

ELECTIONS CODE
Associated Students, Incorporated
California State University, Stanislaus

1.0 Name and Purpose

- 1.1 This Elections Code shall hereafter be referred to as The Code.
- 1.2 The Code is prescribed and established to insure the efficient and equitable procedures for all official elections of the Associated Students, Incorporated under the authority of and in compliance with the Constitution and By-Laws of the Associated Students, Incorporated of California State University, Stanislaus.
- 1.3 The Code shall apply to all Associated Students, Incorporated elections held as the California State University, Stanislaus and all satellite campuses of said institution.

2.0 Elections Committee

- 2.1 The Elections Committee shall be responsible to promote, plan, organize, and implement the elections for the Associated Students, Incorporated, and hereafter referred to as ASI, under the guidelines established in The Code.
- 2.2 Responsibilities
 - 2.2.1 Shall establish at least one (1) public meeting a week during the election process as defined by section 3.0. The agenda for that meeting must be posted for at least seventy-two (72) hours.
 - 2.2.2 Shall take no action on any issue until that issue has been publicly posted for at least one (1) week.
 - 2.2.3 Shall establish policies and procedures for all ASI related elections.
 - 2.2.4 Shall supervise elections and referendums pertaining to ASI.
 - 2.2.5 Shall prepare a written report of the unofficial results with formal approval of the Elections Committee.
- 2.3 Membership
 - 2.3.1 The voting membership shall consist of at least three (3) members of the ASI Board of Directors and maximum of sixteen (16) student members from ASI.
 - 2.3.1.1 Any member of the Elections Committee who has filed their application for an elected office shall be removed from the Elections Committee on the date of filing.
 - 2.3.2 The non-voting membership of the Elections Committee shall consist of the ASI & USU Associate Executive Director and the Dean of Students or their designee.
 - 2.3.3 The Chair
 - 2.3.3.1 Shall schedule and preside over all meetings of the Elections Committee.
 - 2.3.3.2 Shall be responsible to abide

by an election timeline passed by the Elections Committee during election times.

2.3.3.2 Shall take no action without formal approval of the Elections Committee.

2.3.3.3 Shall be responsible for preparing and posting all Elections Committee meeting agendas.

2.3.4 The Vice Chair

2.3.4.1 Shall be elected from the seated membership of the Elections Committee by a majority vote.

2.3.4.2 In the absence or resignation of the Chair, shall preside over all meetings and assume the duties of the Chair.

2.3.4.3 The Vice Chair shall be responsible for taking roll, and the recording and posting of the minutes.

3.0 Elections

- 3.1 The election process shall start upon the fifty (50) calendar day announcement of the elections.
- 3.2 The Elections Committee shall set dates of any ASI election at least fifty (50) calendar days prior to the election.
- 3.3 Public notice of an election must be given to the student body not less than ten (10) academic days prior to the election. The notice shall specify the place(s), the class day(s), the hours of such election, and the general nature of the issues to be decided. This is also to include the Stockton campus.
- 3.4 The Elections Committee shall provide facilities and insure secret and undisturbed balloting.
- 3.5 Publicity for the election shall, at a minimum, consist of an announcement of the election and related information in the school newspaper, and by placement of four (4) posters stating the same information placed in prominent places on the Turlock campus and a minimum of one (1) on the Stockton campus.
- 3.6 The Elections Committee shall provide publicity at the Turlock campus and at the Stockton campus regarding elections, including the dates designated for filing for an office and the offices to be filled at least forty-five (45) calendar days prior to the day of the election.
- 3.7 The Elections Committee shall compose the ballots no earlier than ten (10) calendar days prior to any election.
- 3.8 Special Elections shall be called by the committee and held at such times as designated.

4.0 Method of Selection of Candidates

- 4.1 The executive candidate who receives the plurality of the votes for the designated office for which they are seeking will be elected.
- 4.2 In the event of a tie vote, a run-off election will be held between the candidates tied for the most votes. No run-off election will be held

between the candidates if one candidate received the most votes.

- 4.2.1 A run-off election must be conducted between seven and fourteen days after the first day of the general election.
- 4.2.2 A run-off election will only be held between the candidates that are tied for the most votes.
- 4.2.3 Candidates may only spend an additional (\$150.00) in addition to their original limit of (\$400.00) during the general election.
- 4.2.4 Candidates in the run-off election may resume campaigning immediately following the Election Committee's posting of the ASI General Election Results.
- 4.3 The Senators with specific representation of colleges or class standing shall be elected only by those students whom they shall directly represent. This would include Director of Arts; Humanities & Social Sciences; Human & Health Sciences; Business; Graduate; Education; and Stockton.
- 4.4 Senators with general representation shall be elected by the entire student body. This would include Senators of Residential Life; Environment, Diversity, Clubs and Organizations, Athletics and At Large.
- 4.5 In the event that an office or offices remain unfilled after the spring election, the newly elected ASI President, after June 1, will conduct interviews for the unfilled positions.

5.0 Method of Determining Designated Office

- 5.1 The official records from the Admission and Records Office will determine the candidates' eligibility according to the designated School or College under which their major falls, or by what their primary location designator indicates.

6.0 Campaign Procedures and Regulations

- 6.1 Filing Procedures
 - 6.1.1 Students filing for offices of ASI may obtain official application forms from the office of ASI, located at the main campus in Turlock, from the Enrollment Services office at the Stockton campus, or online at the California State University, Stanislaus website. Applications shall be available forty-five (45) calendar days prior to an election.
 - 6.1.2 The application materials shall include the following online:
 - 6.1.2.1 Job Descriptions of the Executive positions and/or the Director positions
 - 6.1.2.2 Official application form.
 - 6.1.2.3 Schedule of election dates and times, Mandatory Candidates Meeting date and time,
 - 6.1.2.4 Form for candidate's campaign statement.
 - 6.1.2.5 The Code.
 - 6.1.2.6 The University Posting Guidelines for both Turlock and

Stockton.

6.1.2.7 The Social Media Policy/ Guidelines

- 6.1.3 There shall be no changes, additions, or subtractions to the elements or wording of the elections packet without the approval of the elections committee.
- 6.1.4 Copies of the ASI Constitution and By Laws shall be made available upon request to any candidate for office, online at the California State University, Stanislaus website.
- 6.1.5 Applicants shall return all completed forms to the office of ASI no later than fourteen (14) calendar days prior to the election.
- 6.1.6 The candidate must also return a signed affidavit indicating their understanding and agreement with the Constitution, By-Laws, and The Code of ASI.
- 6.1.7 A deposit of twenty-five dollars (\$25.00) will be deposited with the office of ASI by each applicant prior to posting materials. The applicant may sign a statement declaring that he or she will have no campaign material posted or distributed, and the deposit requirement will be waived.
- 6.1.8 The Dean of Students, or their designee, shall certify all candidates as to their eligibility prior to placing their names on the ballot.
- 6.1.9 A challenge to the eligibility of any candidate's name to be placed on the ballot must be made no later than three days after the Mandatory Candidates Meeting.
- 6.1.10 The application deposit shall be returned after the election, unless a candidate's campaign materials have not been taken down or removed seventy-two (72) hours after the close of the polls.
- 6.1.11 Candidates may not file for more than one office.
- 6.1.12 Once a candidate files an application to run for office, the application cannot be withdrawn for the purpose of submitting another application for another office after the filing deadline.

6.2 Campaign Publicity Regulations

6.2.1 Mandatory Candidates Meeting

- 6.2.1.1 Campaigning may not begin until after the Mandatory Candidates Meeting.
- 6.2.1.2 The list of candidates who are seeking office shall not be made public until the Mandatory Candidates Meeting.
- 6.2.1.3 The Mandatory Candidates Meeting shall be held within forty-eight (48) hours after the application forms are due.
- 6.2.1.4 If a candidate is receiving assistance with his or her campaign, it is recommended that at least one (1) campaign assistant shall be present at the Mandatory Candidates Meeting.
- 6.2.1.5 The Mandatory Candidates Meeting shall set forth all rules and regulations involving the upcoming election.
- 6.2.1.6 At the Mandatory Candidates Meeting, the candidates shall be shown the no-campaign zone around the polling location

as set forth in section 6.2.5.

6.2.1.7 If a candidate cannot attend the Mandatory Candidates Meeting, then they are required to meet on a later scheduled date with the Elections Committee Chair or a member of the committee. Candidate may not campaign until after attending the meeting.

6.2.1.8 Candidates are responsible for ensuring that anyone assisting with their campaign is fully aware of the rules and regulations of the campaign process. The Candidate shall be responsible for any violation of the rules and regulations by their campaign staff.

6.2.2 Candidates shall comply with the rules for campaign publicity set forth in the University Posting Guidelines. Any candidate who wishes to publicize outside of the guidelines must obtain approval of the Elections Committee prior to posting.

6.2.3 A candidate whose posters are placed in violation of University Posting Guidelines will be charged an appropriate amount for removal, as determined by the university.

6.2.4 No candidate or anyone associated with a campaign shall deface, move, alter or in any way obstruct another candidate's publicity material.

6.2.5 No candidate may use any Associated Students, Inc. equipment, supplies or resources for the benefit of their campaign that would otherwise be unavailable to the common student.

6.2.6 No active campaigning of any form, to include distribution or displaying of flyers and posters can be conducted within 100 feet of the polling locations. If in an emergency situation the polls must be moved, the Elections Committee will remove all campaigning materials within one hundred (100) feet. Officials of the Elections Committee will mark this point.

6.2.7 All campaign materials must be taken down, removed, and cleaned up within seventy-two (72) hours after the closing of the polls, or the \$25.00 deposit will not be returned.

6.2.8 Any public endorsement of a candidate by one or more student clubs, groups, individuals, and/or parties will be considered campaigning by the Elections Committee. Upon knowledge of endorsement, the candidate must add the group or individual, or parties, to his or her campaign list. If a candidate wishes to reject said endorsements, the candidate must inform the Elections Committee in writing to allow the committee to take action in regard to the group, individual, or parties.

6.3 Campaign Expenditures

6.3.1 Campaign expenses shall be defined as the retail value of all material and/or services purchased by the candidate himself or herself. The candidate is responsible for actions or expenditures of those directly involved in his or her campaign.

- 6.3.2 All candidates will be required to submit a list of all people directly involved in his or her campaign. The list shall be submitted to the Elections Committee no later than the date of the Mandatory Candidates Meeting. Additional people may be added to the list after the meeting, but not after one day prior to the election.
 - 6.3.3 For any general election, the campaign expenditures accumulated from all sources for any candidate shall not exceed the value of four hundred dollars (\$400.00).
 - 6.3.4 In the event of a run-off election, the campaign expenditures for any candidate shall not exceed the value of one hundred fifty dollars (\$150.00) in addition to the (\$400.00) limit from the general election.
 - 6.3.5 In the case of materials or presentations advertising more than one candidate, each candidate will be assessed the full value of the materials or presentations.
 - 6.3.6 Prior to the closing of the polls on the final day of elections, each candidate shall file an itemized campaign expense report, which shall include receipts, bids, quotes, etc., with the ASI Director in the office of ASI.
 - 6.3.7 In the event of a run-off election, the candidate will file an addendum to the original financial statement prior to the closing of the run-off election polls.
 - 6.3.8 The Elections Committee shall determine the value of the campaign expenditures for each candidate. When determining the value of campaign expenditures, if there is a question, the Elections Committee will get three estimates of the cost of the materials.
- 6.4 Write in candidacies will not be allowed.
- 6.5 Disqualification
- 6.5.1 Any inquiries concerning noncompliance of the procedures and regulations of The Code shall be reported, in writing, to the Chair of the Elections Committee.
 - 6.5.2 The Elections Committee may either reprimand or disqualify for election any candidate who, on the determination of the committee, has failed to comply with procedures and regulations of The Code.
 - 6.5.2.1 Any candidate that fails to comply with The Code on two (2) occasions, as determined by the Elections Committee, shall be automatically disqualified. Failures to comply committed by any candidates' campaign personnel shall also result in disqualification of the candidate upon two (2) such violations.
 - 6.5.3 A candidate who is being considered for disqualification must be notified in writing and shall have twenty-four (24) hours to prepare a case to be heard before the Elections Committee.
 - 6.5.4 The Chair shall notify, in writing, any candidate of the final

decision as well as the reason for such.

- 6.5.5 If a candidate who is selected for an office is disqualified, the candidate who received the next highest vote in the election shall be elected.

7.0 Balloting

7.1 Procedures

- 7.1.1 Voting shall be by secret ballot.
- 7.1.2 There shall be no voting by proxy or absentee ballots.
- 7.1.3 The Elections Committee shall arrange the candidates in a random order on the ballots by drawn lots; incumbents may have “Incumbent” written after their name.
 - 7.1.3.1 “Incumbent” shall be defined as a candidate who is seeking reelection for the same office.
- 7.1.4 Candidate affiliation shall be limited to two (2) recognized CSU, Stanislaus clubs, organizations, or major, with the exception of “Incumbent” as specified above.
- 7.1.5 If an office remains vacant by the closing date for filing a candidate’s application, then that office will appear on the ballot with a statement as to how and when the vacant office will be filled.
- 7.1.6 A complete roster of students attending CSU, Stanislaus shall be obtained from the Office of the Registrar and will be used to determine students’ eligibility for voting.
- 7.1.7 A student may vote if he or she presents valid photo identification and is listed as currently enrolled on the roster.
- 7.1.8 The student shall sign a list consisting of his or her name.

7.2 Counting Ballots

- 7.2.1 At least two (2) members of the Elections Committee, the ASI Director, and the Dean of Students, or their designee, must be present during the ballot count. The Elections Committee will designate other official counters.
- 7.2.2 If voting is by hand ballot, ballots shall be counted until the same count is reached twice consecutively; the process shall be open to the public.
- 7.2.3 A candidate or representative may request a call for a hand or machine recount before the official results of the election are posted.
- 7.2.4 There will be one (1) hand or machine recount at a candidate’s request; The Elections Committee may only take requests for recount after the posting of the unofficial results.
 - 7.2.4.1 Only one candidate for each office, may request the recount.
- 7.2.5 A recount may be requested up to one week five (5) academic days following the posting of the unofficial results.

7.3 Ballot Results

- 7.3.1 The Elections Committee shall certify the election results following the counting of the ballots.
 - 7.3.2 The unofficial results of an election will be announced no later than noon of the first academic day following the election.
 - 7.3.3 The Chair of the Elections Committee will report the results of the election, in writing, to the Board of Directors for approval.
 - 7.3.4 Any decision of the ASI Elections Committee may be appealed to the ASI Appellate Council.
 - 7.3.5 The Elections Committee shall report the election results, if requested, to the student newspaper and to the local press following the reporting of the election results to the ASI Board of Directors by the ASI Elections Committee.
- 7.4 Retention of Ballots
- 7.4.1 Succeeding the official counting of the ballots by the Elections Committee, and verification of the elections results by the Elections Committee, all ballots shall be retained in sealed containers in the Public Safety evidence locker for thirty (30) days with the key held by the Dean of Students, or their designee.
 - 7.4.2 Succeeding the period of retention, all ballots shall be destroyed under the supervision of the Dean of Students, or their designee.

8.0 Procedures for Election Officials

- 8.1 Election officials are the members of the Elections Committee and/or those persons designated or appointed by the Elections Committee to carry out the procedures for an election as outlined in The Code.
- 8.2 Election officials shall follow all procedures outlined in The Code.
- 8.3 Election officials shall report all irregularities to the Elections Committee Chair immediately.
- 8.4 Election officials will be prohibited from doing the following:
 - 8.4.1 Displaying any campaign materials.
 - 8.4.2 Being listed on any candidate's campaign list.
 - 8.4.3 Endorsing a candidate

9.0 Contesting an Election

- 9.1 To contest an election or to call for a recount, a petition, dated by the office of ASI and signed by ten percent (10%) of the voting constituency, shall be presented within five (5) academic days following the election, to the Elections Committee. Signers of petition do not need to provide proof of casting a ballot. The Elections Committee shall rule on the legality of the election within five (5) academic days after the presentation of the petition. If the Elections Committee renders the decision that the election was illegal, it shall call for a new election within five (5) academic days after the ruling.

10.0 Amendments

Spring 2011 ASI Board of Directors: I. Pahal, A. Abrego, P. Contreras, M. Khodabandeh, R. Zermeno, S. Dominguez, C. Elliott, K. Felix, N. Nguyen, C. Vance, M. Saina, M. Brichetto, L. Charles, S. Keeler, M. Cotton, J. Bailey, S. Messiah, S. Jackson
Spring 2011 Elections Committee: M. Saina, L. Charles, S. Messiah, C. Elliott

- 10.1 The Code may be amended by a two-thirds vote of the Elections Committee and a two-thirds vote of the ASI Board of Directors.
- 10.2 Amendments will go into effect the following academic year, unless the Executive Committee of ASI and the ASI Board of Directors mutually agrees upon the amendment.
- 10.3 All amendments and modifications to The Code must be completed and approved prior to the conclusion of the winter term, unless the ASI Board of Directors authorizes any modifications of The Code during the Election process for the sole purpose of facilitating an equitable and timely election.

Revised Spring 2011
Revised Fall 2009
Revised Summer 2008
Revised Spring 2005