

Majority Opinion By Council Chair Knudsen

JUDICIAL COUNCIL OF THE ASSOCIATED  
STUDENTS OF OREGON STATE UNIVERSITY

Rachel Grisham, ASOSU PRESIDENT PRO-TEMPORE OF THE SENATE

INQUIRY TO THE ASOSU JUDICIAL COUNCIL  
(No. 15-003.i)

[April 24, 2015]

Rachel Grisham, ASOSU President Pro-Tempore of the Senate, brought an inquiry before the Judicial Council pertaining to Article VI, Section E of the ASOSU Constitution and Article XI Section 15 of the ASOSU Statues. President Pro-Tempore Grisham requests an answer to the question, “is it constitutional to require a write-in candidate a certain amount of votes to be deemed eligible upon winning an election, or would that be an additional requirement that would need to be added to the ASOSU Constitution?” For additional context, President Pro-Tempore Grisham attached a proposed Joint Bill, JB-06.25, titled *Bill to Update the Appointment Process Within the ASOSU Legislative Branch*.

Article VI, Section G of ASOSU’s Constitution states the rules for holding office for Undergraduate and Graduate students. Additionally, Article XI, Section 15 outlines the process by which a write-in candidate can indicate acceptance and be elected.

After thoughtful consideration of the Constitution, Statutes, and voting data, the Judicial Council interprets these sections in the context of the question brought by President Pro-Tempore Grisham to mean the following: There exists longstanding tradition that supports write-in candidates as a part of the democratic elections of ASOSU. However, each year, many candidates are written in who do not wish to serve. The Judicial Council has made the determination that establishing a percent threshold is well within constitutional bounds. Based on information from this year’s election and elections of years past, the Council sets the number of votes to be considered a serious candidate at 1%. This is a number that will serve until such time as the Elections Committee proposes legislation to adjust that number within the bounds of .5-1.5%

In order to mitigate future issues concerning the number of vacant seats, the Judicial Council also further clarifies one of the responsibilities of the Elections Committee (in accordance with Article VI, Section C) to be the following: The Elections Committee is required to arrange and promote the election’s process in addition to providing platforms for candidates to express their views. For example, the Elections Committee can utilize ASOSU Promotions to ensure that all students

understand how to sign up to appear on the ballot. Additionally, once someone has declared their candidacy, the Elections Committee is responsible for providing resources to help students gather votes. On the ballot, the Elections Committee will ensure that every person running for a seat will have the opportunity to have their reasons for running and platform of issues published.

The goal of establishing a constitutionally defined write-in percent is to ensure that serious candidates will fill vacant seats. In order to prevent this fail-safe from being utilized, the Judicial Council urges all branches of ASOSU to ensure all members of the community have the opportunity to run, be informed, and vote. Without diligent effort, ASOSU cannot be a body of, by, and, for the students.