

Associated Students of Whitworth University

ASWU BYLAWS

(Revised Spring 2021)

Preamble

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

Article I. Organizational Structure: Executive Council

Section 1.

1. The Executive Council shall consist of a President, a Vice President, a Financial Director, and a Communications Director.
2. Job descriptions for each officer shall be posted on the ASWU website.
3. The Executive Council shall meet weekly with the Director of Student Activities to create an agenda for the assembly meetings and shall coordinate other events as necessary.

Article II. Legislative Assembly

Section 1. Voting Philosophy

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

Section 2. Assembly Meetings

1. All assembly agenda items must be set and approved by the President.
2. All paperwork must be completed and submitted to the appropriate executive officer at least 24 hours prior to the meeting.
3. If a presentation must be made to the assembly regarding resolutions or student concerns, the President must be contacted so that s/he may provide an explanation of procedure, make certain that all paperwork has been done correctly, and provide a date and time for the presentation.
4. All assembly meetings shall be run in accordance with standard parliamentary procedure.
5. At the beginning of each meeting, a roll call shall be taken. A member may be present, absent, excused, or late. An excused member is one who has informed the Vice President and has found a proxy to take his/her/their place.
6. An assembly member who must be absent is required to inform his/her/their proxy prior to the assembly meetings and must obtain the necessary information from that proxy after the assembly meeting.
7. Under normal circumstances, a proxy must be approved by the Vice President 24 hours prior to the assembly meeting.
8. A proxy cannot represent a living area or constituency of which he/she/they does not belong to/reside.
9. Special meetings may be called by the president or by a majority vote of the assembly and shall be called 24 hours in advance.
10. All executive officers and assembly members are required to attend all meetings. One unexcused absence shall result in a meeting between the officer or member and the Vice President. Two unexcused absences shall result in a meeting with the Executive Committee.

Section 3. Job Descriptions

All senators' and representatives' job descriptions shall be posted on the ASWU website. When a new position is created, the job description shall be approved by the ASWU assembly by a majority vote.

Article III. Staff and Employees

Section 1. Coordinator Job Descriptions

All of the following coordinators' job descriptions shall be posted on the ASWU website.

1. Campus Activities Coordinator
2. Club Coordinator

3. Cultural Events Coordinator
4. PR/Marketing Coordinator
5. Senior Class Coordinator
6. Spiritual Life Coordinator
7. Traditional Events Coordinator
8. School Spirit Coordinator
9. Sustainability Coordinator

Section 2. Expectations

1. All coordinators are required to attend all meetings. Two unexcused absences shall result in a meeting with the Executive Committee.
2. A coordinator who must be absent shall notify the Communications Director 24 hours prior.

Article IV. Committees and Councils

Section 1. Committees

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

Section 2. Student Elections Committee

1. **Purpose:** The purpose of the Student Elections Committee (hereafter the SEC) is to conduct all elections. This includes establishing a timetable for all elections, due dates, hours, availability of petitions, providing ballots, conducting elections, counting votes, developing campaign guidelines, and posting the results of all elections. The SEC is also responsible for determining proper candidate conduct and consequences for violations of campaign conduct.
2. **Membership:** The SEC shall consist of at least four assembly members, four students at large, and the chair who will be the Vice President. No student who is seeking an executive or assembly office may serve on the committee. If the Vice President is

ineligible to serve as the chair, they shall appoint an ASWU member to hold the position, as approved by the Executive Committee. A quorum shall consist of at least a majority of the SEC.

3. **Meetings:** Meetings of the SEC shall be held as deemed necessary by the SEC chair.

Section 3. Budget Committee

1. **Purpose:** The purpose of the Budget Committee is to formulate and submit the ASWU budget for the following year to the assembly. The budget proposal must be approved by a two-thirds majority vote of the assembly. The budgeting process shall be conducted as outlined in the Financial Standard Operating Procedures.
2. **Membership:** Each spring the newly elected Financial Director shall form and chair the Budget Committee comprising the new and old executive officers, the Director of Student Activities, the Program Assistant, the Communications Director, four members of the assembly, and two non-voting members.
3. **Meetings:** The Budget Committee shall convene within two weeks of the election of the new Financial Director. All discussion regarding the budget shall remain confidential until the assembly has approved the budget.

Section 4. Finance Committee

1. **Purpose:** The Finance Committee is responsible for making recommendations to the assembly on all financial expenditures of the ASWU. It shall follow the Financial Standard Operating Procedures and ensure that the ASWU is spending responsibly and following the proper procedures.
2. **Membership:** The Finance Committee shall consist of four assembly members and four members of the student body at large who are appointed by the Financial Director. The Financial Director shall chair the Finance Committee meetings.
3. **Meetings:** The Finance Committee shall meet whenever necessary to give recommendations to the assembly on financial expenditures, or whenever deemed necessary by the Financial Director.

Section 5. Club Council

1. **Purpose:** The purpose of the Club Council is to provide a forum where club presidents or their equals gather under the leadership of the Club Coordinator to resolve the issues and concerns that confront the ASWU chartered organizations.
2. **Representation:** Representation on the Club Council shall comprise the presidents of all officially recognized chartered organizations. Proxy representation is acceptable if the Club Coordinator is notified 24 hours before the meeting. The meetings shall be run in accordance with standard parliamentary procedures.
3. **Meetings:** The Club Council shall meet at least once a month, and preferably once during Jan Term. The meeting times shall be established at the beginning of each semester by a simple majority vote of the Club Council. A roll call of the Club Council shall establish whether a club president is present, excused, absent, or late.

Section 6. Club Chartering Committee

1. **Purpose:** The Club Chartering Committee is responsible for making recommendations to the assembly on the chartering of ASWU clubs. It shall ensure that each club has a clear purpose, an advisor, and has considered membership, organizational structure, liability, duties, and potential activities before passing a recommendation to the assembly. The Vice President for Student Life must also agree with the proposed charter before moving on to the assembly for a vote.
2. **Representation:** The Club Chartering Committee shall consist of two assembly members and two members of the student body at large who are appointed by the Club Coordinator. The Club Coordinator shall chair the Club Chartering Committee meetings.
3. **Meetings:** The Club Chartering Committee shall meet whenever necessary to give recommendations to the assembly on the chartering of ASWU clubs, or whenever deemed necessary by the Club Coordinator.

Article V. Record-Keeping

Section 1. Record-Keeping

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

Section 2. Process

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

Section 3. Accessibility

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

Section 4. Elections

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

Article VI. Elections

Section 1. Nomination of Officers

1. **Applications:** In order to become an official candidate and appear on the ballot, an applicant must turn in a completed application by the due date set by the Vice President.
 1. Candidates may not apply and campaign for more than one elected position.
 2. Candidates may accept any write-in nominations from the General Elections, if they are within the top three candidates after polls close.
 1. Should the write-in candidate(s) from General Elections lead to an incomplete result after the closing of the polls, the chair of the SEC must hold a run-off election for the position.
2. **Eligibility:** All prospective candidates, including write-in candidates, must be in good academic and disciplinary standing with the university; including having a cumulative grade point average of 2.5 or better to be eligible for election. The SEC chair must validate each candidate's grade point average before placing the candidate's name on the ballot.

Section 2. Elections Timetable and Campaign Guidelines

1. The Vice President shall propose an elections timetable and the campaign guidelines for the coming student elections that must be approved by a majority vote of the assembly.
2. The timetable shall include:
 - a. The availability of applications
 - b. Due dates of applications
 - c. Time and date of the opening and closing of active campaigning
 - d. Time and date(s) that the polls will be open
 - e. Proposed time and date of run-off elections should they be needed

3. The campaign guidelines shall include:
 - a. Money limitations and guidelines
 - b. Donations guidelines
 - c. Reimbursement processes and guidance
 - d. Approval process for campaign materials
 - e. Poster/social media restrictions
 - f. Removal of campaign materials
 - g. Debate guidelines and norms
 - h. Run-off guidelines for specific positions and circumstances
 - i. Other relevant guidelines or rules to be implemented by the SEC during the upcoming student elections

Section 3. Violations of Campaign Guidelines

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

Section 4. General Elections

1. **Executive Elections:** Voters are only allowed to vote for one candidate in each position.
2. **Senatorial Elections:** Voters are only allowed to vote for candidates who would represent the constituency in which voters currently live. Voters are allowed to vote for one senator.
3. **Representative Elections:** Voters are only allowed to vote for candidates who would represent the constituency in which voters currently live. A voter may vote as many times as there are positions available.

4. **Other Elections:** The full campus is allowed to vote for any positions which are not tethered to a living location.
5. **Run-off Elections:** If a run-off election is necessary after General Elections, the polls should take place within 4 days at the most. Active campaigning may be allowed, and a time table for this special circumstance must be set by the SEC; approval from the Assembly is not necessary.

Section 5. Write-in Candidates

1. **Jurisdiction:** Write-in candidates must meet all of the same application requirements and campaign guidelines as candidates who appeared on the primary ballot.
2. **Reimbursement:** Write-in candidates shall receive no matching funds during General Elections week.
3. **Debates:** Write-in candidates will not be allowed to participate in formal debates or forum speeches until they advance to a special run-off election, and become official candidates.
4. **Privileges:** Write-in candidates who receive enough of the votes to proceed to the then necessary run-off elections will be allowed to become an official candidate if they meet the qualifications to do so and submit a completed application. They can be treated as an official candidate during the period that the SEC sets for the run-off election.

Section 6. Voting

1. **Booth Operators:** Only members of the SEC and ASWU employees shall be allowed to operate the polls.
2. **Code of Conduct:** All persons working the polls shall sign this code of conduct: “While serving in the ballot booth, I agree not to share my bias as to candidate preference and to refrain from any action that might affect a voter’s selection.”
3. **Equipment:** ASWU will provide necessary equipment at a voting table for students to use.
4. **Campus-wide email:**
 1. The SEC chair shall send out a campus-wide email at the time the polls will open with a link to the website for voting.
 2. The SEC chair shall send out an email prior to general elections voting explaining to voters the option of voting “None of the above.” The “None of the above” option shall be explained briefly on the ballot.
5. **Conflict of Interest:** Official candidates shall not operate the election booth.

Section 7. Election Results

1. **Notification of Candidates:** It is the duty of the SEC chairperson to inform candidates of the election results as soon as possible after the polls close.
2. **Winning:** The winner of any general election is the one who receives the most votes.
3. **Notification of Student Body:** Election results must be made available to the student body within 24 hours of the closing of the polls.

Section 8. Special Circumstances

1. **General Election Ties:**
 1. If there is a tie in the general elections, candidates will be reimbursed for up to \$15. If the tie includes an incumbent, then the incumbent may be reimbursed for up to \$7.50.
 2. If there is a tie in the general elections, a runoff shall be held within four days of the last general election. The SEC must immediately meet to decide the conditions and timetable for the runoff elections. These need not be approved by the assembly.
 3. These same guidelines would apply to write-in candidates that are eligible and in need of a run-off election.
2. **Appeals:** A candidate may appeal a decision of the SEC to the assembly. The appeal must be decided by a two-thirds majority vote of the Assembly.
3. **Disqualifications During General Elections:** If a candidate is disqualified for any reason during election week, a re-election is not mandatory. In this circumstance, however, a petition demanding a re-vote can be presented to the assembly within one week of the closing of the general polls along with a petition that includes the signatures of 10 percent of the voting constituency. The Assembly must approve the re-vote with a two-thirds majority.
4. **Grievances:** If a grievance—a perceived violation of the by-laws that validates a call for re-election—is filed, a re-election shall be called for by a two-thirds vote of the assembly. The grievance must be submitted to the president within 24 hours of the closing of the polls. The re-election shall take place within 10 days of the invalidated election.

Section 9. Non-Election Votes

1. **Non-Election Votes:** Non-election votes include constitutional revisions or amendments, the removal of executive officers, and any issue the Assembly desires to present to the student body.

2. **Timetable:** Once an issue is presented to the student body, at least one week prior to the vote will be set aside for advertisements and information will be presented to students.
3. **Majority Vote:** ASWU elections shall be decided by a majority vote of the student body, except for constitutional revisions or amendments, which require a ratification by two-thirds vote of the student body.
4. **Re-Vote:** A petition contesting the voting process and including signatures from 10 percent of the student body may be submitted to the Assembly. Once the signed petition has been submitted, a re-vote shall be called for by a two-thirds vote of the Assembly.

Article VII. Sustainability Regulations

Section 1.

1. Any ASWU transaction that requires the transportation of people by fossil fuel sources will require an appropriate offset for carbon emissions. This includes air travel for performers, car trips to conferences, car trips for event items at the grocery store, etc.
2. All accounts overseen by the Financial Director including coordinators and clubs are to use the rules detailed in the following subsections. All accounts that use ASWU money that are not overseen by the Financial Director (Chapel, URec, etc.) are to work out an acceptable individual solution with the ASWU Sustainability Coordinator.
3. Offset costs will be placed in the Carbon Offset line item under the Sustainability Coordinator.
4. Near the end of the school year, the Carbon Offset line item will be used to buy offsets through a determined offset company with the option of using some the money to buy and plant trees together as a body.
5. When fully operational the local Spokane carbon market will be used, but until that time the Financial Director and Sustainability Coordinator with the input of the ASWU Assembly will every year determine the appropriate offset company.
6. When a transaction takes place, a carbon offset of a one dollar minimum will be transferred from the account that the individual used to perform the transaction.
7. For transportation by land, an additional dollar shall be transferred for every one hundred miles.
8. For transportation by air, the previously determined offset company will determine the appropriate amount due for each flight.
9. Exceptions to be determined at the discretion of the Sustainability Coordinator and FVP (e.g. four Senators carpool and perform four transactions from four different accounts. The Financial Director and the Sustainability Coordinator can decide to split one dollar amongst the four accounts to honor the fact that they carpooled).

Article VIII. Legislation

Section 1. Initiative, Referendum, and Recall

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

Article IX. Interpretation of this Constitution and its Bylaws

Section 1.

Any ASWU member or group may request the President to provide an interpretation of this Constitution and its Bylaws.

Section 2. Appellate Process

If the interpretation given by the president is unsatisfactory, the individual or group asking for the interpretation may appeal to the assembly for the correct interpretation. The assembly must approve a correct interpretation by a vote of two thirds of the assembly for constitutional interpretations, and a majority for Bylaw interpretations.

Article X. Dissolution of the ASWU

Section 1. Dissolution

If the ASWU organization should dissolve; all remaining funds would go to a like organization with the same 501 (c) rating, in this case, Whitworth University.

Article XI. Act of God Clause

Section 1. Act of God

In the case of an Act of God, as defined by the Definitions Clause, any elected ASWU member may present proposed constitutional changes to an emergency ASWU committee. If approved, it must be voted on by the ASWU Assembly and pass with two thirds majority without it being placed on the ASWU ballot. These constitutional amendments must benefit the student body in relation to the Act of God. Constitutional amendments passed by this article may only be in place for the academic year they were passed in.

Section 2. Definitions Clause

An Act of God is defined as an instance of uncontrollable natural forces in operation.

Section 3. Emergency Committee

The emergency committee shall consist of three assembly members, three ASWU organization members at large, appointed and chaired by the President.