

ASMSU Elections Policy Manual

2025

Article 1. Purpose

- A) The Associated Students of Montana State University (ASMSU) Elections Policy Manual (EPM) outlines the rules that shall govern all ASMSU elections and campaigns. This policy is meant to ensure fairness, keep order, and preserve the integrity of the election. Interpretation and enforcement of this manual is at the sole discretion of the ASMSU Supreme Court.

Article 2. Definitions

- A) An **Advertisement** includes any written, oral, or electronic communication designed with the purpose of influencing voters.
- B) An **ASMSU Member** is a Student who has paid the Student Activity Fee.
- C) A **Ballot Measure** is any measure on the ASMSU Elections ballot that is not for a candidate.
- D) **Campaigning** is the public promotion of one's candidacy or a ballot measure. This includes any written, oral, or electronic presentation such as postering, distributing emails, speeches, publishing social media pages, and publishing websites.
- E) **Campaign agents** are any individual or group which a candidate has authorized to campaign for them.
- F) A **Candidate** is any MSU Bozeman Student who is running for an elected Executive or Senate position. They shall be enrolled in at least one credit, have paid the Student Activity Fee, and be in good academic standing. Candidates shall be ASMSU Members.
- G) **Coercion** is communication with the intention of forcing or intimidating an individual to vote or act in a certain manner.
- H) A **Complainant** is a voting-eligible Student bringing forward a possible election violation.
- I) A **Donation** is any freely given good, service, favor, or payment to a Candidate or Campaign.
- J) **Executive Campaigns/Teams** are pairs campaigning for ASMSU President and Vice-President.
- K) **External organizations** are any organization, club, society, company, trust, or other body capable of entering legal transactions that are not agents or affiliates of Montana State University.

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- L) **Public spaces** are places on campus and online that are accessible, visible, and shared by all members of MSU's community.
- M) A **Student** is an individual registered in at least one credit at MSU Bozeman. Students are eligible to vote in ASMSU elections.
- N) **Registered Student organizations (RSOs)** are affiliated with Montana State University: run by, administrated, and have a membership consisting primarily of students.
- O) A **Respondent** is the candidate(s)/campaign accused of an elections violation(s).
- P) **University agents** include faculty, staff, students, and university groups who are representatives of the University and/or who are held to a higher scrutiny of interest at Montana State University.

Article 3. Election Rules

- A) If a candidate is unsure if a particular activity violates the Elections Policy Manual, they shall contact the ASMSU Chief Justice, who will work with the ASMSU Supreme Court for an official interpretation which may be issued in a Judicial Ruling Report.
- B) Official opinions shall be posted on the ASMSU website and sent to the inquirer.
- C) Voting shall be conducted online and may also be conducted in person.
- D) All MSU-Bozeman students may vote in ASMSU elections.
- E) Students may vote for Senators, At-Large positions, Executive positions, and ballot measures.
 - a) Students may only vote for Senators running in the college of their primary major, per the MSU Registrar's Office.
- F) Candidates must act in alignment with the Montana State University Code of Student Conduct, ASMSU Constitution, ASMSU Bylaws, and applicable Montana State University behavioral policies.

Article 4. Campaign Timeline

- A) The opening date for candidacy filing shall be no later than the first Monday in March.
- B) The filing deadline for Senate candidacy shall be one week prior to the General Election.
- C) The filing deadline for Executive Campaigns shall be one week prior to the Primary Election.
- D) Completed student ballot initiative petitions must be filed with the ASMSU Senate Speaker one month before the General Election.
- E) The campaign opening date will be the first Monday following the Spring Academic Recess, per the MSU Registrar's Office.
- F) Candidates may not begin campaigning until the campaign opening date.

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- G) A Primary Election shall be held for Executive candidates if more than two tickets have filed and are eligible for candidacy.
 - a) No Primary Election shall be held for Senate candidates.
- H) The General Election will occur annually on the Tuesday and Wednesday preceding the third to last meeting of the outgoing Senate.
 - a) If necessary, the Primary Election will occur on the Tuesday and Wednesday two weeks prior to the General Election.
- I) All election results shall be posted and made public within 48 hours following the end of each election.

Article 5. Financing

- A) Executive Campaigns shall spend no more than \$500 on campaign-related expenses as a complete ticket; no candidate for Senate shall spend more than \$75 on campaign-related expenses.
- B) ASMSU will cover campaign financing as follows:
 - a) Executive Campaigns will be eligible to receive funding from ASMSU, not to exceed \$250.
 - b) Senate candidates will be eligible to receive funding from ASMSU, not to exceed \$75.
 - c) To receive funds, candidates must make purchases with the Elections Director. A CatsConnect form must be submitted with the desired item(s) to be purchased (not to exceed the ASMSU funding limit). Purchases will be made by the Elections Director within one business day of receiving the completed form.
 - i) No reimbursements will be guaranteed; funding can only be received by making purchases directly through the Elections Director.
 - (1) If following the General Elections, there is still money remaining to fund candidates, the Elections Director will inform candidates and distribute funds accordingly.
- C) Candidates must report all campaign-related expenses at the price accessible to the average MSU student.
 - a) Inaccessibly-priced items would include, but are not limited to, items purchased with pro deals and/or employee discounts/benefits.
- D) Donations to a campaign must be reported to the ASMSU Chief Justice.
 - a) Donations count towards ASMSU Elections financing limits.
 - b) Time donated by a Student, where there is no exchange of favors, money, or goods worth value does not count towards Elections financing limits.
 - c) Candidates may not accept quid pro quo (favor for favor) donations, monetary or otherwise.
 - d) Social media accounts may not be donated to campaigns.

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- i) Accounts run and managed solely by voting-eligible students in support of a campaign are not considered donations to a campaign and are, therefore, permitted.

Article 6. Candidacy

- A) To be eligible for candidacy, candidates must:
 - a) Be enrolled in a minimum of one credit, per the MSU Registrar's office.
 - b) Pay the Student Activity Fee.
 - c) Be in good academic standing.
 - d) Not be on behavioral probation during the semester of the election.
- B) Senate candidates must run for the college of their major, per the MSU Registrar's Office.
 - a) If a candidate is enrolled in more than one college, they may choose to run for either college. However, they may only run for and be on the ballot for one college.

Article 7. Campaigning

- A) All candidates are responsible for their campaigns, including campaign agents. Candidates are responsible for knowing the campaign rules and ensuring their campaign complies with the Elections Policy Manual.
 - a) For campaigning-specific questions, candidates should inquire to the Chief Justice.
- B) The private organization of a campaign is not considered campaigning.
 - a) Campaign organization includes private informational meetings with students, faculty, staff members of the University, or community members, and private creation of marketing materials, social media accounts, and QR Codes.
 - i) Actions such as changing account usernames/handles, changing profile pictures, and editing account bios are permitted, so long as campaigning efforts are not made.
- C) There are areas of the MSU Bozeman campus where campaigning is restricted.
 - a) Campaigning in the MSU Library is strictly prohibited.
 - i) Club meetings in the library held in a reserved room or similar private space do not constitute a prohibited area.
 - b) Campaigning is strictly prohibited in a classroom setting.
 - i) Reminding students in a class to vote in an election, with the permission of the instructor for the class and without promoting select candidates in the election, is permitted.

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- ii) Campaigning may be conducted in classrooms being used for purposes other than University-led academic instruction (club activities, etc.).
- c) In person polling locations found across campus shall not interfere with classroom instruction, the library, or Residence Halls on campus.
 - i) Where there are physical polling locations, campaigning may not take place within the same room and within 200 feet of the polling site.
 - d) Bringing affixed items on private property into restricted areas is permitted. These items may include, but are not limited to, stickers and shirts.
- D) ASMSU funds, time, equipment, and supplies shall not be used in campaigning for or against any candidate.
 - e) This includes current ASMSU email addresses and email signatures.
- E) No candidate or campaign agents shall intimidate, harass, bribe, or coerce students into voting a certain way.
 - a) Bribes include the explicit promise of votes in exchange for goods, favors, money, and/or raffle entries.
- F) Campaigns must follow all advertising policies established by the University.
 - a) This includes, but is not limited to, policies established by the Office of Student Engagement, and University Student Housing.
- G) Candidates and campaign agents may not use existing listservs or phone banks to promote their campaign.
- H) Registered Student organizations, student organizations, external organizations, and voting-eligible students are free to endorse candidates at their discretion.
 - a) University agents may not endorse candidates.
 - b) The Elections Director and ASMSU Supreme Court Justices may not endorse or show public partiality towards any candidate.
 - c) The ASMSU Senate may not pass resolutions endorsing candidates for ASMSU elections.

Article 8: Elections Violations

- A) Candidates for ASMSU elected positions may be examined by a hearing of the ASMSU Supreme Court if accused of violating any rule laid forth in the Elections Policy Manual.
- B) The process of calling for an election hearing must consist of the following:
 - a) A credible complaint against a current candidate must be submitted to the Chief Justice of the ASMSU Supreme Court via CatsConnect by a voting-

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- eligible student. The complaint must include the following components to be considered by the Court:
- i) A reasonable allegation that if true, would constitute a violation of the Elections Policy Manual.
 - ii) A citation that indicates which part(s) of the Elections Policy Manual the candidate is accused of violating.
 - iii) A summary of evidence supporting the complaint.
- b) Members of the ASMSU Supreme Court and the Elections Director may not file elections disputes.
- i) If in need of guidance, the Elections Director or Chief Justice can provide support in filing.
- c) The complainant may request to remain anonymous, which will be reviewed by the Chief Justice.
- i) To be eligible for anonymity, complainants must demonstrate that:
 - (1) If their identity becomes known during the hearing their safety or reputation would be significantly compromised.
 - (2) The evidence could be presented and argued effectively without their presence during the hearing.
- d) Within 24 hours, the ASMSU Chief Justice must determine if the claim warrants a hearing and inform the relevant parties.
- i) If the Chief Justice decides that the complaint does not warrant a hearing, the remaining Justices may appeal the decision by a majority vote.
- C) If a hearing is warranted, the following procedure shall be followed:
- a) Within 48 hours of notice of a hearing, an elections hearing shall be convened. The hearing will proceed whether or not necessary parties are present. Reasonable efforts must be made to garner attendance from all parties.
 - i) Hearings shall be held at a central, accessible location. Involved parties have the right to participate by video conference.
 - ii) All evidence must be submitted to the Chief Justice 12 hours prior to the scheduled hearing and must be distributed to the relevant parties. Evidence submitted after this deadline will not be considered.
 - b) The Chief Justice shall inquire to the respondent to see if they wish to admit to the accused wrongdoing after evidence has been distributed.
 - i) If the respondent admits to wrongdoing of all claims, they may be issued a sanction by the ASMSU Supreme Court.
 - ii) If wrongdoing is admitted to on all accusations, the hearing will not proceed.
 - iii) If only partial wrongdoing, or wrongdoing of only select claims, is admitted to, a hearing will proceed as normal.
- D) The Supreme Court shall publish hearing results within 12 hours of adjournment.

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Article 9: Elections Hearing Procedures

- A) Hearings shall be scheduled with the following procedure:
 - a) Complainants and respondents must both be notified of an impending hearing within one hour of the decision to hold a hearing. This notification must include the claim being raised, the policy citation in question, and the evidence presented by the complainant.
- B) Hearings should consist of the following structure unless amended by the Chief Justice:
 - a) At the beginning of the hearing, The Chief Justice shall read the following terms for all parties present, including additions and amendments as needed:

“This hearing of the ASMSU Supreme Court is hereby convened. The purpose of this hearing is to determine whether [respondent name(s)] committed an Elections Policy violation during their campaign for ASMSU Office. The hearing will begin with 15 minutes of evidence from each party, transition into three rounds of 5-minute back-and-forth oral argument and conclude with questions from the Justices. The Supreme Court will retire after questions to vote and render an official verdict. Now, both parties must agree to act with respect and professional decorum, to present themselves and their evidence truthfully, and to keep all evidence and arguments relevant to the complaint raised today. Do you all agree to these terms?”

- b) Minutes should be recorded during all hearings.
- c) The Supreme Court may enter Executive Session during the hearing.
 - i) Executive Session shall be conducted according to MCA 2-3-203.
- d) Opening statements and evidence will be heard first from the complainant then the respondent and must remain relevant to the complaint raised. At most, 15 minutes will be given to each party for opening statements.
 - i) If only one party is present, evidence submitted to the Court may be read by the Chief Justice on the absent party’s behalf.
 - ii) If both parties are absent, the Court should rule based on whatever written evidence is available and skip the remainder of the procedure.
- e) Each present party will have 5 minutes to argue their position. Parties may ask questions of each other during their time and elicit brief responses. Questioned parties may decline to respond. Questions shall be relevant to the complaint and the evidence. The Chief Justice holds the right to allow more rounds or halt arguments.
- f) Each party will have 2 minutes after all other arguments to summarize their case to the Supreme Court.

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- g) After arguments have concluded, the Justices may ask questions of both parties.
 - h) After questions, the Justices will retire to a separate chamber for deliberations.
 - i) Once a majority decision is reached, an opinion must be drafted and distributed to all relevant parties within 12 hours. Concurring and dissenting opinions may also be drafted and distributed.
- C) The Chief Justice has authority to enforce decorum in hearings.
- a) Parties may be found out of order if they:
 - i) Violate the procedural rules in Section 9, Subsection B.
 - ii) Act in an offensive or disrespectful way toward other parties present.
 - iii) Are found to have lied or misrepresented information.
 - iv) Otherwise impede the orderly hearing process.
- D) During hearings, the Supreme Court shall have the power to decide based on the preponderance of available evidence whether an election violation occurred.
- a) They may sanction in cases where the violation gave an unfair advantage to the candidate, created an unfair disadvantage for (an) other candidate(s), or disrupted the integrity or fairness of the election as a whole.
 - b) Any sanctions issued shall be issued proportionally to the violation.
 - i) The Supreme Court has the power to disqualify candidates from any ASMSU election, restrict candidates' campaigning behavior and spending, and/or invalidate election results. Disqualified candidates are ineligible to run as write-in candidates.
- E) At any time, the Supreme Court may refer the violation to the Dean of Students or other relevant University Offices.