Article I: Purpose

The purpose of the Associated Students of Montana State University (ASMSU) Elections Policy & Procedures Manual (EPPM) is to outline the rules that shall govern all ASMSU elections, campaigning; and, to provide the ASMSU Judicial Council with guidelines for adjudicating cases involving campaign: violations, complaints, sanctions, and appeals. A copy of this document must be included in each elections packet distributed to candidates prior to the start of campaigning for any election.

Article II: Campaign Rules

Section 1: General Guidelines

A. Rules are meant to ensure fairness, keep order, and preserve the integrity of the election. In general, candidates should try to maintain the “spirit of the campaign” which is defined as: an atmosphere of friendly competition with others and respect for the election process.

B. All candidates are responsible for their campaigns, which includes the conduct of others whom they know are campaigning for them. It is the responsibility of all candidates to know the campaign rules and to ensure that their campaign is compliant with the EPPM.

   1. All campaigns are responsible for the actions of any individual(s) campaigning on an individual's behalf with their expressed consent.
   2. Permanently affixed items, such as stickers, on personal property in a classroom does not constitute a violation.

C. Campaigning is defined as: publicly promoting one’s candidacy. This includes, but is not limited to: posterering, distribution of email material, chalking, speeches, and the publishing of a campaign website. Additional campaigning activities will be at the discretion of the ASMSU Judicial Council.

   1. Organizing a campaign is not a violation of this rule- so far as candidates do not make a public display of those efforts. Public display of organizing a campaign does not include private informational meetings with a student, faculty, or staff member of the University or Community.

D. All executive campaigns (teams running for President and Vice-President), and Senate campaigns, must abide by campaign funding restrictions as defined by the ASMSU Bylaws.

   1. Each campaign must submit a preliminary budget for all campaign spending prior to the start of campaigning to the Chief Justice of the Judicial Council via email.
   2. All campaign materials must be accounted for by turning in receipts to the Judicial Council, Elections Director, or an Office of Student Engagement
Professional Staff Member, 48 hours prior to the Primary and/or General Elections.

3. Material donations to a campaign must be reported to the Judicial Council.
   a. Physical and Print Materials, In-Kind Donations, or paid social advertisements, do count towards ASMSU Election financing limits.
      i. All In-Kind Donations will be valued at fair market value by the company/organization where the goods were obtained from. Each candidate is responsible for proper documentation showing the fair value cost of every item.
   b. Advertisements and promotions for donors that donate materials to a campaign cannot be used on any campaigning materials.
      i. Donor names must be reported to the Judicial Council within 48 hours of any election.
      ii. A list of donors will be publicly published by ASMSU prior to the Primary and/or General Election.
   c. Independent campaigning made by students and/or student organizations do not count towards the ASMSU Election Financing Limits.

E. All candidates must be registered students per the MSU Registrar’s Office, by add date, to be eligible to run. Under ASMSU guidelines, the candidate must be enrolled in a minimum one credits, pay the student activity fee, and be in good academic standing.

F. Senate candidates must be current members of the college for which they wish to represent, according to the Registrar’s Office.

G. If, during the term of office, the winner of an election becomes an unregistered student or leaves the constituency for which they represent, the Judicial Council will be consulted.

Section 2: Active Campaigning

A. No candidate may begin campaigning before:
   1. The time set on the elections calendar as the start of official campaigning.
   2. The official candidacy meeting has concluded.

B. Campaigns must follow all advertising policies established by the University and its entities.
   1. It is the responsibility of each candidate to ensure their campaign is compliant with all internal and external advertising policies.
   2. Violating the advertising policies delineated in the EPPM, of the University, or of any entity where campaigning occurs for an ASMSU election can be considered an elections violation.
   3. Should the violation be of the EPPM, the Judicial Council will proceed in normal form.
      a. Should campaign advertisements be found in restricted areas not governed by any particular body, then candidates will be instructed to remove the advertisements.
         i. Failure to remove advertisements deemed to be in restricted areas can constitute an elections violation.
   4. Suggested resources for accessing relevant advertising policies include, but are not limited to:
C. Campaigns must abide by the following rules regarding campaign-related emails:
   1. Candidates and campaign associates may only send campaign email materials to listservs of which they are members.
      a. People who remove themselves from a listserv soon after sending the listserv a campaign email are not members of the list.
      b. Candidates cannot send out to listservs implying endorsement by third parties.
         i. Student organizations, or external organizations, are free to endorse candidates at their discretion.
      c. Individual college listservs cannot be used by candidates unless advertising all candidates eligible for election for the college’s respective Senate election and for all Executive candidates.
      d. If requested by the Judicial Council, any candidate must verify they are a member of any listserv used.
   2. Blind Carbon Copy may not be used.
D. Chalk shall be used in moderation, and only on the ground. Campaigns may not chalk or otherwise graffiti bulletin boards, walls, windows, chalkboards, white boards, etc.
E. Candidates, and campaign associates may not campaign in official, ASMSU established polling stations during balloting times.
   1. There will be a minimum of three established polling stations: Strand Union Building, the sandstone surrounding Montana Hall, and the corner of Grant Street and 12th Street.
      a. Official polling locations are subject to change with one week’s notice being given to candidates via email.
   2. There shall be no more than six established polling locations.
   3. Candidates, or associates, must make the best effort to not display any campaign materials within a 200- foot direct line of sight of an official polling station, and cannot wear any materials such as t-shirts, body signs, additional accessories, etc. into the polling area.
      a. Materials placed in polling areas prior to balloting will be taken down and stored away.
   4. Candidates are allowed to form their own polling stations as long as equal opportunity is provided to all voters to use the station and abide the 200-ft zone around established stations.
   5. No external organization is allowed to advertise or promote themselves at official ASMSU Election Events and/or within the Polling Station Area(s).
F. Campaigning is strictly prohibited in classrooms.
   1. Reminding students in a class to vote in an election, with the permission of the instructor for the class and without promoting oneself as a candidate in the election, is permissible.
G. All active campaigning activities in the Strand Union Building, apart from events organized by ASMSU with the Office of Student Engagement, are strictly prohibited.
H. Use of an organization’s resources by a campaign shall be governed as the organization sees fit provided that no election rules are violated.
I. Campaigns may not bribe voters. Bribery is defined as: the application of such influences [anything of monetary value or influence] in exchange for votes.
   1. Distributing promotional campaigning items is not a violation of this rule.
J. If the candidate is unsure if a particular activity violates election rules, they shall contact the Elections Director to work in concert with the Judicial Council for an official interpretation.

Section 3: Campaign Rules for Unofficial Write-In Candidates

A. Unofficial candidates must satisfy the requirements to be registered students per the MSU Registrar’s Office, by add date, to be eligible to run.
B. Unofficial candidates must follow the same rules as official candidates unless otherwise indicated in this section.
   1. This section does not apply to official candidates who have been removed from the ballot.
C. Unofficial candidates may begin campaigning at the time set on the elections calendar as the start of official campaigning.
D. Unofficial candidate campaigning is prohibited where balloting is taking place.
E. If a candidate begins to campaign before being officially approved by the Judicial Council, they will be referred to the Judicial Council for investigation and potential sanctioning.

Article III: Procedure for Complaints

A. Elections disputes shall be directed to the Chief Justice of the Judicial Council.
   1. The Judicial Council shall send an acknowledgment of receiving such complaint within twenty-four hours of its receipt to all parties involved.
   2. The Judicial Council shall conduct an investigation, and hold a special meeting for the purposes of a hearing to determine the merit of a dispute and impose any necessary sanctions within 36 hours of notifying all parties involved in the dispute.
      a. The involved candidate(s), or a representative from their campaign, must be in attendance for the hearing; however, the hearing will proceed regardless if a representative can be present.
      b. The Chief Justice shall schedule hearings with the intent of having all necessary parties present, but will make exceptions as necessary.
B. An official statement of any Judicial Council rulings shall be sent within 12 hours of the decision.
C. A list of substantiated disputes filed against official candidates shall be available on the ASMSU website.

Article IV: Sanctioning Guidelines

Section 1: General Guidelines

A. This article contains guidelines for sanctions based on the level of severity of the campaign violation. These are written to include, but not be limited to the Judicial Council decisions.
   1. The Judicial Council is in no way handicapped or restricted by these guidelines.
B. In general, the Judicial Council should evaluate violations based on two main concerns.
1. Does the violation violate the spirit of the campaign?
2. Does the violation give the offending candidate an unfair advantage in the campaign?
C. Sanctions shall be imposed in such a way that the punishment fits the crime.
   1. The purpose of imposing sanctions is to eliminate any unfair advantage the candidate may have gained by committing the violation.

Section 2: Three Levels of Violations

A. Level I: Minor Infraction
   1. Violations at this level do not violate the “spirit of the campaign” and give the candidate little if any unfair advantage.
   2. Examples include minor poster violations such as poster partially covering part of another poster.
   3. Sanctions include an official warning and/or slightly restricting the candidate’s campaigning rights.

B. Level II: Moderate Violation
   1. Violations at this level somewhat violate the “spirit of the campaign” and/or give the candidate an unfair advantage.
   2. Examples include:
      i. Campaigning before the official elections meeting.
      ii. Using a “drop poster.”
      iii. Sending a campaign email to a list of which the candidate is not a member.
   3. Possible Sanctions:
      i. Official warning.
      ii. If the candidate has previously committed another moderate violation, or the moderate violation committed is on the severe side, the Judicial Council might want to consider placing the phrase “violated election rules” next to the candidate’s name on the ballot.

C. Level III: Severe Violation
   1. Violations at this level blatantly violate the “spirit of the campaign” and give the candidate a considerable, unfair advantage.
   2. Examples include:
      i. Campaigning within voting parameter
      ii. Tampering with voting or ballots
      iii. Intentionally sabotaging another candidate’s campaign
   3. Possible Sanctions:
      i. Revoke all campaigning rights.
      ii. Remove the candidate from the ballot.
      iii. Automatic disqualification from election.

Section 3: Disqualification

A. Candidates who commit severe violations that undermine the integrity of the election and/or the democratic process void their right to be elected to office during the
election in which the violation was committed and is not eligible to run as a write-in candidate.

The ASMSU President shall make revisions to this document between election cycles. Any changes must be approved by a majority vote of the ASMSU Senate.