

ASI ELECTION CODE

I. GENERAL PROVISIONS

A. This document shall be called the Election Code.

B. Throughout this document:

1. “shall” and “must” are used in the imperative sense
2. “may” is used in the permissive sense
3. The use of masculine gender implies the feminine, and vice versa.
4. “complainant” signifies the individual submitting a formal complaint
5. “respondent” signifies the individual who has a complaint filed against them

II. PURPOSE

The purpose of this policy is to establish the regulations for Associated Students of California State University Channel Islands, Inc. elections; to promote the elections as widely as possible; to maintain maximum participation from candidates and electors; and to ensure that proper, fair and impartial ASI CSUCI elections are held as prescribed by this code.

III. CANDIDACY FOR OFFICE

A. Candidacy Filing

1. Each candidate must file a signed Declaration of Candidacy and ASI Candidate Application which must include:
 - a) The name of the candidate listed with the University Registrar and student’s ID number.
 - b) The name under which the person is declaring to run.
 - c) The office for which that person is declaring candidacy.
 - d) The signature of the candidate certifying:
 - (1) The validity of the submission for papers filed for candidacy.
 - (2) The candidate has read, understands, and agrees to follow the ASI Election Code.
 - (3) Knowledge of the duties and responsibilities of the office for candidacy.
 - (4) Knowledge of the time and place of the Candidate Mandatory Meeting.
 - (5) That university administration will review candidates’ academic and judicial records to ensure eligibility.
 - e) All candidates are encouraged to submit a platform with their application. Platforms exceeding the amounts specified will be reduced to the word limit provided. These platforms will be posted at the ASI Office, on the ASI website, and on the electronic ballot.
 - (1) Candidates running for the Student Programming Board President and Student Government President are encouraged to submit a platform with no more than 350 words.

- (2) Candidates running for Student Programming Board Vice President and Student Government Vice-President are encouraged to submit a platform with no more than 250 words.
- (3) Candidates running for ASI member-at-large positions, SG Senator and Director positions, and SPB Director positions are encouraged to submit a platform with no more than 150 words.
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 and other policies or documents the Election Council may require candidate compliance.
3. All candidates must run on an independent platform or ticket.
4. No candidate may run for more than one office during one election. Candidates may choose to campaign for another office before the filing deadline by submitting a new Declaration of Candidacy.
5. Write-in candidates shall not be permitted under any circumstance.

B. Filing Procedure

1. Filing papers will be available on the ASI website the first week of the spring semester and are due to the ASI Office five weeks prior to the election.
2. Candidates may withdraw their candidacy at any time by presenting a written statement to the ASI Office. A candidate's name will be removed from the ballot only if a withdrawal statement is received by ASI, in writing, before the sample ballot is published.

C. Mandatory Candidate Meeting

1. Within one day after the close of filing, candidates will receive notice of the Mandatory Candidate Meeting.
2. Regulations governing the election campaign will be set forth at the Mandatory Candidate Meeting.
3. Failure to attend shall be sufficient cause for disqualification. Excuses, with supporting documentation, shall be submitted in writing to the Elections Council Chair at least 48 hours before the meeting. The Elections Council Chair will notify the candidate if it has been approved.
4. A candidate will not be eligible to run until they have attended the Mandatory Candidate Meeting or have made arrangements and met with the Election Council representative to review the ASI Election Code.
5. Any use of campaign materials or advertising on behalf of candidates for office is prohibited prior to the Mandatory Candidate Meeting. Any candidate found in violation will be disqualified from running for office.

IV. ELIGIBILITY FOR OFFICE

A. Students are eligible to hold and campaign for any elected office of Associated Students, Incorporated if they:

1. Earn and maintain a minimum 2.5 semester and cumulative GPA.
2. Are enrolled in and remain continuously enrolled in a minimum of six units of coursework each semester.
3. Intend to remain enrolled in the University through the spring semester following the election.
4. Do not have a university hold on their records.

5. Are in good judicial standing.
- B. Terms will run from June 1 through the following twelve months, except for the two-year ASI member-at-large positions which will run from June 1 through the following twenty-four months.
- C. Candidates running for the President or Vice President positions cannot be enrolled in more than 17 units while in office.
- D. Candidates must meet the qualifications set forth by the Election Code, the CSU Channel Islands Student Guidebook, and the CSU Chancellor's regulations (SA.21.002). CSUCI administration shall verify the eligibility of all registered candidates before campaigning begins.

V. **ELECTION COUNCIL**

A. Purpose

1. The Election Council shall be responsible for organizing and implementing all elections through a fair and equitable process. The Election Council will oversee all complaints in alleged violation of the ASI Election Code.

B. Membership

1. The Election Council shall consist of five student members and one CSUCI or ASI staff member.
2. The Chair of Associated Students Inc. shall serve as the Election Council Chair. In the event the Chair is running for an elected position, the Vice Chair of Associated Students Inc. will serve as the Election Council Chair. If the Vice Chair is running for an elected position as well, the Associated Students Inc. Board will appoint a member from the Board to serve as the Election Council Chair.
3. Election Council student members and staff members will be recommended by the Election Chair and approved by the ASI Board.
4. The term of office shall be the election season.

C. Duties and Responsibilities

1. The duties and responsibilities of the Election Council shall include, but not be limited to, the following areas:
 - a) To enforce and uphold the Election Code of the Associated Students, Inc., California State University Channel Islands; and when necessary to review and recommend revision of the Election Code to the Associated Students, Inc. Board.
 - b) To conduct all elections held by Associated Students, Inc. and designate others to assist.
 - c) To interpret provisions of the Election Code and rule on complaints of election procedures.
 - d) To prepare and publicize the election schedule the first week of the spring semester.
 - e) To schedule, organize, and implement the Candidate Forums and/or Elections Debates.
 - f) To recruit poll workers.
 - g) To supervise the voting and ballot counting.
 - h) To keep reliable records of all Elections Council Meetings and hearings.

- i) To have jurisdiction to hear and rule on all complaints in alleged violations of the ASI Election Code.
 - j) Shall have the authority to arrange opportunities for campaigning at various locations on the CSUCI campus.
- 2. No Election Council member or poll worker may campaign for or show partisanship toward any candidate at any time while performing their duties.

D. Specific Duties of the Election Council Chair

- 1. To preside at all meetings of the Election Council.
- 2. To notify the University community of the elections schedule by the widest possible media dissemination.
- 3. To submit an official elections report pertaining to costs and results to the ASI Board within seven days following a completed election and posting of the election results.

VI. CAMPAIGNING

A. Any use of campaign material must meet CSUCI, Student Life, and County regulations.

B. Use of the ASI or CSUCI logo is not permitted on campaign materials.

C. Current ASI Board members may not endorse candidates in any manner while acting in their official capacity.

D. Candidates may not be endorsed by the ASI Board.

E. Campaign Finance

- 1. No ASI entity, committee, funded organization, or budgeted department/program may endorse or use ASI funds, facilities, or materials for the purpose of supporting a candidate or a party of candidates for office. This includes, but not limited to, paints, posters paper, staplers, computers, and tape from the ASI Office. Also no materials can be used from the clubs and organization room.
- 2. No candidate may expend more than fifteen cents times the current CSUCI headcount (\$.15 x current CSUCI headcount) for their campaign. This includes any cash, in-kind, or any other services rendered by any person, company, agency, or other entity for campaigning materials. During a run-off election, expenditures for all campaign materials shall not exceed \$250 per candidate.
- 3. All receipts for campaign expenses, whether direct or indirect, will be due in the ASI Office by 5:00 p.m. on the day following the general election. Failure to comply may result in disqualification.
- 4. Candidates shall run on separate tickets therefore their campaign materials will be assessed accordingly (i.e. if two candidates share campaign expenses they will both be assessed equal amounts toward their total funds).
- 5. All candidates who plan to post campaign materials shall submit a twenty-five dollar (\$25) refundable posting deposit (not counted as campaign expense) to the ASI Office by the close of the filing period or the candidate is not eligible to run. The deposit will be forfeited by candidates who fail to remove their campaign materials by 5:00 p.m. on the instructional day following elections. These monies shall be held in the ASI Office.

F. Campaign Material

Candidates must comply with guidelines and limitations issued by ASI, as well as applicable University policies for campaign materials.

1. All materials must comply with the University Posting Policy
2. The interior of the Bell Tower and Student Union shall be designated as a monitored campaign area, with the exception of pre-arranged speaking engagements at meetings of recognized student organizations that may be held within the Bell Tower and Student Union.
3. Candidates are responsible for ensuring the removal of all campaign materials from all areas no later than 5:00 p.m. on the instructional day following elections. In the case of a run-off election, the candidates involved may leave campaign materials in place until 5:00 p.m. the day following the run-off election.
4. No active campaigning will be allowed in classrooms (with the exception of flyers that will be posted by LCH) including campaign speeches, distribution of materials, or any other act that may disrupt the academic process while class is in session without the consent of the faculty member administering the class. The use of Blackboard as a means of campaigning is prohibited.
5. Any campaigning done off University property shall adhere to ASI Election Code.

G. No person may engage in any political activity for any candidate or any ballot measure within a minimum of a twenty-five foot radius of any polling precinct on Election Days. The Election Council must provide for the clear demarcation of this area.

H. All candidates will be required to submit a list of first and last names of individuals in their campaign party. A candidate's campaign party shall be required to uphold the Election Code. Violations of the Election Code by a member of a candidate's campaign party shall be brought to the attention of the Election Council and the candidate to assess appropriate action against the member and possibly the candidate.

VII. RULES FOR STUDENT ELECTION

A. The Election Council shall conduct elections and may authorize outside individuals to assist in their duties.

B. Election Dates and Times

1. The time and place of the election shall be determined by the Election Council in accordance with the Election Code.
2. The duration of all elections shall be two consecutive instructional days.

C. Voting

1. All members of the Associated Students shall be eligible to vote in the Associated Students elections.
2. Students will be allowed to vote only once with proper identification.
3. All elections shall be held by secret ballot.
4. All election results will be made public.
5. Paper ballots:
 - a) A current CSU Channel Islands ID Card or valid form of identification shall be required for voting.

- b) Ballots shall be handed out only upon request at the time of voting and only one ballot will be issued per person after their identification has been verified.
- c) Ballots may only remain in the designated voting locations as determined by the Election Council.
- d) Polling Stations
 - (1) There shall be no distribution of campaigning materials or verbal campaigning on the days of elections within the 25 foot boundary around each polling place which shall be established by the Election Council prior to the election days.
 - i. Such boundaries shall be clearly marked and shall be no less than 25 feet from the entrance of the polling place.
 - ii. Violations shall result in immediate confiscation of materials by the Election Council and/or denial of further campaigning.
 - (2) All Election Council Members shall be identifiable to all candidates during the polling period.
 - (3) Election Materials to be provided at each Polling Station include:
 - i. A current computer printout of enrolled students
 - ii. Regulation marking pens: (highlighters, rulers, and pencils for voters)
 - iii. Poll worker assignment schedule
 - iv. Poll worker procedures list
 - v. Copy of the ASI Election Code
 - vi. Posters or flyers stating voting dates and times, all polling locations, and complete voter instructions
- e) Poll Workers
 - (1) No Election Council member or poll worker may campaign or show partisanship toward any candidate at any time while performing the duties of the position.
 - (2) All poll workers shall not be candidates for office, candidate representatives or endorsers.
 - (3) There shall be two poll workers assigned to each polling station at all times.
 - (4) All poll workers must attend an Elections Orientation to become familiar with the Election Code and the operations of elections.
 - (5) Poll workers shall be responsible for notifying a member of the Elections Council in the event of an election violation at a polling station.
- f) Counting of Ballots
 - (1) The Election Council shall be responsible for counting the ballots and those duly authorized by the Council to assist. One faculty, an ASI entity advisor, and five students must be present at the counting of the ballots.
 - (2) Votes cast for more than one candidate for the same office (except for the SG Senator and ASI Board Member positions) shall not be counted for that candidate.

- (3) Interested individuals will be allowed to view the counting of the ballots of any ASI election by proper procedure decided by the Election Council.
6. Online voting:
 - (1) A secured online system will authenticate student identification.
 - (2) The online system will allow for a paper trail if needed, yet voter identification will remain anonymous.
 - (3) The online voting system will be located on the ASI website.
 - (4) A copy of the Election Code will be on the ASI website.

VIII. ELECTION CODE VIOLATIONS

A. Violations

1. Alleged violations of the Election Code must be submitted in writing to the ASI Executive Director within two instructional days of the alleged violation.
 - a) If a violation is brought forth by a member of the Election Council, that member shall serve as the complainant and remove themselves from the deliberations process.
2. Alleged violations must be reviewed daily and acted upon by the Election Council under the direction of the Chair of the Election Council.

B. Authority and Jurisdiction

1. The Election Council shall have jurisdiction to hear and rule on all complaints in alleged violation of the ASI Election Code.
2. If deemed appropriate, it is the responsibility of the Election Council Chair to schedule a hearing within two academic days and to include all concerned parties.
3. Alleged violation of CSUCI or CSU system policy will be referred to the CSUCI Judicial Affairs office.

C. Grounds for Complaints

1. A complaint may be filed for a violation of any position of the CSUCI Election Code, University policy, or CSU system policy.

D. Form and Contents of Complaint

Complaints submitted must be in writing and must specify:

1. The Section or sections of the ASI Election Code, University Policy, or CSU system policy that are allegedly violated and by whom, which could affect the outcome of the election.
2. A brief summary of the oral or written evidence to be submitted in support of the complaint including the names of any witnesses expected to testify.
3. A request for a remedy may be suggested within the authority of the Election Council.

E. Conduct of Public Hearing of Complaints

1. *Notice of Hearing.* Notice of the time, place and date of an election complaint hearing shall be posted by the Election Council in the ASI Office prior to the hearing and must be delivered via university e-mail to the complainant and respondent.
2. *Time in Which to Hold Hearing.* The Election Council must convene within two instructional days following receipt of an election complaint.

3. *Record of Hearings.* The Election Council must keep written record of oral statements made and questions asked during the hearing. During the course of the hearing, the Chair 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 witnesses may testify about their personal knowledge of facts that support and/or 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 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 ASI Election Code or other election irregularities shall lie with the complainant.
6. *Examination of Witnesses.* Members of the Election Council, the complainant, and the respondent may ask questions of witnesses. Other interested parties or representatives of the party may submit to the Council, in writing, relevant questions.
7. *Factual Accuracy.* No candidate may make false statements in any ASI Election Council hearing. Any candidate who deliberately enters false testimony or documents into the record at any hearing shall be subject to disqualification from office.
8. *Ruling.* The ASI Election Council must deliver, via e-mail, its ruling within two instructional days of the last day of the hearing, to both the respondents and the complainants, and must make available copies of its ruling to any person upon request.

F. Remedies for Complaints: After a complaint hearing, the ASI Election Council shall have the authority to order remedies and impose sanctions on sufficient proof, based upon the seriousness of a complaint. The ASI Election Council may:

1. Refer the complaint to the Judicial Affairs Officer.
2. Disqualify candidates.
3. Call for a new election.
4. Rule that the alleged violation has no effect on the election.
5. Assess penalty points.

G. All decisions of the Election Council may be appealed to the ASI Executive Director.

H. Complaints Against Election Council

1. Any complaint against the ASI Election Council or member must be submitted in writing to the ASI Executive Director, with note of ASI Election Code, CSUCI policy or procedure, or CSU system-wide policy in alleged violation.
2. Any alleged ASI Election Code violations brought forth against the Election Council or member must be ruled on by the ASI Executive Director.
3. If the Election Council or member is found in violation of the ASI Election Code the member must resign their position on the Council. The Election Council Chair must find an immediate replacement for the absent member. If the Election

Council Chair is found in violation, the ASI Board will appoint a new Election Council Chair.

I. Point Assessment for Violations

1. The ASI Election Council will review all allegations and assess the appropriate point values associated with an offense.
2. Each candidate shall be given six (6) points following the Mandatory Candidate Meeting. If a candidate is found in violation of the ASI Election Code or other applicable rules, policies or procedures, points may be deducted accordingly.
3. Candidates who exhaust all of their points shall be disqualified from further campaigning and holding office during the current election year.
4. Point Assessment are as follows:
 - a) Campaign materials in a non-designated location 1 point
 - b) Campaigning in a classroom or in a disruptive manner 2 points
 - c) Defacing or destroying other candidates' campaign materials 2 points
 - d) Failure to remove all campaign material immediately following election 1 point
 - e) Spending more than the allotted amount on campaign material. Points will be assessed per \$50 increments over the allotted amount. 2 points
 - f) Slandering or misrepresenting information about another candidate 2 points
 - g) Campaigning within 25 feet of polls on election days 2 points
 - h) Utilizing resources, materials, or facilities that are not designated 1 point
5. The Election Council reserves the right to assess greater or lesser penalties for actions not enumerated above depending on the severity of the alleged offenses and its affect on the election.

IX. TRANSITION

- A.** Each winning candidate must attend a mandatory Student Leadership Transition Conference or equivalent following elections.
- B.** Winning candidates shall transition with the office that they will be entering following elections.

X. AMENDMENTS

- A.** This is the official ASI Election Code as approved by the ASI Board of Directors.
- B.** The Election Council may submit suggested amendments to the Election Code to the ASI Board for review.
- C.** The ASI Election Code may be amended at any regular meeting of the ASI Board, or at any special meeting called solely for that purpose, by a majority vote of the Board of Directors, and provided the amendment has been submitted in writing at the previous regular meeting, or submitted in writing to the Directors at least thirty (30) days prior to the next regular board meeting.

XI. INTERPRETATION OF THE CODE

- A.** Interpretation of the ASI Election Code is the responsibility of the Election Council. All questions or matters of uncertainty should be directed to the Election Council Chair and/or ASI Executive Director.

- B.** Candidates are solely responsible for their actions in the ASI Elections. It is the candidate's responsibility to know and to remain with the terms laid out by this Code.
- C.** The ASI Board of Directors shall be the final say in matters regarding the ASI Elections.