

Policy: Elections Policy & Procedures

Last Updated: 12/07/2021

Board Agenda ID: BD 100-21

Scope: This policy applies to all corporate members who run for an ASI office or those other members who in any way may impact ASI elections or sponsored referenda.



Purpose: To establish the election procedures upon which all Associated Students, Inc. (ASI) elections (general and special), will be operated, and to establish the qualification and criteria for all ASI candidates for office. Elections are at the very heart of governing the corporation and its operations; consequently, this policy has been created to ensure that strict standards in the conduct of ASI elections are stated and enforced. Should there be any conflict between this policy and the ASI bylaws, the ASI bylaws will prevail.

A. ELECTIONS COMMITTEE PURPOSE AND RESPONSIBILITIES

1. Elections Committee Appointment and Tenure
 - a. All student members of the elections committee are appointed by the ASI President and approved by a majority of the ASI BoD.
 - b. Members may only serve one year term appointments, concurrent with the ASI Presidents term of office.
 - c. Members shall not take part in any campaign for or against any candidate(s) or ballot issue(s) during their term in office, with the exception of the right to vote.
 - d. Members who are a part of the same organization as a candidate running for office must disclose the information to the ASI Elections Committee Chair prior to their confirmation by the ASI Board of Directors (BoD). Failure to disclose any affiliated information will result in the immediate removal of a committee member.
 - e. Any person who is a member of the Elections Committee at any point during an academic year is ineligible to run within that same academic year.
 - f. Members may be suspended by the elections committee chair for violating elections policy.
2. Elections Committee Membership
 - a. Elections Committee Chair (may only vote to break ties).
 - b. A minimum of three (3) students not employed or already serving within ASI in any capacity.
 - c. Three (3) members of the ASI BoD.
 - d. Director of the Office of Student Engagement serving as an advisor (non-voting).
 - e. Director of Student Conduct and Ethical Development or their designee serving as an advisor (non-voting).
3. Elections Committee Responsibilities
 - a. Members shall administer and interpret the Elections Policy, and ensure the fairness of the election and the adherence by the candidates to the elections regulations established by the ASI BoD through the Bylaws and this policy.

- b. Members shall hear all formal complaints and render binding decisions concerning election disputes and violations related to Elections, the ASI Bylaws, and those applicable university rules and regulations.
- c. Members shall recruit students to run for office in the ASI Elections.
- d. At the direction of the Elections Committee Chair, the Elections Committee shall:
 - i. work with the ASI Productions Office to develop an elections marketing plan including a theme, materials, and key information designed to inform the student body about an upcoming election;
 - ii. make marketing presentations in classrooms and at club/organization meetings to publicize election information;
 - iii. recruit ASI members, who are not running in the elections, to help with election publicity and marketing;
 - iv. publicize voting information, election dates, election times, and election locations, no less than four business school days before each election.
- e. Prior to each general election, the Elections Committee Chair, with the assistance of the Elections Committee, will:
 - i. Establish timelines for applicants to make a formal declaration of candidacy and to file the online application form.
 - ii. Announce and publicize an open filing period of at least ten (10) business days (two calendar weeks).
 - iii. Prepare the Application for Elected Positions with ASI Office for potential candidates, to include files under section B of this policy and the following:
 - 1. Letter from the Elections Committee Chair with instructions on how to file for office;
 - 2. ASI Elections Policy
 - 3. General Elections Calendar
 - 4. Candidate Expense Forms

4. Elections Committee Chair Appointment and Tenure

- a. The elections committee chair shall be appointed by the ASI President and approved by majority of the ASI BoD.
- b. The tenure of office for the elections committee chair shall be one year, to be concurrent with the term of the President who appoints them. In the event of a vacancy, the ASI President may issue a non-renewable 30-day appointment to fill the position until an elections committee chair is approved by the ASI BoD.
- c. The Chair of Elections may not hold any other elected ASI office nor be eligible for election to any ASI office. They may not take part in any campaign for or against any candidate(s) or ballot issue(s) during their tenure in office, with the exception of the right to vote.
- d. The Elections Committee Chair is advised by the ASI Executive Director as well as a the ASI Advisor or their designee.

5. Elections Chair Responsibilities

- a. Serve as Chair of the Elections Committee.
- b. Be a non-voting, ex-officio member on the ASI Board of Directors.
- c. Administer the Elections Policy and ensure the fairness of the election and the adherence by the candidates to the elections regulations.
- d. Assist students in application process for ASI elections.
- e. Work with advisors to complete all requirements for the online voting system including ballot preparation, candidate statements and pictures, email alerts, request for voter information and institutional research data.

- f. Arrange for the preparation of all election materials including election packets, official publicity and marketing.
- g. Preside over all complaints regarding elections conduct, violations of the ASI Elections Policy and or applicable university policies and procedures.
- h. Maintain documentation of all Elections Committee agendas and minutes, including those that address election irregularities.
- i. Arrange for the secure handling of all election's materials, including confidential information.
- j. Coordinate requests for students needing special voting accommodations due to disability.
- k. Oversee the purchase, management and storage of all election-related supplies
- l. Be responsible for the proper training and instruction of election committee members particularly in proper election procedures and in facilitating a fair and unbiased violation process.
- m. Have the power, through the Elections Committee process, to conduct a formal hearing on any candidate charged with violating any section of this policy and all policies relating to ASI and all related university policies and procedures.
- n. Publicize and make available the guidelines and policies on campaigning, campaign publicity and posting relations pertinent to the elections process.
- o. Publicize the elections schedule and all necessary filing information through the official student newspaper and the ASI website, no later than the first day filing opens and run through the last day of elections.
- p. Be responsible for scheduling Elections Committee members to oversee various aspects of the elections process.
- q. Preside over the mandatory candidate orientation meeting, which is scheduled for the purpose of distributing and explaining the various elections rules and processes to candidates.
- r. Submit election results to the ASI BoD at the first meeting following the last day of voting. The results should be considered an information agenda item and shall serve as the confirmation of results of the ASI election.
- s. Be responsible for preparing and distributing the agenda, and distributing the minutes to the ASI Elections Committee and other relevant stakeholders.
- t. Ensure that permanent files of the minutes, election(s) results, and other historical information are kept by the ASI Office.

6. Elections Committee Meetings

- a. The Elections Committee shall meet weekly as voted upon by the committee during the regular semester.
- b. Quorum for the Elections Committee shall be:
 - i. At least four voting members present, including the Elections Committee Chair.
 - ii. At least one of the two advisors.
- c. Voting members of the Elections Committee may have no more than three unexcused absences from official meetings, hearings or other official Elections Committee obligations. Any member of the Elections Committee who has more than three unexcused absences from any Elections Committee meetings, hearings or other official Elections Committee obligations shall be considered as having vacated their seat on the Committee.

B. QUALIFICATIONS FOR CANDIDACY FOR AN ELECTED OFFICE

1. Academic Criteria
 - a. All students running for elected office must meet the academic qualifications set by the California State University Office of the Chancellor and in adherence to ASI policies to hold office.
 - b. A student must be regularly matriculated to the University, not through the College of Extended Learning, and currently attending classes at CSUSB.

2. Semester Units
 - a. Undergraduate candidates for office:
 - i. Must be currently enrolled on campus and have completed at least one semester prior to an election.
 - ii. Earn a minimum of 6 semester units during that election year
 - iii. Undergraduate students are allowed to earn a maximum of 150 semester units required for a specific baccalaureate degree objective, whichever is greater.
 - iv. Students holding over that number of units will no longer be eligible for ASI office. This requirement applies to candidates for ASI office and incumbent office holders.
 - b. Graduate and Credential candidates for office:
 - i. Must be currently enrolled on the campus and have completed at least one semester prior to an election.
 - ii. Graduate and credential students must be currently enrolled on the campus in a minimum of 3 semester units per term to be eligible.
 - iii. Graduate and credential students are allowed to earn a maximum of 50 semester units required for the graduate or credential objective, whichever is greater.
 - iv. Students holding over that number of units will no longer be eligible for ASI office. This requirement applies to candidates for ASI office and incumbent office holders.

3. Grade Point Average (GPA)
 - a. Undergraduate candidates for office:
 - i. Undergraduate candidates for office must maintain a minimum of 2.75 GPA in cumulative work as well as the semester prior to an election.
 - ii. In order to assume office, Undergraduate candidates must have achieved a 2.75 GPA during the semester in which they were elected.
 - iii. Candidates must be clear of any probation including academic and disciplinary cases for one semester prior to running for elected office.
 - b. Graduate and Credential candidates for office:
 - i. Graduate and Credential candidates for office must maintain a minimum of 3.0 GPA in cumulative work as well as the semester prior to an election.
 - ii. In order to assume office, Graduate and Credential candidates must have achieved a 3.0 GPA during the semester in which they were elected.
 - iii. Candidates must be clear of any probation including academic and disciplinary cases for one semester prior to running for elected office.

4. Student Conduct Criteria
 - a. Neither candidates nor incumbents may be on disciplinary probation.
 - b. Candidates running for an elected office must be in good standing with the University with no current or pending disciplinary action with Student Conduct and Ethical Development or the Department of Housing and Residential Education.

C. REQUIREMENTS FOR CANDIDACY FOR AN ELECTED OFFICE

1. Student Director (BoD Representative) Requirements
 - a. All BoD candidates must be a member of the college or major for the office which they are running; or must have filed a change of major with the Admissions and Records Office by petition deadline.
 - b. The Graduate Student BoD candidates must be enrolled in a graduate program.
 - c. The Housing Student BoD candidates must be residents in good standing under the Department of Housing and Residential Education. If at any time the student no longer resides within the Department of Housing and Residential Education, then that student shall have involuntarily resigned their position and the vacancy must be filled in accordance with the vacancy procedures of the ASI Bylaws.
 - d. Student-at-large BoD candidates may be any regularly matriculated student.
2. Petition for Elected Office (Application)
 - a. Candidates for offices shall be members of the Associated Students, inc. as defined in Article I, section 1 of the ASI Bylaws at the California State University, San Bernardino.
 - b. No member of the ASI can be a candidate for more than one office. In order to run for office and be placed on the ballot, students must submit an “Application for Elected Positions with A.S.I.” with the following completed forms to the office of Associated Students, Incorporated:
 - i. Candidate Application
 - ii. “Statement of Declaration” agreeing to all the responsibilities for their respective office as outlined in Article IV or Article III of the ASY Bylaws
 - iii. “Candidate Statement” of no more than 150 words that will be used as ballot information
 - iv. Elections Policy Acknowledgement Form agreeing to the regulations set forth on this policy and to a fair election
3. Filing as a Ticket
 - a. Applicants for ASI President and Executive Vice President will declare themselves as filing jointly for the respective positions, which will be known as a Ticket. The joint names of each Ticket will occupy one spot on the final ballot.
 - b. In the event of withdrawal or disqualification of either applicant on a Ticket, the remaining applicant shall have 5 business days from the time of being notified or the close of filing, whichever is later, to find a replacement. Failure to do so before the deadline will result in automatic disqualification from the ballot.
4. Mandatory Candidate Orientation
 - a. All candidates are required to attend a mandatory candidate orientation meeting. Failure to attend will result in the disqualification of the candidate from the ballot. Exceptions (class schedule, medical or other emergencies) can be made by the elections committee.

- b. The Elections Committee Chair along with the advisors to the Elections Committee will present candidates with an overview of the elections process including:
 - i. Current ASI Elections Policy
 - ii. The ASI Bylaws
 - iii. Current ASI minimum academic requirements
 - iv. Overview of Campaign Regulations
 - v. Overview of Conduct and Violation Procedures
 - vi. Overview of Expense Forms
 - vii. Online voting information including rules on candidate statements and timelines on the results reveal.
5. Verification to Hold Office (Certification of Results)
- a. Before a candidate can hold office, the academic and disciplinary criteria will be verified.
 - b. If the candidate does not meet the criteria outlined within this policy (including Spring Semester academic requirements) or has violated this policy, then the runner-up (provide all the criteria are met by this candidate) will be announced the winner up until the end of the academic semester of that election. Vacancies beyond the end of the academic semester of an election shall be filled in accordance with the succession plan in the ASI Bylaws.

D. ELECTION PROCEDURES

1. Determining Applicant Eligibility
- a. Applicant eligibility will be determined by the Elections Committee Chair in consultation with the advisors of the Elections Committee.
 - b. It is the ultimate responsibility of the applicant to ensure that they are eligible to run for and hold office.
 - c. The Elections Committee Chair will advise all applicants of their official determination of eligibility to run within one (1) calendar week of the close of filing.
 - d. Students are considered applicants from time of filing until eligibility for candidacy has been verified. They are then candidates until the elections results have been accepted by the ASI BoD. Verification process for eligibility shall be as follows:
 - i. All applications are submitted before the filing deadline to the Elections Committee Chair.
 - ii. Applications are submitted for Conduct Check and verified by the Office of Student Conduct under the Director of Student Conduct and Ethical Development.
 - iii. Applications are then submitted for academic verification to the Office of Student Engagement.
 - iv. Applications are then submitted to ASI for policy verification and the final check before an applicant may become a candidate. Upon determining eligibility, ASI will submit these applications to the Elections Committee Chair under the advisement of the Office of Student Engagement so that applicants may be informed of their status to run.
 - e. Should an applicant be determined ineligible to run due to a non-resolved grade or unit issue, they may file for an appeal for eligibility by contacting the Director of Student Engagement within 3 calendar days of being notified of ineligibility. The appeal may only be considered if a grade or unit load can be changed within 2 weeks.
 - f. All applicants must have paid ASI fees as part of their tuition in order to be eligible for candidacy.

2. Role of Office of Student Engagement
 - a. The Director of the Office of Student Engagement or their designee will serve as the advisor to the Elections Committee and Chair.
 - b. Meet with the Office of the Registrar prior to an election to determine students who are eligible to vote in an election and provide enrollment information to the campus department overseeing the ballot.
 - c. Determine academic eligibility.
 - d. Manage the balloting procedures both in person and electronically.
 - e. Provide timely and accurate election results to the University President, Vice President of Student Affairs, the ASI Advisor and the Executive Director of ASI.

3. Role of Office of Student Conduct
 - a. The Associate Dean of Students and Director of Student Conduct and Ethical Development or their designee will serve as an advisor to the Elections Committee and Chair
 - b. Ensure violations are assessed in an objective manner in accordance with this policy.
 - c. Determine conduct eligibility.

4. Timeline of Election Process
 - a. A General Election shall be conducted annually in accordance with current ASI Bylaws and Elections Policy.
 - b. Elections may only be conducted during the fall and spring semesters excluding the fall and spring breaks. Elections may not be conducted during final exam week of any semester.
 - c. Any amendments to the Elections Policy shall be made sixty (60) days prior to an election and approved by a simple majority of the ASI BoD.
 - d. All ASI Elections will be conducted over a two-day consecutive period concluding on the second day at 11:59pm (Pacific Standard Time).

5. Palm Desert Campus Elections
 - a. Palm Desert Campus (PDC) election will be conducted in accordance with the procedures set forth in this policy. The Elections Committee Chair will be responsible for the management of any elections process and the transportation of elections materials, from the Palm Desert Campus to the San Bernardino Campus.
 - b. Any campaigning on PDC will comply with this policy.

6. Voting Procedures for General Elections, Run-Off Elections, and Recall Elections
 - a. As a means to become a more sustainable corporation and for the purpose of making elections accessible to all students, elections and the casting of ballots shall be completed online.
 - b. For the purposes of this policy, ballots will be accessible electronically and by paper (only in the case of systematic failure) and will be kept with the Office of Student Engagement until after the election.
 - c. Electronic voting will take place in accordance with this policy and will conclude at 11:59pm (Pacific Standard Time) on the last day of an election. Ballots that are submitted after this deadline will not be counted towards the official count and will be considered invalid.
 - d. Students may cast their vote electronically through an approved administrative computing website approved by CSUSB Information Technology Services.

- e. Students in need of certain accommodations may choose to cast their ballot in person at the ASI Office (both at the San Bernardino and Palm Desert Campuses) on election days so long as they present their California State University, San Bernardino identification card (Coyote One Card) or a valid picture identification card.
- f. Any paper ballots that are used are to be alphabetized once they have all been cast. All ballots will be checked against the PeopleSoft rosters.
- g. Ballots without names and/or student identification number on them will not be counted.
- h. The Elections Committee Chair and Director for the Office of Student Engagement will oversee the vote count and confirm the results of the election. Results of an election shall be posted in a timely manner.

7. Vote Requirements for Candidates

- a. In order to be elected, a candidate running for executive office must receive a simple majority (50%+1) of the votes cast for the office in question. For the ASI BoD positions, the candidates receiving the largest number of votes will be elected.
- b. If no candidate for executive office receives a simple majority of the votes cast for the office in question, a runoff election will be held between the two (2) candidates receiving the largest number of votes in the general elections. In the case where there are only two (2) candidates and neither receives a simple majority (50%+1), the candidate receiving the largest number of votes shall be declared the winner.

8. Term of Office

- a. A term of office for all those elected in the general ASI election shall be in conjunction with one fiscal year (as defined by the University) immediately following their election and at the beginning of the following academic year, unless they resign or are removed according to established procedures. The candidate elected into office shall be known as “elect”.
- b. Anyone elected in a special election shall take office after the results of said election are certified and shall remain in office until the end of the fiscal year they are elected in, unless they resign or are removed according to established procedures.

9. Election Results

- a. Elections results may be obtained under the advisement of the Director of Student Engagement by the Elections Committee Chair following the close of voting.
- b. Election results shall be announced by the Elections Committee Chair at the Elections Reveal event held directly after the close of the official election period
- c. Election results will be posted outside of the ASI Office at both the San Bernardino and Palm Desert Campuses, on the ASI website, and electronically emailed to the student body.

10. Resolving conflicts between the ASI Elections Policy and Procedures, and the ASI Bylaws

- a. In the event of a conflict between the provisions of the ASI Elections Policy and Procedures and the ASI Bylaws, the ASI Bylaws shall take precedence over the ASI Elections Policy and Procedures.

E. CAMPAIGN REGULATIONS

1. Requirements and Restrictions

- a. Campaign materials or activities must be used or take place only during the time specified by the Elections Committee. It is the responsibility of the candidate to be knowledgeable of what can and cannot be done during the election period. Any questions should be posed to the Elections Committee Chair or Elections Committee advisors.
- b. The deliberate or innocent use of ASI and Student Union equipment and supplies is forbidden.
- c. Candidates cannot distribute materials in classrooms once class is in session without the professor's permission. It is up to the instructor's discretion to allow candidates to take class time for presentation.
- d. Candidates may not tamper with, remove, relocate, conceal or otherwise touch any other candidate's campaign materials including the reposting of an online image or post via a social media platform. Candidates are responsible for the actions of their Campaign Team. This section may be considered grounds for disqualification.
- e. No campaigning in the Pfau Library building. The intent of this provision is to prohibit campaigning, or, any related activities, in all areas of the Pfau Library building that include those areas which are being used as classrooms.
- f. No campaigning, or posting, or distributing of campaign materials may be done within fifty (50) feet of the San Bernardino campus ASI Office and five feet (5) from the Palm Desert Campus ASI Office).
- g. No candidate names shall be broadcasted over any AV equipment.

2. Campaign Expenses

- a. Campaign Spending Minimums and Maximums
 - i. The campaign expenses, fair market value, including donated or in-kind goods and services, for any candidate shall not exceed a maximum of (\$700) per individual candidate and (\$500) per individual candidate running on a ticket in a non-run-off election.
 - ii. The described campaign expenses shall not exceed (\$250) for run-off elections.
 - iii. Any cost associated with internet campaigning shall be included in the above caps.
- b. All candidates including those who have been elected into office must submit a financial report of campaign expenses by the deadlines listed in the election's timeline. Failure to submit any financial reports by the given deadlines may result in disqualification.
- c. Campaign expenses shall be carefully scrutinized by the Elections Committee.

3. Materials, Posting, and Advertising

- a. All posting and distribution of materials, billboards and other materials will be done in accordance with current university guidelines and policies.
- b. All campaign materials are subject to review and approval by the Chair of the Elections Committee.
- c. All posters and signs may not exceed 8ft. x 5ft. and must follow the restrictions addressed throughout this policy.

- d. A disclaimer must be on all campaign materials, including any social media posts or bios (this includes each individual online account) in 12-point font and read "ASI as a corporation does not endorse any candidate or ticket in the election". No other wording or variation is acceptable and will be deemed a violation.
- e. No campaign posting (on bulletin boards, walls, glass doors, etc.) in locations that strictly prohibit it.
- f. Food and beverage giveaways are prohibited.
- g. Campaigning at the Palm Desert Campus must follow university guidelines for that campus.
- h. Candidates may not post more than (1) one flyer per bulletin board on campus. Flyers or posters may not cover another candidate's flyer.
- i. Writing on windows of private cars with permission of the owner is allowed.
- j. No campaigning in any parking lots, this includes placing flyers on vehicles.
- k. No posting on glass, trees or painted surfaces especially lamp posts.
- l. Taping and chalking any campaign materials to sidewalk is not allowed.
- m. No staked signs may be used for campaigning (this includes wired signs or anything that goes into the ground).
- n. The issuance of any money or monetary equivalents that can be exchanged for real goods to potential voters as part of a campaign will be considered grounds for disqualification.
- o. All campaign materials must be removed by noon the next business day after the last day of voting.
- p. Candidates who use any social media electronic platforms such as unique pages for campaigning purposes must add the Elections Committee Chair to them. Failure to add the Elections Committee Chair to these platforms within 24 hours of their creation will result in the elimination of that platform use for that candidate.
- q. Candidates or their campaign teams may not use CSUSB academic based platforms to campaign such as blackboard, Coyote Connection, and MyCoyote.

4. Breach of Conduct

- a. Any candidate who is found participating, sharing or promoting false statements that damage another candidate's reputation or their campaign via online electronic platforms may be disqualified and be referred to the University for disciplinary action.
- b. The "liking", reposting or affirming of an online post that discriminates against protected classes is considered a violation.
- c. During its normal operations, inclusive of campaign activities, Associated Students Inc. follows the California Department of Fair Employment and Housing protections afforded to the following classes; race, color, religion (includes religious dress and grooming practices), sex/gender (includes pregnancy, childbirth, breastfeeding and/ or related medical conditions), gender identity, gender expression, sexual orientation, marital status, medical Condition (genetic characteristics, cancer or a record or history of cancer), Military or veteran status, National origin (includes language use and possession of a driver's license issued to persons unable to provide their presence in the United State is authorized under federal law), ancestry, disability (mental and physical including HIV/AIDS, cancer, and genetic characteristics), genetic information, Request for family care leave, Request for leave for an employee's own serious health condition, request for Pregnancy Disability Leave, retaliation for reporting patient abuse in tax-supported institutions, age (over 40) ("Protected Classes"). Associated Students Inc. neither supports or condones any derogatory or harassing comments made towards such Protected Classes. Any individual connected with Associated Students, Inc. and is found to make derogatory or harassing comments towards a Protected Class will be

separated from Associated Students, Inc. However Associated Students, Inc. does support open non -derogatory or non-harassing conversations directly regarding topics of issues dealing with Protected Classes.

5. Endorsements

- a. For the purposes of this policy, an endorsement is defined as support of any candidate for elected office. These endorsements can also be made on social media through a public posting or by sharing online content from a candidate. Following a candidate on social media, liking a status or commenting on a post is not considered an endorsement.
- b. ASI resources may not be used to endorse a candidate. ASI resources included things such as wages and social media platforms.
- c. Candidates running for re-election may use their current ASI titles on campaign materials so long as the ASI logo is not used.
- d. The current and past Associated Students, Inc. logo may not be used on candidate's campaign materials without prior approval from the Elections Committee Chair.
- e. Clubs and organizations may choose to endorse a candidate on their own terms without the candidate having prior knowledge.
- f. Candidates who falsify an endorsement will be disqualified.

6. Campaigning in on campus housing and the Santos Manuel Student Union

- a. Candidates may campaign at these locations so long as they adhere to all posting policies as set forth by the University and their individuals departments and/or buildings.

F. VIOLATIONS

1. Disqualification of a Candidate or invalidation of an election

- a. In order to ensure the fairness of an election, candidates will be subject to follow the rules within this policy. Failure to do so will result in a violation. The Elections Committee shall be sole determiner of whether or not a violation has occurred during the elections process.
- b. Candidates may be disqualified or an election may be invalidated by a two-thirds vote of the members of the Elections Committee.
- c. Any decision of the Elections Committee is final except those which result in the disqualification of a candidate or in the invalidation of an election. These decisions must be presented to the Board of Directors in accordance with the ASI Bylaws, Article VI, Section 2, paragraph B, subparagraph 1, 6 by the Elections Committee for review and final approval, unless in the case of a disqualified candidate, they waive, in writing, their right to review. If the BoD is unable to meet to render a decision on the disqualification of a candidate or invalidation of an election, then the decision (including any appeals) will be submitted to the Office of the Vice President for Student Affairs and Chair of the Elections Committee for review. Their decision is final.

2. Report of Violation

- a. If any candidate or student observes a candidate, ticket, or campaign team member violating the elections policy or university policies and procedures that govern student conduct, they are permitted to report the offense formally (in writing) to the Elections Committee.
- b. Formal complaints will be accepted through submission of an ASI Elections Violation Report Form found on the ASI website or in the ASI Office.
 - i. The ASI Elections Violation Report Form shall include the name of the individual filing the complaint, their contact information and the section of a policy that is believed to have been violated.
- c. The Elections Committee Chair and Advisors will make every effort to resolve any and all complaints or disputes informally. Candidates who run for office are expected to comply with all efforts to resolve complaints informally whenever possible.
- d. Failing to reach an informal resolution or if the candidate fails to comply with the informal resolution, the Elections Committee will convene and have the ability to resolve the complaint by any of the following procedures:
 - i. The Elections Committee may decide to hold a formal hearing within twenty-four (24) hours of receiving any formal complaint.
 - ii. The Elections Committee may also decide to dismiss complaints without a formal hearing or to hold a formal hearing at any time up until or at their next regularly scheduled committee meeting.
 - iii. If the complaint is against the Elections Committee Chair, that complaint should be filed directly with the ASI BoD at a scheduled meeting.
 - iv. The Elections Committee Chair will notify the Elections Committee, Advisors and candidates involved of the date and time of the formal hearing.
 - v. Both parties involved in the complaint may present pictures, eye witness accounts, or written statements at the hearing.
 - vi. Any and all evidence must be brought to the hearing to be considered during committee deliberations. The Elections Committee Chair will Chair the hearing and make sure that order ensues. If a candidate fails to maintain order during a hearing, the Elections Committee has the right to cancel the hearing, or to decide the complaint without the evidence that candidate would have provided.
 - vii. The candidate making the complaint will have the opportunity to present their complaint and evidence first (along with all their witness statements).
 - viii. Following the presentation of evidence from both sides, the Elections Committee will have the opportunity to ask questions and gather information from any persons present.
 - ix. Complainants will not use the elections hearing as an opportunity to question or challenge one another. The hearing is an opportunity for the Elections Committee to gather information on issues pertaining to the complaint in question only.
 - x. The Elections Committee may vote at any time to close the hearing and move into closed session for deliberations.
 - xi. The Elections Committee has the right to impose any or all of the following sanctions against an individual candidate, or ticket who is found to have violated the A.S. Elections Policy, university policies or procedures concerning student behavior:

1. Require an individual/candidate/ticket/campaign volunteers to refrain from any/all types of campaigning for a period of at least one hour, not to exceed a period of two weeks, prior to or during the course of an election (including during the hours of voting). Candidates will be given 2 hours to remove all campaign materials both physically and electronically.
2. Recommend to the ASI BoD that a candidate/ticket be disqualified from assuming office.
3. Recommend to the ASI BoD that the Presidential and/or specific ASI elections be declared null and void.
 - i. A special election would then be held in accordance with this policy and the ASI Bylaws.
- e. A candidate is free to campaign under the regulations of this policy up until a violation is officially issued with its specific restrictions.
- f. No “anonymous” violations will be accepted by the Elections Committee.
- g. The meeting of the Elections Committee shall remain open to the public.
- h. Deliberations of violations the ASI Elections Committee may be conducted in closed session pursuant to CA Education Code Section 89307

G. RECALL ELECTIONS

1. Recall Procedures

- a. Recall procedures shall take effect when a petition bearing the signatures of 15% of an office holder’s constituency is presented to the Elections Coordinator of the Elections Committee. In the absence of the Elections Coordinator, any member of the Elections Committee may accept the petition.
- b. The office holder being subject to recall may not replace themselves.

2. Petition Requirements

- a. Each petition must contain the printed name, signature and student ID number of all those signing the petition.
- b. Each petition must state who is being recalled and from what office he/she is being recalled. Petitions must contain the following statement: “We, the undersigned, declare under penalty of the perjury that we are members of this ASI office holder’s constituency, and that we wish to have this ASI office holder face a recall election.”

3. Elections Committee Responsibilities

- a. It will be the responsibility of the Elections Coordinator to notify the office holder that is being recalled, the ASI Advisor and the Office of Student Engagement. If there is not an Elections Committee/Elections Coordinator, the BoD shall appoint a temporary Elections Coordinator for the duration of the recall election.
- b. An election date shall be set by the Elections Committee, which shall fall within fifteen (15) to twenty (20) school days receipt of the petition. The date must fall within a regular academic semester - fall or spring (excluding the summer semester).
- c. The recall election shall be publicized by the committee as soon as possible, but it must be publicized at least five (5) school days after receipt of the petition.

4. Campaign Regulations

- a. All campaign regulations of the Bylaws shall be adhered to. Only those members of the office holder's constituency shall vote.

5. Ballot Procedures

- a. The ballot for the recall election shall contain the following provisions:
 - i. It shall state: "Shall (office holder) be recalled from the office of (office)? "Yes" "No"
 - ii. If a majority of the vote is "Yes", then the office holder shall be removed from the office immediately upon the announcement of the results.
 - iii. If a majority of the voter's vote "No", then the office holder shall be retained in office and shall not again be subject to recall for at least sixty (60) calendar days.

6. Recall Election Succession procedures

- a. The succession to an office successfully vacated by a recall election will be in accordance with the ASI Bylaws.
- b. If no candidate wins a majority, a run-off shall be held within one (1) week between the two (2) candidates who received the most votes