constitutionality within the Association, additional meetings should be held if necessary for preparation purposes.
- e) Administer oaths of office as necessary to officers in the Association whenever the Chief Justice is not available.
- f) Shall be relieved by the Chief Justice from all matters concerning a hearing if at any time it is recognized that the officer possesses a conflict of interest.
- g) Review all rulings made by the Chief Justice during a hearing if an objection is raised.
- h) Responsible to attend all ASUN retreats, and trainings as decided by the Chief Justice and the Director of Executive Outreach.

SECTION 03: SENIOR ASSOCIATE JUSTICE DUTIES

In addition to all of the duties of Associate Justice, the duties of the Senior Associate Justice include, but are not limited to:

- a) Assume the duties of the Chief Justice in an instance of the Chief's absence.
- b) Act as the interim Chief Justice in a judicial hearing in an instance where the Chief Justice possesses a conflict of interest.
- c) Sit on the Elections Violations Appeal Commission.
- d) Responsible to attend all ASUN retreats, and trainings as decided by the Chief Justice and the Director of Executive Outreach.

SECTION 04: CHIEF JUSTICE DUTIES

In addition to all of the duties of Associate Justice, the duties of Chief Justice include, but are not limited to:

- a) Delegate operating duties of the Judicial Council as defined in SAS 302 to Associate Justices.
- b) Determine operating procedures for the Judicial Branch not defined in the governing documents of the Association.
- c) Set guidelines for Judicial Council training
- d) Administer oaths of office as necessary to officers in the Association.

- e) Present a new appointment to the Senate within the following two weeks of said committee or Senate meeting if an executive appointment is reported unfavorably by the Senate committee on Oversight or if an appointee is not passed by the Senate, or in the event that the Chief Justice unable to find a qualified candidate within those two weeks the Chief Justice must present to the Committee on Oversight and explain the circumstances.
- f) Administer the appointment of a Senior Associate Justice.
- g) Ask to be relieved from all matters concerning a hearing if at any time the Chief Justice recognizes that the Chief Justice possesses a conflict of interest.
- h) Assign a Justice to consult with the participants in a hearing regarding procedural matters and aid in the smooth progression of prehearing matters if the Council accepts a case.
- i) Be responsible for calling all meetings, arranging all hearings of the Council, conducting all meetings, and maintaining order at hearings and to be generally responsible for all administrative functions of the Council.
- j) Maintain attendance records of the Council, propose the Council's budget to the Senate, report to the Senate on the status of pending cases, and any other duties within Title III.302.1.
- k) Review Judicial Internship candidates for eligibility with the assistance of the administrative faculty of the Center for Student Engagement.
- l) Plan, organize, and execute the curriculum of the Judicial Internship Program to include:
 - 1) Produce the education components twice a semester to include sentiments such as: reviewing past cases and discussing the pros and cons, finding an area of the legal documents that the interns are interested in and becoming an expert of that section, administering oaths, interpreting ASUN legal documents.
 - 2) Presentations or guest speakers that increase the learning mission of the program.
- m) Responsible to attend all ASUN retreats, and trainings as decided by the President and the Director of Executive Outreach.

CHAPTER 302: THE JUDICIAL RULES OF PROCEDURE

SECTION 01: ESTABLISHMENT OF RULES

The following is established as the Rules of the Judicial Council of the Associated Students pursuant to Art. IV, sec. 3(c) of the Constitution of the Associated Students:

- a) Rule 1: Scope, Purpose, Accommodations to Disabled Persons
 - 1) SCOPE AND PURPOSE:
These rules govern the procedure in all proceedings in the Associated Students Judicial Council or any other judicial body within the jurisdiction of the Associated Students. The purpose of these Judicial Council Rules of Procedure is to establish guidelines for the conduct of the Judicial Council, and members of the Association, and to provide for the proper execution of its duties laid forth in Article IV of the Constitution.
 - 2) EQUAL PROTECTION:
These rules of procedure ensure that the ASUN Judicial Council provides every person or group with an equal opportunity to receive fair and just protection under the ASUN Constitution, and under all other rules and regulations of the Association.
 - 3) ACCOMMODATIONS TO DISABLED PERSONS:
The Council shall make reasonable efforts to provide accommodations to people with disabilities, as required under the Americans with Disabilities Act and other related laws or regulations.

Rule 2: Power to Issue Orders; Enforceability

The Council shall have the power to issue orders to ensure the proper execution of its responsibilities and authority derived from the ASUN Constitution and from the laws, rules and regulations of the ASUN.

Rule 3: Pre-Hearing Procedures

- 1) INITIATION OF ACTIONS:
 - i) Judicial Council may summon anybody of the Association that seeks to affect the Judicial Council or its actions to a hearing to determine the legality of the body's actions.
 - 1) Should the body refuse to appear, the Judicial Council may continue to behave according to these Rules or the status quo.
 - ii) A written request for judicial action or remedy may be brought to the Council by any member of the Association. Such written materials will be considered from the time the judicial actions are submitted and reviewed in a regular Judicial Council meeting.
 - iii) Failure to abide by the guidelines for the filing of documents set forth by these rules of procedure may result in a Default Judgment at the time of the hearing (see JRP 4(1)).
- 2) CONSULTATION OF PROCEDURAL MATTERS:
Justices of the Judicial Council will be available for consultation on procedural matters.
- 3) CONFLICTS OF INTEREST:
 - i) A conflict of interest is a situation in which a person or organization is involved in multiple interests, (financial, personal, emotional, or otherwise), one of which could possibly corrupt the motivation of the individual or organization.
 - ii) If at any time a Justice recognizes that the Justice might possess a conflict of

- interest, that individual shall be relieved from all matters concerning the hearing.
- iii) If at any time the Attorney General might possess a conflict of interest the Chair of the Committee on Government Operations shall act as a special prosecutor to act as and perform the elections duties of the Attorney General, insofar as the Attorney General's conflict is concerned.
- 4) TYPES OF HEARINGS:
- i) GENERAL HEARING:
For a general hearing, the hearing shall take place no sooner than seven business days after the case is accepted and no later than fourteen business days after the day of acceptance.
 - ii) EXPEDITED HEARING:
Any form of hearing may proceed according to an expedited schedule if the Council deems it necessary. The hearing will take place after all parties have been notified; however, the hearing must take place within seven business days after a case has been accepted.
 - iii) HEARINGS OF ELECTION CODE VIOLATIONS
Any Judicial case that is a violation of SAS Title VII.702 – Elections Code shall be subject to all procedures listed in SAS VII.702.13(h) – Filing a Complaint.
- 5) INITIATING THE HEARING PROCESS:
- i) CHARGE SHEET:
 - 1) To request a hearing, a charge sheet must be filed in writing with the Council. Copies of the charge sheet must also be filed with the Attorney General, and with the ASUN Director. The Council requests six copies of the charge sheet.
 - ii) PUBLIC RECORDS:
 - 1) Charge sheets are accessible to the public once the charge sheets are filed.
 - 2) Charge sheets are not accessible to anyone other than the Justices if the petitioner files the sheet under seal. The Council may unseal the charge at any time.
 - 3) Charge sheet forms will be made available at the Judicial Council's office and on the ASUN Web site, if at all possible.
 - iii) THE CHARGE SHEET SHALL INCLUDE:
 - 1) The names and e-mail addresses of the person(s) filing charges.
 - 2) The list of persons charged, along with e-mail addresses when available.
 - 3) For all cases, list all parties that could be directly affected by the outcome of the hearing.
 - a) All specific violations the petitioner complains about.
 - b) All relevant supporting evidence, or detailed descriptions of such evidence.
 - c) Statements as to the constitutional, statutory, and/or regulatory provisions allegedly violated.
 - d) The type of judicial relief sought.
 - e) Requests for Preliminary Injunctions and the rationale (regarding irreparable harm) for the request.
 - f) Requests for an expedited hearing, and the rationale for the request.
 - g) Whether the Charge Sheet is being filed under seal and the rationale for the request.
 - iv) REVIEW OF CHARGE SHEETS:
 - 1) After the filing of a charge sheet, the Council shall meet within seven

business days to determine if the case should be accepted. In order to accept a case, the Council must find that four conditions are met:

- a) The case is within its jurisdiction.
 - b) The factual allegations constitute violations of the Constitution, statutory, and/or regulatory provisions stated on the charge sheet.
 - c) The constitutional, statutory, and/or regulatory provisions cited provide adequate grounds for the remedies requested.
 - d) The case is filed in good faith. The following are non-restrictive guidelines for determining this condition:
 - Election violation cases are considered filed in good faith if the violation is originally filed before 4 p.m. on the Tuesday following the close of polls.
 - Appeals for election violation cases are considered filed in good faith if they are filed within seven days following the release of the original decision.
 - Cases to invalidate an election are considered filed in good faith if they are filed within seven days after the election count.
 - A case is not filed in good faith if it can be shown that the petitioner has a malicious intent to delay or interfere with the judicial process.
- 2) Charge sheets shall be construed in the most favorable light possible in favor of the petitioner in order that a case may proceed to the issuance of summons to a respondent. The acceptance of a case is without prejudice to the respondent challenging the bringing of a case on procedural grounds (e.g., jurisdiction, standing, justifiability, etc.). The intent of initial on camera review is to ensure the proper filing of a charge sheet and not to rule on substantive matters.
 - 3) A majority vote of those Justices participating at a meeting shall determine if the case is accepted.
 - 4) The Council shall review the charge sheets in closed sessions.
 - 5) In the extreme event the Council does not believe a hearing will provide any substance to its consideration of the controversy brought to its attention, the Council may issue a summary judgment directly after considering and accepting the case. The Council may issue such a judgment without prior consultation with, or consent from, either party involved in the case.
- v) NOTIFICATION:
- 1) If the Council rejects the case, the petitioner(s) shall be notified of the decision. Explanation shall be given in writing.
 - 2) If the Council accepts the case, all parties shall be notified of the time and place of the hearing.
 - 3) If the respondent does not wish to contest the charge, the respondent must so indicate to the petitioner and the Justice assigned to oversee their case.
 - 4) Notice shall be given of the hearing by posting at ASUN posting locations.
- 6) PRELIMINARY INJUNCTION:
- The Council will issue a Preliminary Injunction when there is adequate reason to believe irreparable harm will be done prior to a formal hearing of the Council. Such an order will preserve the status quo of the situation at the time of filing and shall be rescinded upon a decision of the Council.

- i) EMERGENCY PRELIMINARY INJUNCTION:
 - 1) Any Justice may order an Emergency Preliminary Injunction if there is adequate reason to believe irreparable harm will be done before the Council can meet.
 - 2) Before issuing such an order, a Justice must consider, in the individuals own best opinion, that the four criteria for accepting a case are met by the petitioner's charges.
 - 3) Before issuing such an order, a Justice will make a good faith attempt to contact the opposing party and offer the opportunity, within the applicable time constraints, to issue rebuttal to argumentation for irreparable harm against the petitioner and/or to offer their own argumentation for irreparable harm against the defense.
 - a) The Justice will not wait longer than the maximum time before, in the individuals own best opinion, irreparable harm would be done.
 - 4) Before issuing such an order, an Associate Justice will contact the Chief Justice and/or the Senior Associate Justice for consultation. The Senior Associate Justice will then contact the Chief Justice.
 - 5) An Emergency Preliminary Injunction is considered to be an order of the Judicial Council en banc if it is not rescinded at the meeting immediately following its inception.
- 7) REQUEST FOR APPEARANCE AND INFORMATION:
 - i) Request for Appearance and Information: Any Justice may authorize the issuance of a summons, which is an order compelling the appearance of person(s) at a hearing.
 - ii) Requests for Information: Counsels for both sides are responsible for providing the Judicial Council with names and contact information of the people and a list of all relevant evidence the Judicial Council wishes to introduce at the hearing.
- 8) WITNESSES AND EVIDENCE:
 - i) WITNESS LISTS:

A list of all witnesses testifying in a hearing shall be submitted to the Council and opposing parties 2 business days prior to the time briefs are due.
 - ii) EVIDENCE:
 - 1) All evidence relevant to a hearing must be submitted to the Council and opposing parties Two Business Days prior to the time briefs are due.
 - 2) If it is not logistically feasible to submit the actual evidence to the Council and the opposing parties prior to the hearing, a list with detailed descriptions of the evidence may be submitted instead.
 - a) Individual Justices may compel the parties in a hearing to submit the actual evidence prior to the brief's due date if the Justice believes it is logistically feasible to do so.
 - iii) INFORMATION REQUESTS:

A list of all information requested shall be submitted to the Council and opposing parties 2 business days prior to the time briefs are due.
- 9) BRIEFS:
 - i) A brief shall include a summary of the party's arguments and all relevant evidence.
 - ii) A written brief must be filed and e-mailed to the Council by both the petitioner(s) and the respondent(s) no later than Five Business Days before a general hearing (note JRP 4(a)).

- iii) Six copies of the brief must be filed with the Council, and a copy delivered to the opposing party or parties.
- iv) An amicus curiae brief may be submitted by an interested party before the hearing only if the brief is also submitted to both parties Two Business Days before the hearing.

10) JUDICIAL REMEDIES:

The following remedies may follow as the result of a hearing:

- i) Direct Judgment: The direct judgment states the rights of the parties or expresses the opinion of the Council on a matter of law.

11) INFORMAL RESOLUTION

- i) If a respondent does not wish to contest the charge, the respondent must notify the petitioner and a Justice of their decision. The Justice will then forward the notification to the rest of the Council for judicial consideration and approval.
- ii) In the event the petitioner and respondent come to an agreement regarding a remedy for a legal controversy, the petitioner may present it to the Council for judicial consideration and approval. Such presentation may take the form of briefs or a hearing, or any other forum the Council deems fit.

12) OFFICIAL MEANS OF SUBMISSION:

- i) The official means of submission of filing with the Council are restricted to e-mail or physical delivery.
- ii) E-mail deliveries should be made to the Chief Justice of the Council.
- iii) Physical deliveries should be made to the Judicial Council drop-box at ASUN front desk mailboxes.

Rule 4: Hearing Procedures

1) DEFAULT JUDGMENT:

If either party to a hearing fails to meet any of the requirements set forth in Rule 3 of these Rules of Procedure, or fails to appear at the hearing, the Council may declare a Default Judgment against the delinquent party if a majority of the Council determines that the violation prevented the opposing party from receiving a fair hearing. In applying this rule, the Council shall first consider all other judicial remedies.

2) CONFLICT OF INTEREST:

- i) A charge of conflict of interest may be brought against a Justice participating in the hearing by a petitioner or respondent before the Oral Arguments. Any petitioner or respondent may enter arguments on the question of whether a Justice should be dismissed from the case for conflict of interest.
- ii) In order for a Justice to be dismissed from a case for conflict of interest, it must be demonstrated to the Council that the Justice has an interest (financial, personal, emotional, or otherwise) that would lead to personal concern over the outcome of the case.
- iii) The Justice in question shall have an opportunity to speak to the allegations.
- iv) A motion for dismissal on the grounds of conflict of interest shall be decided by a majority vote of all Justices present, excluding the Justice in question. The charged Justice shall not sit as a member of the Council during consideration of the motion and shall not participate in the Council's deliberations concerning the alleged conflict of interest. The Council shall not be subject to quorum requirements in considering such a motion.

3) SPOKESPERSON FOR EACH PARTY:

- i) The official spokesperson for each party must be designated and duly recognized by the Council before the opening of oral arguments.
- ii) Only those designated and recognized spokespersons may address the Council during oral arguments to make arguments, present evidence,

examine witnesses, and raise objections.

iii) Each party shall have one spokesperson unless the requesting party can demonstrate to the Council a compelling need for more than one spokesperson. The Chief Justice of the Council shall rule on the request.

iv) Spokespersons for the various parties in a hearing will be members of the Association. The intent of this provision is to bar attorneys from representing parties in a case in Council.

4) ORDER OF ORAL ARGUMENTS AND PRESENTATION OF EVIDENCE:

i) Hearing Procedures

- The petitioner shall be given 30 minutes to present oral arguments, witnesses, and evidence on the matter before the Council.
- The respondent shall be given 30 minutes to present oral arguments, witnesses, and evidence on the matter before the Council.
- The petitioner and the respondent each will be allotted ten minutes for Cross Examination and Closing Arguments.
- The Attorney General shall be given 30 minutes to present the position of the Association in the matter.
- The Justices may ask questions of the speakers at any time.
- With the approval of the Chief Justice, presentations may be modified in anyway that allows the petitioner and the respondent equal time to present their arguments.

5) RULES OF EVIDENCE:

i) Evidence is anything offered to the Council to prove or disprove an alleged fact.

ii) All evidence presented to the Council must be relevant to the proceedings. Relevant evidence is that which tends to prove or to disprove the factual issue in the complaint.

iii) Evidence shall be submitted with the brief, or at any time prior to the brief's due date. Any evidence not submitted by deadline for brief submission may be suppressed by the Council if the opposing party has not had sufficient time to prepare cross examination or counter evidence. The opposing party must proof of insufficient preparation time.

iv) Evidence that violates a petitioner's rights may not be submitted unless the respondent waives such rights.

v) All parties have the right to examine all evidence once submitted to the Council.

vi) All evidence presented is admitted if there are no valid objections.

6) RULES OF WITNESSES:

i) A witness is any individual other than a spokesperson who provides testimony before the Council in a hearing.

ii) Witnesses must, to the best of their ability, provide the Council with relevant and truthful testimony.

iii) Witnesses who are testifying may not speak, or be spoken to, except to answer questions directed to them through direct examination, cross examination, or Council questioning.

- Witnesses must be physically separated from all other individuals at a hearing while the Witnesses are testifying. It is up to the discretion of the Council to separate witnesses for the duration of the hearing.

iv) If a witness is unable to attend the hearing, the Witness may submit an affidavit for the Council's consideration. Prior to the affidavit's submission to the Council, all parties in a hearing must be notified and have their questions addressed in the affidavit.

- If all parties in a hearing have not had their questions addressed by

the witness' affidavit, the parties may request the affidavit be suppressed.

7) RULES FOR RAISING OBJECTIONS:

- i) Objections may be raised at any time by any recognized spokesperson of either party or by a Justice.
- ii) Objections may be raised to challenge any of the following:
 - The relevance of evidence presented.
 - A witness may be speculating.
 - An examiner is badgering a witness.
 - A question has already been asked of a witness, and that witness has already answered the question.
 - A party has not had sufficient time to examine submitted evidence, or evidence submitted at a hearing.
 - A spokesperson is being argumentative.
- iii) The party that did not raise the objection may respond to the objection.
- iv) The Chief Justice shall rule on all objections raised.

8) RULINGS OF THE CHIEF JUSTICE:

- i) The Chief Justice may deviate from these rules to facilitate or ease the progress of a hearing when necessary to protect the interests of justice and so long as no individual's or party's rights are substantively harmed by the deviation.
- ii) The Chief Justice may issue compelling orders to maintain hearing stability.
- iii) All rulings made by the Chief Justice during a hearing shall be subject to review by the rest of the Council if an objection is raised. The Chief Justice shall explain the ruling. A majority vote of the Justices present is necessary to overturn The Chief Justice's ruling.

9) Behavior of Participants:

- i) All participants in a Judicial Council hearing shall truthfully, accurately, and concisely answer any question addressed to them.
- ii) The participants must also conduct in a courteous manner. Violation may result in the removal of the party from the hearing.
- iii) The Council may declare, either during or after a Council hearing, a participant may be dismissed by the Council for any of the following actions before the Judicial Council:
 - Interrupting Justices or participants in the hearing intentionally.
 - Disrespectful behavior or disregard for the formality due the Council.
 - Defying an order of the Council, either issued by the Council en banc or by an individual Justice.
 - Disparaging a Justice.
 - Malicious requests for information.
 - Knowingly providing false or misleading testimony or evidence to the Council.

Rule 5: Post-Hearing Procedure

1) JUDGMENT:

- i) After a hearing, the Council shall discuss and consider the case in closed deliberation in order to arrive at a decision. The Council must reach a decision and produce their ruling which must be distributed to the parties involved within two weeks after the hearing.
- ii) In order to find the respondent in violation of the ASUN Constitution or Laws, the Council shall decide that the following conditions have been met:
 - The factual allegation(s) are supported by clear and convincing

- evidence.
 - The conduct in question violates a stated provision in the ASUN Constitution or Laws.
 - The remedy arrived at is proportionate to the severity of the offense and in full compliance with the ASUN Constitution and Laws.
 - iii) A decision is formulated at any time the Council comes to a formal opinion on a matter before the Council. If a decision cannot be reached for lack of a majority opinion, the Council may request advice from the legal advisor.
 - When a fragmented Council decides a case and no single rationale explaining the result enjoys the assent of a majority of the Justices, the holding of the Council may be viewed as that position taken by those Justices who concurred in the judgments on the narrowest grounds. In the final decision, the Council shall state the narrowest rationale for the decision.
 - iv) If the reason for which any hearing was held is not satisfied by that hearing, or if for any other reason the Council decides that the hearing should not have taken place or cannot render a reasonable decision or remedy due to lack of evidence in the matter, the case may be dismissed with explanation. No consequence follows as a result.
 - v) The judgment of the Council shall be held in strict confidence until a formal written judgment can be approved and issued by the Council.
 - vi) A copy of the Council's decision will be given to petitioner(s), respondent(s), senate secretary, Council Advisor, ASUN Director, and Associate Director of Student Activities within two weeks after the ruling has been approved by the Council.
 - vii) Every Justice participating in the decision (either majority or dissenting) must read the decision and give their approval to the language for it to be released.
 - viii) Once the Council has released its decision the Chief Justice must report to Senate of the ASUN to explain the ruling and be open for questions.
- 2) REHEARING:
 - i) To request a rehearing, a petition for rehearing must be filed in writing with the Council.
 - ii) The Council will grant a rehearing for any of the following reasons:
 - Introduction of newly discovered evidence of a significant nature which could not have been introduced before.
 - Demonstration that previously introduced evidence is false.
- 3) Appeal:
 - i) When appealing, the burden of proof rests on the petitioner. Appeals may be granted for any of the following:
 - Demonstration that a reversible error with regard to a conclusion of law may exist.
 - Demonstration that judgment was significantly influenced by a violation of due process, as set forth in these rules of procedure.

Rule 6: Administrative Provisions

- 1) ORDERS:
 - i) Orders issued by the Council as a whole may only be rescinded by the Council as a whole.
 - ii) Orders issued under the authority of the Council by individual Justices are subject to review by the Council. Such orders may be rescinded by the Justice who issued the order or by the Council as a whole.
 - iii) The Chief Justice may stay an order issued by another Justice. Individual orders

issued by the Chief Justice may be stayed upon an agreement of the next two Associate Justices forming a majority of the Council.

2) PERMANENT RECORD OF THE COUNCIL:

- i) A written, audio, or video recording will be made at all official hearings for the future use of all Justices.
- ii) A Permanent Record of hearing material for all hearings shall be kept including the charge sheet, briefs, decisions, and all other relevant material.
 - When the Permanent Record for an academic year is complete, one copy will be held in the Association's archives (or succeeding organization), and one copy will be retained by the Clerk of the Council such that the records will be immediately available to the Council.
- iii) The permanent record shall be available to all members and employees of the Association.

3) DECISIONS:

- i) Justices must have been participating during oral arguments and deliberations in order to participate in a judgment.
- ii) No decisions may be handed down without a written statement of the Council's conclusions.
- iii) Those participating Justices in disagreement are entitled to write a minority or dissenting opinion(s), which shall be included along with the majority decision for distribution.

4) COUNCIL ADVISOR:

- i) The Council Advisor shall be available for consultation to Council Justices. The Council Advisor shall also be available at the discretion for consultation with other members of the Association.

5) RESIGNATION:

- i) A Justice is considered resigned from the Council when the Justice provides written notice of the same to the President of the Associated Students.

TITLE IV: COMPENSATION

CHAPTER 401: ELECTED OFFICERS

SECTION 01: ESTABLISHMENT

There is hereby established a pay scale for elected ASUN Officers.

SECTION 02: LEVELS OF COMPENSATION

- a) The three levels of pay shall be as follows:
 - 1) Level I: \$8,800 distributed evenly over a 12-month period in a single term.
 - 2) Level II: \$7,000 distributed evenly over a 12-month period in a single term.
 - 3) Level III: \$3,917.20 distributed evenly over a 12-month period in a single term.

SECTION 03: OFFICIALS COVERED BY PAY SCALE

The following elected officials are included in the pay scale:

- a) Level I:
 - 1) President
- b) Level II:
 - 1) Vice President
- c) Level III:
 - 1) Senators

SECTION 04: WORK HOURS AND PROCEDURES

- a) All Officers must follow University, NSHE state, and Federal regulations regarding student employment.
- b) The payment of officers shall be input by ASUN Central Station utilizing the Workday system. This will be done by dividing their total compensation across the pay periods throughout the officer's term.

SECTION 05: COMPENSATION LIMITS

The total payout for each elected office shall not exceed the following:

- a) Level I:
 - 1) President: \$8,800 per term
- b) Level II:
 - 1) Vice President: \$7,000 per term
- c) Level III
 - 1) Senator: The aggregate amount of equivalent to the cost of six undergraduate credit-hours per semester at the university. This is to include and be limited to the Undergraduate Registration Fee, ASUN fee, Technology Fee, Health Center Fee, Counseling Services Fee, Performing Arts Fee, Student Union Fee, Fitness Center Fee, and Academic Success Fee.
- d) Those entering into office after the beginning of the term shall not be entitled to the full compensation for the term as listed above.

SECTION 06: AUTHORIZATION OF APPROPRIATIONS

There is hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this chapter.

CHAPTER 402: APPOINTED OFFICERS

SECTION 01: ESTABLISHMENT

There is hereby established a pay scale for appointed ASUN Officers.

SECTION 02: LEVELS OF COMPENSATION

- a) The three levels of pay shall be as follows:
 - 1) Level I: \$7,000 distributed evenly over a 12-month period in a single term.
 - 2) Level II: \$5,000 distributed evenly over a 12-month period in a single term.
 - 3) Level III: \$3,000 distributed evenly over a 12-month period in a single term.
 - 4) Level IV: \$1,500 distributed evenly over a 12-month period in a single term.

SECTION 03: OFFICIALS COVERED BY PAY SCALE

The following elected officials are included in the pay scale:

- a) Level I:
 - 1) Director of Clubs and Organizations
 - 2) Director of Programming
 - 3) Speaker of the Senate
 - i) The Speaker shall receive the compensation in lieu of that of a Senator or Chair
- b) Level II:
 - 1) Assistant Directors of Programming
 - 2) Attorney General
 - 3) Director of Government Affairs
 - 4) Director of Campus and Public Relations
 - 5) Director of IDEA
 - 6) Director of Executive Affairs
 - 7) Director of Executive Outreach
 - 8) Assistant Directors of Clubs and Organizations
 - 9) Director of Sustainability
 - 10) Director of Campus Wellness
- c) Level III:
 - 1) Assistant Director of Government Affairs
 - 2) Policy Director
 - 3) Student Outreach Coordinator
 - 4) Advocacy Director
 - 5) Programmers
 - 6) Projects Director
 - 7) Club Commissioner
 - 8) Assistant Director of Campus and Public Relations
 - 9) Assistant Director of IDEA
 - 10) IDEA Commissioners
 - 11) Assistant Director of Sustainability
 - 12) Chief Justice
 - 13) Assistant Director of Campus Wellness
- d) Level IV:
 - 1) Associate Justice
 - 2) Speaker Pro-Tempore
 - i) The Speaker Pro-Tempore shall receive both Elected Officer Level III and Appointed Officer Level IV compensation.
 - 3) Parliamentarian

- i) The Parliamentarian shall receive both Elected Officer Level III and Appointed Officer Level IV compensation.
- 4) Senate Committee Chairs
 - i) Senators who are also Senate Committee Chairs shall receive both Elected Officer Level III and Appointed Officer Level IV compensation.
 - ii) A Senator who serves as the chair of a special committee shall receive both Elected Officer Level III and Appointed Officer Level IV compensation.

SECTION 04: WORK HOURS AND PROCEDURES

- a) All Officers must follow University, NSHE state, and Federal regulations regarding student employment.
- b) The payment of officers shall be input by Professional Staff utilizing the Workday system. This will be done by dividing their total compensation across the pay periods throughout the officer's term.

SECTION 05: COMPENSATION LIMITS

- a) The total pay-out for Level I compensated appointed officers shall not exceed \$7000 per term.
- b) The total pay-out for Level II compensated officers shall not exceed \$5000 per term.
- c) The total pay-out for Level III compensated officers shall not exceed \$3000 per term.
- d) The total pay-out for Level IV compensated officers shall not exceed \$1500 per term, with the exception of the Speaker Pro-Tempore, Parliamentarian, and the Senate Committee Chairs, whose total pay-out shall not exceed \$500 per term.
 - i) In the event that the Speaker Pro Tempore or Parliamentarian is also a committee chair, the individual shall receive both stipends.
- e) Those entering into office after the beginning of the term shall not be entitled to the full compensation for the term as listed above

SECTION 06: EMPLOYMENT REQUIREMENTS

Once an officer has been confirmed by Senate the officer can only begin to work once the following obligations are met:

- a) The Officers have been dutifully sworn in;
- b) The Officers have provided two viable forms of I.D. to the accounting office as outlined by the federal I- 9 form;
- c) The Officers have provided a correct and signed I-9 to the accounting office.

Until the above necessary qualifications have been met, student officers will not receive their compensation. Upon completion of the requirements in Section 06, the officer will receive their stipend prorated from their Senate confirmation.

SECTION 07: AUTHORIZATIONS OF APPROPRIATIONS

There is hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Title.

TITLE V: ASUN INTERNSHIP PROGRAM

CHAPTER 501: LEGISLATIVE INTERNSHIP PROGRAM

SECTION 01: ESTABLISHMENT

There is hereby established a Legislative Internship Program.

SECTION 02: MISSION

ASUN views leadership as a valuable and necessary asset for each student to obtain. The Legislative Internship Program works to uphold that belief by creating interns who strive to improve ASUN and its institution as a whole by offering new, innovative ideas and by being dedicated to the issues and concerns of all.

SECTION 03: LEGISLATIVE INTERNS

a) IN GENERAL:

A Legislative Intern serves as a volunteer active learning individual, who is being educated and prepared to hold office in ASUN. All members of the Legislative Internship program, throughout their service, shall meet the general qualifications to hold office depicted by the ASUN Constitution with the exception of incoming freshman who do not currently have a University GPA in their first semester.

DUTIES:

The duties of the Legislative Interns shall include, but are not limited to, the following:

- 1) Assist Senate committee members and/or Senators in research, legislation drafting, and all other matters of Senate operations as necessary
- 2) Attend Senate committee meetings and attend the meetings of the Senate body.
- 3) Attend public comment for at least one ASUN Senate Standing or Special committee.
- 4) Attend Legislative Intern meetings.

SECTION 04: OVERSIGHT

- a) The Speaker pro-Tempore shall oversee and manage the Legislative Intern Program including but not limited to:
 - 1) Assist the Director of Executive Affairs to coordinate the application, interview, marketing, and resignation process
 - 2) Create the curriculum of the Legislative Internship program
 - 3) Create accountability for Senator and interns

SECTION 05: APPLICATION PROCESS

- a) Applications for the Legislative Internship program must be planned, organized, and ready to receive applications by June 1st of each year.
- b) Applications will close and open at the discretion of the Director of Executive Affairs.
- c) At the close of applications, the Speaker pro-Tempore will review candidates for eligibility with the assistance of the administrative faculty of the Center for Student Engagement.

SECTION 06: APPOINTMENT OF LEGISLATIVE INTERNS

- a) Candidates for the Legislative Internship program will be interviewed and approved by the by the Speaker Pro Tempore of the Senate.
- b) Once approved by the Speaker Pro Tempore of the Senate, candidates are now deemed Legislative Interns and must carry out the duties of the position.
- c) The number of Legislative Interns accepted into the program will be no more than twenty-six (26)

interns.

SECTION 07: REMOVAL

- a) In the event a Legislative Intern fails to execute the duties of the position, the Legislative Intern may be removed from the position by recommendation to the Speaker Pro-Tempore.
- b) Legislative interns may resign as a Legislative Intern by submitting a resignation letter to the Speaker pro-Tempore effective immediately.

SECTION 08: CURRICULUM

- a) The Speaker pro-Tempore, will plan, organize, and execute the curriculum of the Legislative Internship program to include, but not limited to:
 - 1) Producing the education components each week to include sentiments such as: Robert's Rules of Order, the ASUN governing documents, the current Rules of the Senate, the Nevada Open Meeting Law, functions of the Standing Committee, Nevada State and federal laws and policies, writing procedures for legislation, time management, leadership development and research skills
 - 2) Presentations or guest speakers that increase the learning mission of the program.
 - 3) Hold events where Legislative Interns are able to meet current Senators.
 - 4) Coordinate a "buddy system" where Senators are matched to mentor and educate Legislative Intern(s).
 - 5) All Legislative Interns will be assigned to sit in public comment for at least one Senate Standing or Special committee.

SECTION 09: MARKETING

- a) The Speaker Pro-Tempore is able to market the Legislative internship individually or with other departments.
- b) Marketing materials should be posted for the internship by June 8th, a week after the opening of the ASUN internship program.

CHAPTER 502: EXECUTIVE INTERNSHIP PROGRAM

SECTION 01: ESTABLISHMENT

There is hereby established an Executive Intern Program.

SECTION 02: MISSION

ASUN views leadership as a valuable and necessary asset for each student to obtain. The Executive Internship Program works to uphold the mission and vision of ASUN by helping the Executive Board carry out their duties.

SECTION 03: EXECUTIVE INTERNS

An executive Intern serves as a volunteer active learning individual who is being educated and prepared to hold office in ASUN. All members of the Executive Internship Program throughout their service shall meet the general qualifications to hold office depicted by the ASUN Constitution with the exception of incoming freshman who do not currently have a University GPA in their first semester.

SECTION 04: MAKE UP

The Executive Branch may appoint interns. Each of the following positions shall have at least one and no more than two interns: President, Vice President, Director of Executive Affairs, Director of Sustainability, the Department of Sustainability's Assistant Director of Events and Community Projects, Director of Campus and Public Relations, Director of Campus Wellness, Assistant Director of Campus Wellness, and the Attorney General. The Directors of Event Programming and Clubs and Organizations have the discretion and ability to have up to two interns but are not required to hire one. The number of Executive Branch Interns accepted into the program will be no more than twenty-two (22) interns.

SECTION 05: DUTIES

Executive Interns shall assist Executive members in researching projects, budgetary issues, and all other matters of operations as necessary.

SECTION 06: ACCOUNTABILITY

In the event an executive intern fails to execute the duties of an intern the overseeing executive member may remove the title of the intern. Each intern shall be overseen by their respective executive officer.

SECTION 07: DIRECTOR DISCRETION

The Directors of the Departments of Event Programming and Clubs and Organizations are responsible to decide if the interns assigned to them will attend only Executive Intern meetings or if they are also required to attend additional meetings within the respective Departments.

SECTION 08: APPLICATION PROCESS

- a) Applications for the Executive Internship program must be planned, organized and ready to receive applications by June 1st of each year.
- b) Applications will close and open at the discretion of the Director of Executive Affairs.
- c) At the close of applications, the Director of Executive Affairs will review candidates for eligibility with the assistance of the administrative faculty of the Center for Student Engagement Staff and internship coordinators.

SECTION 09: MARKETING

- a) The Director of Executive Affairs is able to market the Executive Internship individually or with other departments.

- b) Marketing materials should be posted for the internship by June 8th, a week after the opening of the ASUN internship program.

CHAPTER 503: PROGRAMMING INTERNSHIP PROGRAM

SECTION 01: ESTABLISHMENT

There is hereby established an Event Programming Internship Program.

SECTION 02: MISSION

ASUN views leadership as a valuable and necessary asset for each student to obtain. The Event Programming Internship Program works to uphold the mission and vision of ASUN by including more students in the Event Programming Department who strive to improve the University as a whole. Interns will be given the chance to inspire, unite, and provide educational opportunities to the University of Nevada students through assisting in the execution of all events hosted by the Department of Event Programming.

SECTION 03: PROGRAMMING INTERNS

- a) IN GENERAL:
 - 1) An Event Programming Intern serves as a volunteer who is actively learning the process and activities of the Event Programming Board. All members of the Event Programming Internship Program, at the time of their approval and throughout their service, shall meet the general qualifications to hold office depicted by the ASUN Constitution with the exception of incoming freshman who do not currently have a University GPA in their first semester.
- b) DUTIES:
 - 1) At the discretion of the Assistant Director of Marketing and Interns, Interns will volunteer at all Event Programming events including planning the event, setting up the event, running the event, cleaning up the event, and all other matters of Event Program operations as necessary.
 - 2) Attend Event Programming meetings, trainings, and events.
 - 3) Abide by all rules and guidelines set by the Assistant Director of Marketing and Interns.

SECTION 04: APPLICATION PROCESS

- a) Applications will close (1) week prior to the Friday before the start of the fall semester but may be reopened at the discretion of the Assistant Director of Marketing and Interns.
- b) At the close of applications, the Assistant Director of Marketing and Interns will review candidates for eligibility with the assistance of the Director of Programming, Assistant Director of Budget and Assessment, and the administrative faculty of the Center for Student Engagement.
- c) Applications for the Programming Internship must be planned, organized, and ready to receive applications by June 1st of each year.
- d) The Assistant Director of Marketing and Interns will assist the Director of Executive Affairs to coordinate the application, interview, marketing, and resignation process.

SECTION 05: APPOINTMENT OF PROGRAMMING INTERNS

- a) The Assistant Director of Marketing and Interns reserves the authority to interview and appoint the Event Programming Interns by the Friday before the start of the fall semester.
- b) The number of Event Programming Interns accepted into the program will be no more than (10) interns.

SECTION 06: REMOVAL

- a) “In the event an Event Programming Intern fails to execute the duties of the position, breaks any Student or University conduct policies, or fails to uphold the code of conduct, the Event Programming Intern may be removed from the position by recommendation to the Assistant Director of Marketing and Interns.
- b) Event Programming Interns may resign from their position by submitting a resignation letter to the Assistant Director of Marketing and Interns, effective immediately.

SECTION 07: CURRICULUM

- a) The Assistant Director of Marketing and Interns shall plan, organize, and execute the curriculum of the Event Programming Internship Program to include, but not limited to:
 - 1) Producing the education components twice a month to include, but not be limited to: ASUN and University event programming policies, Event Resources on our Campus, the services provided by the Center for Student Engagement, and the steps to plan and execute a programming event.
 - 2) Scheduling presentations or guest speakers that increase the learning mission of the program.
 - 3) Coordinating a “buddy system” where Programmers are matched to mentor and educate Event Programming Intern(s).

SECTION 08: MARKETING

- a) The Assistant Director of Marketing and Interns is able to market the Programming Internship individually or with other departments.
- b) Marketing materials should be posted for the internship by June 8th, a week after the opening of the ASUN internship program.

CHAPTER 504: DEPARTMENT OF CLUBS AND ORGANIZATIONS

SECTION 01: ESTABLISHMENT

There is hereby established a Department of Clubs and Organizations Internship Program.

SECTION 02: MISSION

ASUN views leadership as a valuable and necessary asset for each student to obtain. The Department of Clubs and Organizations Internship Program works to uphold the mission and vision of ASUN by teaching students how to serve as a campus resource and clearinghouse for information the Department of Clubs and Organizations. Interns better the university as a whole by executing the laws and functions related to the department.

SECTION 03: DEPARTMENT OF CLUBS AND ORGANIZATIONS INTERNS

a) IN GENERAL:

A Department of Clubs and Organizations Intern serves as a volunteer and active learning individual, who is being educated and prepared to hold office in ASUN. All members of the Department of Clubs and Organizations Internship Program, at the time of their approval and throughout their service, shall meet the general qualifications to hold office depicted by the ASUN Constitution with the exception of incoming freshman who do not currently have a University GPA in their first semester.

b) DUTIES:

The duties of the Department of Clubs and Organizations Interns shall include, but are not limited to, the following:

- 1) At the discretion of the Director, interns will assist in preparing for funding hearings, execute administrative tasks, and assist those who need it.
- 2) Attend Department of Clubs and Organizations meetings, funding hearings, trainings and events.
- 3) Assist Commissioners in review of petitions for club recognition.

SECTION 04: APPLICATION PROCESS

- a) Applications for the Department of Clubs and Organizations Internship Program must be planned, organized, and ready to receive applications by June 1st of each year.
- b) Applications will open and close at the discretion of the Director of Executive Affairs.
- c) At the close of applications, the Director will review candidates for eligibility with the assistance of the administrative faculty of the Center for Student Engagement.
- d) The assistant Director of Clubs and Organizations will assist the Director of Executive Affairs to coordinate the application, interview, marketing, and resignation process.

SECTION 05: APPOINTMENT OF DEPARTMENT OF CLUBS AND ORGANIZATIONS INTERNS

- a) The names of the eligible candidates for Department of Clubs and Organizations Interns will be forwarded to the Director of Department of Clubs and Organizations for placement on the next Department of Clubs and Organizations meeting agenda.
- b) Candidates for the Department of Clubs and Organizations Internship Program will be interviewed and approved by a majority vote of the Department of Clubs and Organizations Commissioners and Funding Manager.
- c) Once approved by the ASUN Department of Clubs and Organizations Commissioners and Funding and Support Manager, candidates are now deemed Department of Clubs and Organizations Interns and must carry out the duties of the position.
- d) The number of Department of Clubs and Organizations Interns accepted into the program will be

no more than nine (9) interns. No member of the department shall have more than one intern.

SECTION 06: REMOVAL

- a) In the event a Department of Clubs and Organizations Intern fails to execute the duties of the position, the Department of Clubs and Organizations Intern may be removed from the position by recommendation to the Director and a vote by the Department of Clubs and Organizations Commissioners and The Assistant Director of Clubs and Organizations.
- b) Department of Clubs and Organizations Interns may resign as a Department of Clubs and Organizations Intern by submitting a resignation letter to the Director of Department of Clubs and Organizations effective immediately.

SECTION 07: CURRICULUM

- a) The Director in charge of the internship program will plan, organize, and execute the curriculum of the Department of Clubs and Organizations Internship Program to include:
 - 1) Producing the education components twice a semester to include sentiments such as: Starting a Club, Club Renewal, Club Resources and Resource Requests, Club Funding Applications and Hearings, Club Funding, SEAB, Club Travel Claims, etcetera.
 - 2) Presentations or guest speakers that increase the learning mission of the program.
 - 3) Coordinating “buddy system” where the Director, Clubs Commissioners, and Assistant Director of Clubs and Organizations are matched to mentor and educate the Department of Clubs and Organizations Intern(s).

SECTION 08: MARKETING

- a) The Assistant Director of Clubs and Organizations is able to market the Clubs and Organizations Internship individually or with other departments.
- b) Marketing materials should be posted for the internship by June 8th, a week after the opening of the ASUN internship program.

CHAPTER 505: GOVERNMENT AFFAIRS INTERNSHIP PROGRAM

SECTION 01: ESTABLISHMENT

There is hereby established a Government Affairs Internship Program.

SECTION 02: MISSION

ASUN views leadership as a valuable and necessary asset for each student to obtain. The Government Affairs Internship Program under the Department of Government Affairs works to uphold the mission and vision of ASUN by educating, empowering, and encouraging students who participate to become involved in the university, state, and national issues. Interns better the university as a whole by engaging students through educational rallies, forums, and meeting with state and university officials.

SECTION 03: GOVERNMENT AFFAIRS INTERNSHIP

a) IN GENERAL:

A Government Affairs Intern serves as a volunteer and active learning individual, who is being educated and prepared to hold office in ASUN. All members of the Government Affairs Internship Program, at the time of their approval and throughout their service, shall meet the general qualifications to hold office depicted by the ASUN Constitution with the exception of incoming freshman who do not currently have a University GPA in their first semester.

b) DUTIES:

The duties of the Government Affairs Interns shall include, but are not limited to, the following:

- 1) At the discretion of the Assistant Director of Government Affairs, interns will assist with preparing for and executing events.
- 2) Attend Government Affairs meetings, trainings, and events.
- 3) Assist in research of policy and projects.

SECTION 04: APPLICATION PROCESS

- a) Applications for the Government Affairs Internship Program must be planned, organized, and ready to be received applications by June 1st of each year.
- b) Applications will open and close at the discretion of the Director of Executive Affairs.
- c) At the close of applications, the Assistant Director of Government Affairs will review candidates for eligibility with the assistance of the administrative faculty of the Center for Student Engagement.
- d) The Assistant Director of Government Affairs will assist the Director of Executive Affairs to coordinate the application, interview, marketing, and resignation process.

SECTION 05: APPOINTMENT OF GOVERNMENT AFFAIRS INTERNS

- a) The names of the eligible candidates for the Government Affairs Internship Program will be forwarded to the Director of Government Affairs for placement on the next meeting agenda.
- b) Candidates for the Government Relations Internship Program will be interviewed and approved by a majority vote of the Department of Government Affairs officers.
- c) Once approved by the Department of Government Affairs officers, candidates are now deemed Government Affairs Interns and must carry out the duties of the position.
- d) The number of Government Affairs Interns accepted into the program will be no more than six (6) interns (at the discretion of the Assistant Director of Government Affairs).

SECTION 06: REMOVAL

- a) In the event a Government Affairs Intern fails to execute the duties of the position, the Government Affairs Intern may be removed from the position by recommendation of the Director and a vote by the Department of Government Affairs Officers.
- b) Government Affairs Interns may resign as a Government Affairs Intern by submitting a resignation letter to the Director of Government Affairs effective immediately.

SECTION 07: CURRICULUM

The Assistant Director will plan, organize, and execute the curriculum of the Government Affairs Internship Program to include:

- a) Producing the education components twice a semester to include sentiments such as: Policy Analysis, Student-led lobbying efforts, the Nevada Legislature and State Government Structure, Voter Registration, History of Nevada Politics, Policies that have impacted higher education, the Board of Regents, ASUN governing documents, data analysis, time management, and leadership skills.
- b) Presentations or guest speakers that increase the learning mission of the program.
- c) Coordinating a system where interns will report to the officer in the Department of Government Affairs that the Assistant Director deems appropriate.

SECTION 08: MARKETING

- a) The Assistant Director of Government Affairs is able to market the Government Affairs Internship individually or with other departments.
- b) Marketing materials should be posted for the internship by June 8th, a week after the opening of the ASUN internship program.

CHAPTER 506: JUDICIAL INTERNSHIP PROGRAM

SECTION 01: ESTABLISHMENT

There is hereby established a Judicial Internship Program.

SECTION 02: MISSION

ASUN views leadership as a valuable and necessary asset for each student to obtain. The Judicial Internship Program under the Judicial Branch works to uphold the mission and vision of ASUN by being familiar with the process of interpreting legal documents to better the university as a whole through active participation in the Association.

SECTION 03: JUDICIAL INTERNS

a) IN GENERAL:

A Judicial Intern serves as a volunteer and active learning individual, who is being educated and prepared to hold office in ASUN. All members of the Judicial Internship Program, at the time of their approval and throughout their service, shall meet the general qualifications to hold office depicted by the ASUN Constitution with the exception of incoming freshman who do not currently have a University GPA in their first semester.

b) DUTIES:

The duties of the Judicial Interns shall include, but are not limited to, the following:

- 1) At the discretion of the Chief Justice interns will hear charges brought against the executive and legislative branches of the association.
- 2) Attend meetings of Justices no less than twice a semester.
- 3) Review past cases to establish a foundation of knowledge of the Judicial Branch.

SECTION 04: APPLICATION PROCESS

- a) Applications for the Judicial Internship Program must be planned, organized, and ready to be received applications by June 1st of each year.
- b) Applications will open and close at the discretion of the Director of Executive Affairs.
- c) At the close of applications, the Chief Justice will review candidates for eligibility with the assistance of the administrative faculty of the Center for Student Engagement.
- d) The Chief Justice will assist the Director of Executive Affairs to coordinate the application, interview, marketing, and resignation process.

SECTION 05: APPOINTMENT OF JUDICIAL INTERNS

- a) The names of the eligible candidates for the Judicial Internship Program will be forwarded to the Chief Justice for placement on the next meeting agenda.
- b) Candidates for the Judicial Internship Program will be interviewed and approved by a majority vote of the Chief and Associate Justices.
- c) Once approved by the Chief and Associate Justices, candidates are now deemed Judicial Interns and must carry out the duties of the position.
- d) The number of Judicial Interns accepted into the program will be no more than five (5) interns.

SECTION 06: REMOVAL

- a) In the event a Judicial Intern fails to execute the duties of the position, the Judicial Intern may be removed from the position by recommendation to the Chief and Associate Justices.
- b) Judicial Interns may resign as a Judicial Intern by submitting a resignation letter to the Chief Justice effective immediately.

SECTION 07: CURRICULUM

The Chief Justice will plan, organize, and execute the curriculum of the Judicial Internship Program to include:

- a) Producing the education components twice a semester to include sentiments such as: reviewing past cases and discussing the pros and cons, finding an area of the legal documents that the Chief Justice is interested in and becoming an expert of that section, administering oaths, interpreting ASUN legal documents.
- b) Presentations or guest speakers that increase the learning mission of the program.

SECTION 08: MARKETING

- a) The Chief Justice is able to market the Judicial Internship individually or with other departments.
- b) Marketing materials should be posted for the internship by June 8th, a week after the opening of the ASUN internship program.

CHAPTER 507: DEPARTMENT OF IDEA INTERNSHIP PROGRAM

SECTION 01: ESTABLISHMENT

There is hereby established a Department of IDEA Internship Program.

SECTION 02: MISSION

ASUN views leadership as a valuable and necessary asset for each student to obtain. The Department of IDEA Internship Program works to uphold the mission and vision of ASUN by teaching students how to serve as a campus resource and act as a helping hand with the Department of IDEA. Interns better the university by executing the laws and functions related to the department.

SECTION 03: DEPARTMENT OF IDEA INTERNS

a) IN GENERAL:

- 1) A Department of IDEA Intern serves as a volunteer and active learning individual, who is being educated and prepared to hold office in ASUN. All members of the Department of IDEA Internship Program, at the time of their approval and throughout their service, shall meet the general qualifications to hold office depicted by the ASUN Constitution with the exception of incoming freshman who do not currently have a University GPA in their first semester.

b) DUTIES:

- 1) The duties of the Department of IDEA Interns shall include, but are not limited to, the following:
 - i) At the discretion of the Assistant Director in charge, interns will volunteer at Department events, setting up the event, running the event, cleaning up after the event and all other matters of Department operations as necessary.
 - ii) Assist in research, brainstorming, and development of policy and projects.
 - iii) Attend one-on-one meetings and Senate meeting(s) at the discretion of the Assistant Director in charge, Department meetings, trainings and events.

SECTION 04: APPLICATION PROCESS

- a) Applications for the Department of IDEA Internship Program must be planned, organized, and ready to receive applications by June 1st of each year.
- b) Applications will open and close at the discretion of the Director of Executive Affairs.
- c) At the close of applications, the Director will review candidates for eligibility with the assistance of the administrative faculty of the Center for Student Engagement.
- d) The Assistant Director of IDEA will assist the Director of Executive Affairs to coordinate the application, interview, marketing, and resignation process.

SECTION 05: APPOINTMENT OF DEPARTMENT OF IDEA INTERNS

- a) The names of the eligible candidates for Department of IDEA Interns will be forwarded to the Director of Department of IDEA for placement on the next Department of IDEA meeting agenda.
- b) Candidates for the Department of IDEA Internship Program will be interviewed and approved by the Director of IDEA.
- c) Once approved by the Director of IDEA, candidates are now deemed Department of IDEA Interns and must carry out the duties of the position.
- d) The number of Department of IDEA Interns accepted into the program will be no more than five interns. No member of the department shall have more than one intern.

SECTION 06: REMOVAL

- a) In the event a Department of IDEA Intern fails to execute the duties of the position, the Department of IDEA Intern may be removed from the position by recommendation of any member of the Department of IDEA and at the discretion of the Director of IDEA.
- b) Department of IDEA Interns may resign as a Department of IDEA Intern by submitting a resignation letter to the Director of IDEA effective immediately.

SECTION 07: CURRICULUM

- a) The Assistant Director of IDEA shall plan, organize, and execute the curriculum of the Department of IDEA Internship Program to include:
 - 1) Producing the educational components to cover topics such as, but are not limited to: multicultural awareness, intersectionality, student activism, event planning, policy analysis, data analysis, time management, and leadership skills.
 - 2) Both presentations and guest speakers that which enhances learning the mission of the program.
 - 3) Coordinating a system where interns will report to each officer in the Department of IDEA that the Assistant Director deems appropriate.

SECTION 08: MARKETING

- a) The Assistant Director of IDEA is able to market the IDEA Internship individually or with other departments.
- b) Marketing materials should be posted for the internship by June 8th, a week after the opening of the ASUN internship program.

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