

## **ELECTION CODE**

### **I. NAME**

This document shall be called the Election Code.

### **II. PURPOSE**

The purpose of this policy is to establish the regulations for Associated Students of California State University CHANNEL ISLANDS elections, to promote the elections as widely as possible and to maintain maximum participation from candidates and electors.

### **III. CANDIDACY FOR OFFICE**

#### **A. Candidacy Filing**

1. Each candidate for office is required to file a signed Declaration of Candidacy which shall include:
  - a) The name of the candidate as listed with the University Registrar and his/her student ID number.
  - b) The name under which that person wishes to run.
  - c) The office for which that person is declaring candidacy.
  - d) The current class level of the candidate.
  - e) The signature of the candidate acknowledging:
    - (1) The submission of papers filed for candidacy.
    - (2) Knowledge of the duties and responsibilities of the office for candidacy.
    - (3) Knowledge of the time and place of the Candidates' Orientation Meeting.
2. Each candidate will be provided with the Chancellor's Office memorandum, "Qualifications for Student Office Holders", dated August 4, 1997, and Executive Memorandum 01-06 dated October 23, 2001.
3. All candidates will run on an independent platform or ticket.
4. A candidate may file for only one office; however, he/she may change the office for which he/she is running up until the end of the filing period by submitting a new set of filing papers.
5. The filing period shall begin no later than four (4) calendar weeks preceding elections. The deadline for filing papers shall be at least thirteen (13) calendar days preceding elections (April 10, 2003).

B. Filing papers shall be made available at the Office of Student Development, Bell Tower East, room 1211 and the Student Government Office, Bell Tower East, room 1217. All rules governing elections will be available in these offices. Completed papers shall be returned to the Student Government Office on or before the deadline which shall be set by the Election Council.

C. Candidates may withdraw candidacy at any time by presenting a written statement to the Office of Student Development. A candidate's name will be removed from the ballot only if a withdrawal statement is received before the sample ballot is published.

#### IV. QUALIFICATIONS OF CANDIDATES

A. The eligibility to run shall include the following:

1. Qualifications for President, Vice President, six (6) At-Large Senators, two (2) ASI Board of Director Member candidates:
  - a) Terms begin June 1, 2004.
  - b) Candidates shall have a CSUCI GPA of at least 2.5, and a Cumulative GPA of 2.5.
  - c) Candidates must be enrolled in at least six (6) units.
  - d) Candidates must plan on continuous enrollment through the Spring 2005 semester.
- B. Candidates must meet the qualifications set forth by the Election Code, the CSU CHANNEL ISLANDS Student Guidebook, and the CSU Chancellor's regulations ("Requirements for Student Office Holders").

#### V. CAMPAIGNING

A. Within three (3) days after the close of filing, (April 14, 2004), regulations governing the election campaign will be set forth at the Candidate Orientation Meeting. Candidates will be held responsible for the content of the meeting. The candidate orientation meeting will be held Thursday, April 15<sup>th</sup> at 10:00 am and 6:00 pm and Friday, April 16<sup>th</sup> at 10:00 am and 2:00 pm in Bell Tower Conference Room 1240.

B. Any use of campaign material must meet Office of Student Development, University and County regulations.

C. Campaign Finance

1. No AS council, committee, funded organization, or budgeted area may endorse or use AS funds, facilities, or materials for the purpose of supporting a candidate or a party of candidates for office.
2. No candidate may expend more than \$75 for his/her campaign. This includes any cash, in-kind, or any other services rendered by any person, company, agency or other entity. All receipts for campaign expenses, whether direct or indirect, will be due in the Student Government Office by noon on the day following the general election. Failure to comply may result in disqualification.

D. Campaign Material

1. All materials must comply with the Policy on Distribution of Written Materials.
2. The interior of the Bell Tower shall be designated as a monitored campaign area, with the exception of pre-arranged speaking engagements at meetings of recognized student organizations, held within the Bell Tower. In addition, the Election Council shall have the authority to arrange opportunities for campaigning within the Bell Tower.
3. Candidates are responsible for collection of their respective campaign materials within one day of the close of the election.
4. No active campaigning will be allowed in classrooms. This includes, but is not limited to, the posting of materials, campaign speeches, distribution of materials, or any other act that may disrupt the academic process. Additionally, professors are not allowed to endorse students running for office.

E. It is the intent of the Election Council to discourage the harassment of students on election day. Therefore, there shall be no distribution of campaigning materials or verbal campaigning on the days of elections within the boundaries around each polling place which shall be established and announced by the Election Council prior to the election days. Such boundaries shall be clearly marked and shall be no less than 25' from the entrance of the polling place.

F. Violations shall result in immediate confiscation of materials by the Election Council and/or denial of further campaigning. All Election Council Members shall be identifiable to all candidates during the polling period.

G. No Election Council member or poll worker may campaign or show partisanship towards any candidate at any time while performing the duties of the position.

## VI. RULES FOR STUDENT ELECTIONS

- A. Elections shall be conducted by the Election Council and those duly authorized by the Council to assist.
- B. The time and place of the election shall be determined by the Election Council in accordance with the Election Code. The duration of all primary elections shall be two (2) consecutive instructional days.
- C. A current CSU CHANNEL ISLANDS ID Card or valid Driver's License shall be required for voting.
- D. Ballots shall be handed out only upon request at the time of voting and only one ballot will be issued per person after his/her identification has been verified.
- E. A person will be allowed to vote only once using his/her identification as specified in VI section C.
- F. All elections shall be held by secret ballot.
- G. Votes cast for more than one (1) candidate for the same office or in any way not specifically cast for a candidate shall not be counted for that candidate.
- H. All election results will be made public.
- I. A candidate for each position will be declared the winner based on a plurality of the votes cast for each position.
- J. People will be allowed to view the counting of the ballots of any AS election by proper procedure decided by the Election Council.

## VII. ELECTION CODE VIOLATIONS

### A. Violations

1. Alleged violations shall be submitted to the locked grievance box maintained at the Office of Student Development within two (2) instructional days of the alleged violations. Violations may be submitted by Election Council members, students, faculty, or staff of the University. Violations shall be reviewed daily and acted upon by the Election Council under the direction of the Chair of the Election Council as appropriate.

### B. Authority and Jurisdiction

1. The Election Council shall have jurisdiction to hear and rule on all complaints in violation of the Election Code.
2. It is the responsibility of the Election Council Chair to arrange hearings when deemed necessary to include parties concerned; this may include consultation with other candidates as deemed appropriate by the Election Council.

### C. Grounds for Complaints

1. A complaint may be filed for a violation of any provision of the Election Code, University Policy, or CSU System Policy.

### D. Form and Contents of Complaint

Complaints submitted to the Election Council shall be in writing and shall specify:

1. The section or sections of the Election Code, University Policy, or CSU System Policy that are allegedly violated and by whom. Other conduct, and by whom, which allegedly unfairly affected the election.
2. A brief summary of the oral or written evidence to be submitted in support of the complaint including the names of witnesses expected to testify.
3. A request for a remedy or remedies may be suggested as contained in Article XII section G.

**F. Conduct of Public Hearing of Complaints**

**1. Notice of Complaint Hearing:**

Notice of the time, place and date of an election complaint hearing shall be posted by the Election Council on the bulletin board outside the Office of Student Development prior to the hearing.

**2. Time in Which to Hold Hearing:**

Hearing shall be convened within two (2) instructional days following receipt of an election complaint.

**3. Record of Hearings:**

The Election Council and Election Grievance Panel shall make a tape recording of oral statements made and questions asked at the hearing. During the course of the hearing, the Chairperson shall require speakers to identify themselves and to briefly state their connection or interest in the complaint.

**4. Presentation of Evidence:**

**a) Testimony:**

Any complaining party or any witness may testify about his/her personal knowledge of facts that support/refute a complaint. Individuals offering testimony shall identify themselves and their connection to or interest in the complaint.

**b) Documents:**

Any interested person may submit documents in support of, opposition to, or otherwise related to complaints to the Election Council Chair prior to or during the hearing. Documents submitted should bear the title and name of the submitter and a brief statement of the submitter's connection with or interest in the complaint.

**5. Burden of Proof:**

The burden of proving a complaint alleging a violation of the Election Code or other election irregularities shall lie with the party or parties making the complaint.

**6. Examination of Witnesses:**

Only members of the Election Council/ the alleged violator may ask questions of witnesses. Other interested parties or representatives of parties may submit to the Council in writing questions relevant to the complaint to be asked of the witnesses.

**G. Remedies for Complaints**

After a complaint hearing, the Election Council shall have the authority to order remedies and impose sanctions on sufficient proof, based upon the seriousness of a complaint.

The Election Council may:

- 1 Refer to the Judicial Affairs Officer.
2. Disqualify candidates.
3. Call for a new election.
4. Rule there to be no substantial effect on the election.

**H. All decisions of the Election Council may be appealed to the Director of Student Development.**

**I. Any or all students proven to have removed, defaced or destroyed posters, literature, or other campaign materials shall be immediately remanded to the Judicial Affairs Officer.**

**J. Complaints Against Election Council**

Any alleged code violations brought forth against the Election Council shall be ruled on by the Director of Student Development.