

ASSOCIATED STUDENTS, INC.
California State University, San Bernardino

BOARD OF DIRECTORS
AGENDA

November 24, 2020

12:00 p.m.

Location (Virtual Conferencing): <https://csusb.zoom.us/j/94808182706>

Virtual Conferencing in compliance with [CA Executive Order N-25-20 issued on March 12, 2020](#)

Call to Order

Roll Call

Approval of Minutes

Reports: Executive Officers, BOD Reps., Activities, BOD Committees, AS Committees, Campus Committees

Adoption of Agenda

Open Forum (5 minutes/speaker)

Guest Speaker

NEW BUSINESS:

BD 137-20 Discussion on Credit/No Credit and what it means to students: ASI's role in distributing information. (Discussion) (Moran)

BD 138-20 Revision of the ASI Elections Policy and Procedures. (Action) (Policy Committee) (First Reading)

ANNOUNCEMENTS

ADJOURNMENT



Associated Students Incorporated

CALIFORNIA STATE UNIVERSITY, SAN BERNARDINO

Elections Policy and Procedures

~~Adopted per BD 13-20 | February 11, 2020~~

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.

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.

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

a) The Elections Committee shall administer the Elections Policy and ensure the fairness of the election and the adherence by the candidates to the elections regulations.

b) **Membership.** The Elections Committee shall consist of

- i. **Elections Coordinator (non-voting).**
- ii. **Three (3) Board Members who are not seeking office or re-election confirmed by a majority vote of the filled BoD voting positions present at a BoD meeting. One of these positions shall be appointed as chair by the ASI BoD, an Elections Coordinator and up to four other members excluding Palm Desert (PDC) appointees.**
- iii. **Three (3) students at large not employed or already serving in a leadership role within ASI nominated by the ASI President or their designee and confirmed by a majority filled BoD voting positions present at a BoD meeting.**
- iv. **Director, Office of Student Engagement (non-voting Advisor)**
- v. **Director, Office of Student Conduct (non-voting Advisor)**

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c) **Committee Members.** ~~Committee members shall be appointed by the Elections Coordinator with a majority vote of the ASI BoD no later than the end of the winter quarter.~~ Committee Members may be suspended by the Elections ~~Coordinator Committee if any policy violations have been made for violating elections policy.~~ Elections Committee members at large are eligible to apply for Elections Coordinator if the position becomes vacant.

d) **Affiliations.** Members of this committee including the Elections Coordinator must not be affiliated with any of the candidates during the ASI Elections process. Members who are a part of the same organization as a candidate running for office must disclose the information to the ASI Executive Director prior to their confirmation by the ASI Board of Directors. Failure to disclose any affiliated information will result in the immediate ~~resignation~~removal of a committee member.

- e) **Responsibilities.** The role of the Elections Committee during the elections process is as follows:
- i. Administer and interpret campaign regulations as established by the ASI Board of Directors (BoD) through the Bylaws and this policy.
 - ii. Must meet either in person or virtually to rule on any violation of the Elections Policy and Procedures, whether submitted by the Elections Coordinator, a member of the committee or another student, faculty or staff. A simple majority is required to approve a violation and a record of this vote must be kept by the Elections Coordinator.
 - iii. In the event of the disqualification of a candidate or invalidation of an election, the Elections Committee ~~or Elections Coordinator~~ must present their decision to the ~~BoD for final review and approval~~ Dean of Students. In the case that the Dean of Students is not available, then the decision will be made by the Vice President of Student Affairs. The decision of the Dean of Students or VPSA is final.

2) Elections Coordinator

- a) The Elections Coordinator shall be a currently enrolled student hired by the ASI Executive Director, or their designee, ~~no later than the fifth (5th) week of the winter quarter.~~ In the event the Elections Coordinator is removed or resigns, the ASI Executive Director, or their designee is responsible for hiring a replacement.

~~a)b)~~ The hiring of the Elections Coordinator shall follow all hiring procedures as set forth by the ASI Executive Director.

~~b)c)~~ **Responsibilities.** The role of the Elections Coordinator is as follows:

- i. Set the timeline for every election in coordination with the Office of Student Engagement.
- ii. Advertise ~~for the open~~ positions of Elections Committee members ~~for both the San Bernardino and Palm Desert Campus.~~
- iii. Be responsible for the proper training and instruction of committee members particularly in proper election procedures and in facilitating a fair and unbiased violation process.
- ~~iv.~~ Report violations to the elections committee within 24 hours of a submitted complaint. A notice of receipt shall also be sent to the person submitting a violation.
- ~~v.v.~~ Publicize actions of the Elections Committee with regards to violations within 24 hours of the Committee's decision. All decisions made by the Elections Committee regarding violations are final except those resulting in the disqualification of a candidate or the invalidation of an election. These decisions will automatically be submitted in accordance to section A subsection 1e of this policy. ~~to the BoD for review.~~ Decisions made ~~by the BoD~~ are final.
- ~~v.vi.~~ Make timely and necessary reports to the BoD as needed regarding all aspects of the elections process.
- ~~vi.vii.~~ Publish election regulations and qualifications for the current election and make them available to all interested persons.
- ~~vii.viii.~~ Distribute and collect all petitions and qualifications sheets for candidates for all elected offices.
- ~~viii.ix.~~ Post all elections results. This posting shall include the number of votes received by each candidate.
- ~~ix.x.~~ In collaboration with the ASI Programming Department, coordinate and administer ~~all other election~~ activities. ~~or elections.~~
- ~~x.xi.~~ Provide written feedback to the BoD after the election regarding possible improvements for the following year.

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 ~~the~~ ASI policies to hold office. These criteria will be distributed with the elections packet.

b) **Matriculation Status.** A student must be regularly matriculated to the University, not through the College of Extended Learning, and currently attending classes at CSUSB.

c) ~~Quarter~~/Semester Units

i. Undergraduate candidates for office:

- i. Must be currently enrolled on ~~the~~ campus and have completed at least ~~two quarters~~ one semester prior to ~~the~~ an quarter in which the election is held;
- ii. Earn a minimum of ~~9 quarter~~ 6 semester units during that election year (~~an election year is defined as each summer session, as well as fall and winter quarters of school prior to an election~~).
- iii. Undergraduate students are allowed to earn a maximum of ~~225 quarter~~ 150 semester units ~~or 125 percent of the 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.

ii. Graduate and Credential candidates for office:

- i. Must be currently enrolled on the campus and have completed at least one semester ~~two quarters~~ prior to ~~an~~ the quarter in which the election is held.
- ii. Graduate and credential students must be currently enrolled on the campus in a minimum of 3 semester (~~4 quarter~~) units per term to be eligible.
- iii. Graduate and credential students are allowed to earn a maximum of 50 semester ~~75 units or 167 percent of the 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.

d) Grade Point Average (GPA)

i. Undergraduate candidates for office:

- i. Undergraduate candidates for office must maintain a minimum of 2.75 GPA in cumulative work as well as the ~~last quarter~~ semester prior to an elections.
- ii. In order to assume office, Undergraduate candidates must have achieved a 2.75 GPA during the ~~Spring Quarter~~ semester in which they were elected.
- iii. Candidates must be clear of any probation including academic and disciplinary cases for ~~two quarters~~ one semester prior to running for elected office.

ii. 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 ~~last quarter~~ semester prior to an elections.
- ii. In order to assume office, Graduate and Credential candidates must have achieved a 3.0 GPA during the ~~spring quarter~~ semester in which they were elected.
- iii. Candidates must be clear of any probation including academic and disciplinary cases for ~~two quarters~~ one semester prior to running for elected office.

2) Student Conduct Criteria

- a) Neither candidates nor incumbents may be on academic probation (including progress point and academic administrative probation) or 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.

3) Student Director (BoD Representative) requirement

- 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 involuntary 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.

4) ASI Requirements to Run for an Elected Office

- a) Candidates for offices shall be members of the Associated Students, Inc. as defined in Article 1, 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.
- c) 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/or the Department of Housing and Residential Education.
- d) 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 by the stated election application deadlines:
 - i. “Statement of Intent” agreeing to all the responsibilities for their respective office as outlined in Article IV (executive officers) or Article III (Board of Directors) and a fair election process

~~ii. A c“Candidate’s Statement”~~

~~iii. A Code of Conduct Pledge,~~

~~iv. Elections Policy Acknowledgement Form~~

- ~~“Petition for Student Office” (does not apply to write-in candidates) with the following rules:~~
 - ~~Executive Office candidates must complete a petition and obtain three hundred (300) student signatures. Students may only sign each candidate’s petition once.~~
 - ~~ASI BOD candidates (with the exception of the Palm Desert Campus Representative) must complete a petition and obtain one hundred and fifty (150) student signatures. Students may only sign each candidate’s petition once.~~
 - ~~ASI BOD candidates for Palm Desert Campus must complete a petition and obtain seventy five (75) student signatures. Students may only sign each candidate’s petition once.~~
 - ~~All signatures must be on the petition sheets that were included in the initial elections packet given to the candidates provided by the Elections Coordinator. Additional sheets will be provided solely by the Elections Coordinator as needed.~~
 - ~~All petitions must be returned to the ASI Elections Coordinator by the deadline stated in the Elections Timeline. No petitions will be accepted after the stated deadline. Candidates who fail to turn in their petitions by the stated time and wish to run for office must follow the procedures for write-in candidates.~~

~~k)c)~~ All balloted candidates for office must attend an election and candidate briefing. Special accommodations will be made for students who can prove they have a class during any of the briefings.

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~~1) Failure to Adhere: if a student fails to submit any of the forms as stated in section B sub-section 4 of this policy and would still like to run for office, then section B-subsection 5 of this policy will be admissible.~~

~~**Write In Candidates**~~

- ~~1) Write In candidates are candidates in the ASI election who did not meet the requirements as set in section B-subsection 4-d of this policy. Write In Candidates will not appear on the general election ballot.~~
- ~~2) To be considered as a write in candidate, the individual must turn in the following to the Elections Committee by the stated write-in candidate deadline:
 - ~~• “Statement of Intent” agreeing to all the responsibilities for their respective office as outlined in Article IV (Executive Officers) or Article III (Board of Directors)-~~
 - ~~• “Application for Elected Positions with A.S.L.”~~
 - ~~• “Candidate’s Statements”~~~~
- ~~3) Write in candidates must meet the criteria outlined for all candidates as stated in Section B of this policy.~~
- ~~4) Failure to adhere: if a student fails to submit any of the forms as stated in section B-subsection 5 of this policy, that student will have been determine ineligible to run for office for the upcoming election cycle.~~

~~6)5) **Verification to Hold Office (Certification of Result)**~~

- ~~a) Before a candidate can hold office, the academic and disciplinary criteria will be verified.~~
- ~~a)b) If the candidate does not meet the criteria outlined above within this policy (including Spring QuarterSemester academic requirements) or has violated anything within this policy, then the runner-up (provide all the criteria are met by this candidate) who will be announced the winner and assume office even after the academic quartersemester has concluded in which the election was held.~~

C. ELECTIONS PROCEDURES

1) Roles of the Office of Student Engagement (OSE)

- ~~a) The Director of the Office of Student Engagement or their designee will serve as the advisor to the Elections Committee ensuring that all violations are assessed in an objective manner and that all meeting minutes are documented.~~
- ~~a)b) Determine academic eligibility and notify prospective candidates of their eligibility to run for office.~~
- ~~b)c) Collect and store any ballots Manage the balloting procedures both in person and electronically.~~
- ~~e) Oversee the ballot count performed by Elections Committee for both the San Bernardino and Palm Desert Campuses.~~
- d) Provide timely and accurate election results to the University President, Vice President of Student Affairs, the ASI Advisor and the Executive Director of ASI.

2) Role of the Office of Student Conduct

- a) The (insert) will serve as an advisor to the Elections Committee ensuring that all policies are adhered to and violations are assessed in an objective manner.

2)3) Timeline of Election Process

- a) As Stated under Article II, Section 5 of the ASI Bylaws, the following statements are true:
 - i) A General Election shall be conducted annually in accordance with current ASI Elections Policy

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- ii) Elections may only be conducted during the fall, ~~winter~~, and spring ~~quarters~~semesters excluding the fall, ~~winter~~, and spring breaks. Elections may not be conducted during final exam week of any ~~quarter~~semester.
 - iii) All 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.
- ~~a) Applications for office in a general election must be available no earlier than the eighth (8th) week of winter quarter. The elections must be conducted between weeks four (4) and eight (8) of spring quarter.~~

3)4) Palm Desert Campus Elections

Palm Desert Campus (PDC) election will be conducted in accordance with the procedures set forth in this policy. The Elections ~~Committee~~Coordinator will be responsible for the management of ~~the any~~ elections process and the transportation of elections materials, from the Palm Desert Campus to the San Bernardino Campus.

- a) Any campaigning on PDC will comply with this policy.
- b) The Elections Committee, in collaboration with the PDC administration and the Office of Student Engagement, will coordinate the hiring of PDC students to be official poll workers (if needed) who also help to advertise the election.
- c) A minimum of one polling location will be set up at PDC with the same guidelines of this Policy.

4)5) Voting Procedures for General Elections, Run-Off Elections, and Recall Elections

- a) As a means to become a more sustainable corporation and for the purposes of making elections accessible to all students, elections and the casting of ballots shall be completed online.
- b) **Ballots.** 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 ~~ASI Office~~Office of Student Engagement until after the election ~~in which the Office of Student Engagement shall include those in the final elections count.~~
- 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 ~~the ASI~~(IT – INSERT) and the ASI.
- 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 ASI Elections Coordinator 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.

5)6) Vote Requirements

- 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 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.

67) **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.

D. 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.
- b. The deliberate or innocent use of ASI and Student Union equipment and supplies is forbidden ~~and will be deemed a level 2 violation (see Elections Committee Violation Procedure, Section E).~~
- 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 ~~is may be~~ considered ~~a level 4 violation 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. The time and place of the election and any polling place must be posted by Elections Committee no later than one week prior to the election dates. ~~All candidates will be required to sign a “Statement of Intent” form prior to campaigning for any election.~~
- h. No candidate names shall be broadcasted over any AV equipment. However, music can be played.

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.m
- 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 elections timeline. ~~Failure to submit materials will result in a level 1 violation. If elected into office the candidate will be prevented from holding office. 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, ~~which shall investigate and act on violations by disqualifying violators under provisions in Section E.~~

3. Materials, Posting, and Advertising

- a. Posters and Signs: All posters and signs may not exceed 8ft. x 5ft. and must follow the restrictions addressed throughout this policy.
- b. A disclaimer must be on all campaign materials, including any social media posts or bios (this includes each individual online accounts), 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.
- c. No campaign posting (on bulletin boards, walls, glass doors, etc.) in locations that strictly prohibit it as stated by a specific location or in the following locations: Student Affairs offices, or in Pfau Library building. No posting within 50 feet of Pfau Library building or polling locations.
- d. ~~All signs must be posted on campus proper — no off-campus posting. No off-campus campaigning (This does not include internet campaigning).~~
- e. Food and beverage giveaways are prohibited.
- f. Campaigning at the Palm Desert Campus must follow PDC posting rules. PDC posting rules can be found in the main PDC office building.
- g. Candidates may not post more than (1) one flyer per bulletin board on campus. Flyers or posters may not cover another candidate’s flyer.
- h. Writing on windows of private cars with permission of the owner is allowed. ~~An infraction of this rule is considered a level 1 violation (see Elections Committee Violation Procedure, Section E)~~
- ~~h.i. No campaigning in any parking lots, this includes placing flyers on vehicles.~~
- ~~h.j. No posting on glass, trees or painted surfaces especially lamp posts.~~
- ~~j-k. Taping and chalking any campaign materials to sidewalk is not allowed.~~
- ~~k-l. No staked signs may be used for campaigning (this includes wired signs or anything that goes into the ground).~~
- ~~l. No candidate or ticket will engage in advisement, administration or distribution of election material (e.g., ballots and electronic devices that can be used to cast a ballot).~~
- m. 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 deemed a level 4 violation (see Elections Committee Violation Procedure, Section E).
- n. All campaign materials must be removed by noon the next business day after the last day of voting.
- o. Candidates who use any social media electronic platforms such as unique pages for campaigning purposes must add the ASI Elections Coordinator to them. Failure to add the ASI Elections Coordinator to these platforms within 24 hours of their creation ~~will result in a level 1 violation.~~
- p. Candidates or their campaign teams may not use CSUSB academic based platforms to campaign such as blackboard, Coyote Connection, and MyCoyote.
- ~~p. Any candidate who is found participating in the slandering of another candidate or their campaign via social media electronic platforms will be disqualified and referred to the University for disciplinary action.~~

4. Breach of Conduct

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~~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. (Insert legal counsels statement)~~

4.5. Endorsements

- a. For the purposes of this policy, an endorsement is defined as support of any candidate for elected office.
 - i. 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. ~~No ASI resources may not be used to endorse a candidate. ASI resources included things such as wages and social media platforms, individual endorsements may be made by current ASI personnel, officer holders, or volunteers. If such endorsement is made, the candidate in question may receive a level 1 violation if they are unable to prove that the endorsement was made as a malicious attempt to harm the candidate (section E,4,d)~~
- c. ~~Candidates who are running for office and are incumbents running for re-election may state their use their current ASI titles on campaign materials current status with ASI so long as they do not use the ASI logo in their campaign materials is not used.~~
- ~~e.d.~~ The current and past Associated Students, Inc. logo may not be used on candidates campaign materials without prior approval from the ASI Elections Coordinator

~~d.e.~~ Clubs and Organization Endorsement of Candidates in the Election

- i. Clubs and organizations may choose to endorse a candidate on their own terms without the candidate having prior knowledge.
- ii. If a candidate wishes to use an endorsement on their own campaign materials, the candidate must submit an endorsement form to the ASI office no later than the last business day before campaigning begins in order to use endorsements on any printed campaign material (with the exception of social media for which the form will be accepted 24 hours in advance of each post). Endorsement forms will be available ~~to pick up~~ in accordance with the election packet disbursement.
- iii. Candidates who fail to file an endorsement form or falsify an endorsement, will be faced with a ~~level 1~~ violation. ~~(see Elections Committee Violation Procedures, Section E).~~

5.6. Campaigning at on campus housing locations and the Santos Manuel Student Union.

a. Posting Accountability

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. ~~Candidates who violate these policies will be given an automatic level 1 violation and further consequences will be at the discretion of the Elections Committee or Board of Directors.~~

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E. VIOLATIONS

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.

1. Disqualification of a Candidate or invalidation of an election

- a. Candidates may be disqualified or an election invalidated for a violation of the Elections Policy by a two-thirds vote of the members of the Elections Committee.
- b. 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, he/she/they waives, in writing, his/her/their right to review.
- ~~b.~~ 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 for review. The decision of the VPSA is final.

2. Report of a violation

- a. Any report of a violation by a student, faculty, staff or candidate must be submitted to the Elections Committee in the form of a signed statement within (24) hours after the violation took place or was identified (except Saturdays, Sundays, or campus holidays) on a Elections Violation Report Form. ASI Elections Violation Report Forms can be found in the ASI office online during an election cycle.
- b. Violation hearings will be carried out within twenty-four (24) hours after the Elections Committee receives the violation form. If violation is not issued within 24 hours, then that violation in question will become invalid. Violations that require extensive investigations may be excluded from the (24) hour rule as long as the candidate in question is not issued a violation and are informed within (24) hours of the necessity for an extensive investigation. Extensive investigations for a particular violation may not be carried out for over (72) hours.
- c. Decisions on Level 1 and 2 violations 24 hour suspensions can be made by the Elections Coordinator without consultation of the Elections Committee so long as the candidate in question is given an opportunity to justify their action. A candidate in question may only avoid a level 1 and level 2 24 hour campaign suspension violation if an only if they can prove that there was no clear violation of any policy.
- d. If the policy is unclear, and/or the ASI Elections Coordinator cannot properly interpret the policy to the level 1 and 2 violation at hand, then the Elections Coordinator will move the action to the Elections Committee and make a decision by majority vote.
- 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.
- ~~f.~~ h. Deliberations of violations the ASI Elections Committee shall be conducted in closed session pursuant to CA Education Code Section 89307.

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3. Election Policy Code Violation Penalties

The Elections Committee has established the following Election Violation Penalties which ~~will can~~ be levied against candidates who are judged to be in violation of the spirit or ~~law-breach~~ of the Elections Policy. The purpose of the penalties ~~is-are~~ to encourage fairness throughout the election for all candidates.

- a. ~~Level 1 24 hour campaign suspension; up to 1 day campaigning suspension~~ candidates will have 2 hours to remove all posted campaigning materials on campus and online.
- b. ~~Level 2 48 hour campaign suspension; from 1 to 4 days campaigning suspension~~—candidate will have 2 hours to remove posted all campaigning materials on campus and online.
- ~~c. Level 3; from 4 days to 1 week campaigning suspension, candidate will have 2 hours to remove all posted campaigning materials on campus and online.~~
- ~~d. c. Level 4; Disqualification from Election.~~

4. Election Committee Rules Violation Procedure

- a. The Elections Committee has the authority to levy penalties as it deems appropriate in the order listed. If a candidate engages in misconduct or violates their Statement of Intent or Code of Conduct Pledge, the Elections Committee may assess a higher-level penalty.
- ~~b. All suspensions (including those level 1 and level 2 violations decided by the Elections Coordinator) will be set by the Elections Committee (e.g. days and times) in writing. This cycle will continue until either the candidate complies or is assessed a Level 4 penalty. All rulings will be notified to the candidate email, phone or in person, depending on the circumstance and time of day.~~
- ~~e. b. The election penalties may be progressive as deemed necessary by the Elections Committee based on the offense. On the first offense, a candidate will be assessed the level one penalty. On the second, a level two and so on. This will hold until the fourth violation, when the candidate may ultimately be removed from the election.~~
- ~~d. c. Before a violation is given, the candidate in question will have an opportunity to justify their action and be given an opportunity to elaborate on why they believe a violation was invalid. The decision of the Elections Committee is final.~~

F. 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 himself/herself.

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 ~~quarters~~~~semester~~ - fall, ~~winter~~, or spring (excluding the summer ~~quarters~~~~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:
- b. It shall state: "Shall (office holder) be recalled from the office of (office)? "Yes" "No"
- c. 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.
- d. 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.
- ~~d. Refer to Section C: 7, for more information on ballot procedures during a recall election.~~

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

7. 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.

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