IR 302
Amended Election Code

WHEREAS: The Associated Students Inc. at California State University, Bakersfield’s election code need to be constantly reviewed and revised to reflect the changing needs and interests of the students; AND

WHEREAS: The changes made will reflect the ASI elections; AND

WHEREAS: the ASI Election code must remain current to reflect the governance of the organization and its relationship to the University; THEREFORE LET IT BE

RESOLVED: The ASI Board of Directors approve the following changes to the ASI Election Code to change the process of hiring Election coordinator.

1. The Department of Student Affairs hires ASI Election Coordinator.
2. Election Coordinator should not be part of ASI or a former ASI member within the last four years.
3. Vice President of Student Affairs is added to the Grievance Committee

Approved by the Board of Directors 5/3/2013

Approved by:

_______________________________  ________________________________
Sahro Nur, Executive Vice President  Hernan Hernandez, President
All student representatives must be matriculated at the university maintaining an on-campus 2.5 grade point average (GPA) each term and not be on probation of any kind (California State University Minimum Academic Qualifications for Student Office Holders Policy; hereafter referred to as CSU Policy).

A. Incumbent Unit Load
   Undergraduate incumbents must earn 6 semester or 9 quarter units of credit per term while holding office. Graduate and credential students must earn 3 semester or 4 quarter units of credit per term while holding office.

B. Incumbent Maximum Allowable Units
   Undergraduate students are allowed to earn a maximum of 150 semester or (225 quarter) units or 125 percent of the units required for a specific baccalaureate degree objective, whichever is greater. Graduate and credential students are allowed to earn a maximum of 50 semester (or 75 quarter) units or 167 percent of the units required for the graduate or credential objective, whichever is greater. Students holding over that number of units will no longer be eligible for major student government office.

C. Candidate Unit Load
   Undergraduate candidates must maintain 6 semester or 9 quarter units per term while running for office. Graduate and credential student candidates must maintain 3 semester or 4 quarter units per term while running office.

D. Candidate Residency
   Undergraduate candidates for office must have been enrolled on the campus and have completed at least one semester or two quarters prior to the election, earning a total of 6 semester (9 quarter) units during that year. Graduate and credential candidates for office must earn 6 semester (or 9 quarter) units per term of continuous attendance as a new graduate or credential student to be eligible. Graduate and credential students who received a bachelor's degree or credential within the past three years from the same campus must have earned a total of 12 semester (18 quarter) units during their last year as an undergraduate to be eligible.

E. The qualifications of the candidates shall be verified through the ASI Administrative office.

F. Under extraordinary circumstances the campus president may make an exception to the requirements for units load, maximum allowable units, residency and GPA (CSU Policy). All written requests for extraordinary exceptions must be made by the close of the filing period to the Vice President of Student Affairs who will consult with the campus president for exception.

PART II. ELECTED OFFICERS AND TERM LIMITS

A. There will be one general election in each academic year, to be held during spring quarter.

B. The following executive officers shall be elected by the entire student body:
   1. President
   2. Executive Vice President
   3. Vice President of External Affairs
   4. Vice President of Finance
5. Vice President of Programming and Publicity

C. The following directors shall be elected from the students within their respective schools/grade level:

1. Two School of Natural Sciences, Mathematics & Engineering
2. Two School of Social Sciences and Education Directors
3. Two School of Business and Public Administration Directors
4. Two School of Arts and Humanities Directors
5. Two General Studies Directors
6. Two Housing Directors
7. One director per every 700 students in their respective (Lower Division, Upper Division and Graduate) levels. Any partial amount of students in their respective levels which surpasses the minimum of 700 students, but does not total an additional 700 students, shall not have an additional director.

D. Candidates shall not run for more than one office during an election (pursuant to Article II, Section 4, Clause 2 of the Bylaws).

E. No member shall hold more than one (1) elected or appointed position in ASI simultaneously. Membership on a committee is not considered holding office.

F. A majority of all votes cast for a position shall be necessary to elect executive officers.

G. Positions for Directors representing the academic schools/grade levels shall be elected by a plurality of all votes cast for each office by the constituency of which the office is to represent.

H. Board members shall serve a one-year term beginning at noon on the first Tuesday after the Spring Quarter final exams have concluded

I. No member shall serve more than two (2) consecutive terms in any single or elected or appointed position and no more than a total of six years of elected or appointed service within ASI (pursuant to Article II, Section 4, Clause 1 of the Bylaws).

PART III. ELECTION ADMINISTRATION

A. The Associated Students, Inc. election process shall be overseen by an Election Coordinator, with the assistance of an Election Grievance Committee, if and when necessary.

B. The Election Coordinator shall:

1. Be hired by the Department of Student Affairs.
2. Election Coordinator should not be part of ASI or be a former ASI member within the last four years.
3. Set the date of the annual spring election with advisement from the Associated Students Inc. Executive Director.
4. Enforce the Election Code.
5. Prepare the candidate nomination packet.
6. Certify through the ASI Executive Director the qualifications of all potential candidates.
7. Conduct the Election Orientation in conjunction with the ASI Executive Director.
8. Submit to the student newspaper a complete list of candidates, their perspective offices, and all candidate statements for publication.
9. Be responsible for all facets of advertising the filing period and election process through all available means of advertising.
10. Organize and coordinate all election events.
11. Work with and develop all necessary information for the on-line election coordinator for the purpose of designing the on-line election process.
12. Act as the Chair of the Elections Grievance Committee to hear all complaints concerning election violations.
13. Responsible for maintaining complete documentation or all written records pertaining to the election process. Following the election process the records shall be kept for a minimum of 3 months.
14. Maintain public neutrality in regard to any candidate in the election.
15. Not run for an office or campaign for any candidate.
16. Have the right discuss election issues in privacy.
17. Be responsible for notification and promotion of the election process utilizing all available means of media. The notice shall set forth the dates of the election, the purpose of the election, and the hours during which voting will be open.
18. Announce the conditions and dates of Run-off Elections at the time that any election is invalidated, and shall specify whether additional candidates or provisions may be added to or removed from the specific ballot, and the conditions under which they may be added or removed.
19. Collect and certify all income and expense records of candidates.
20. Be compensated upon satisfactory completion of the entire election period.

C. Grievance Committee:
1. In the event of a grievance, a special grievance committee to hear grievances shall be comprised of:
   a. Election Coordinator
   b. ASI Executive Director (or designee)
   c. Director of Student Union and Organizational Governance (or designee)
   d. Student Conduct Coordinator (or designee)
   e. Three students-at-large (appointed by the Election Coordinator who are not members of ASI)
   f. Vice President of Student Affairs.
2. Four members of the Grievance Committee must be present to conduct business.

PART IV. PRE-ELECTION REGULATIONS

A. Filing Procedure
1. The filing period for ASI annual elections shall commence for ten (10) school days during the spring quarter and end before the launch of the campaign process.
2. Prior to the close of the filing period, each candidate shall:
   a. Complete an application to run for office with a list of fifteen student signatures supporting the respective candidacy.
   b. Sign a statement confirming his or her intention to run and also certifying that the candidate has read and understood the Election Code.
3. Each candidate will meet all requirements for running and holding office as stated in Section I of this Election Code. Eligibility will be verified by the ASI Executive Director and will inform the Election Coordinator of eligible and non-eligible candidates.
4. An applicant is declared a candidate upon receiving written notification of his/her eligibility and upon the conclusion of his/her attendance at the mandatory candidates orientation meeting.
B. Mandatory Candidates Orientation Meeting  
1. All candidates shall be required to be present at the orientation meeting immediately following the close of the filing period.  
   a. If a candidate is unable to attend the mandatory candidate meeting because of extenuating circumstances, a make-up meeting will be held by the Election Coordinator.  
   b. Late arrive to, or early departure from, either meeting will result in the candidate’s disqualification, unless extenuating circumstances, as determined by the Election Coordinator, prevented full attendance.  
2. The agenda of the mandatory and make-up candidates meeting will be:  
   a. Roll Call  
   b. An explanation of the Election Code with a question and answer period.  
   c. Collection of the List of Campaign Workers Form  
   d. Distribution of the Income and Expense Form  
   e. Overview of Ethical and Truthful Campaigning  
   f. Clean Campaign Pledge  
   g. Repeat of Roll Call  
   h. Formal Adjournment  
C. Campaigning  
Definition: Is an organized, planned action, verbal or written or digital medium, for the purpose of electing a particular candidate and is defined as anything that may be perceived by human senses in order to influence the vote of any student.  
1. Campaigning shall commence for nine (9) school days during the spring quarter following the adjournment of the orientation meeting.  
2. No candidate may campaign until after an orientation meeting has been completed. All candidates shall conduct their campaign in accordance with the provisions of the entire Election Code and with regard for the principles of truthful and ethical campaign practices. All campaigning shall be the exclusive duty and responsibility of the candidate, and his/her campaign workers.  
3. The campaign period will be from the close of the mandatory candidates meeting until the election voting closes. If not in attendance, campaigning may begin once the candidates meeting has occurred. Any campaigning before this time is grounds for disqualification.  
4. Candidates may discuss their opponents’ relevant professional history/qualifications while campaigning but they may not include any personal matters regarding their opponent nor may they make false or slanderous remarks. It will be left up to the discretion of the election coordinator and/or the grievance board to decide what language and campaign etiquette is considered appropriate.  
5. Approval of campaign material is necessary. If the campaign advertisement is in violation of this Code, the Election Coordinator could rule to remove the material.  
6. All candidates must remove all of his/her posted campaign material by noon of the second school day following the last day of voting in the election.  
7. Permitted Campaign Activities  
   a. Candidates may use posters, flyers, banners, buttons, social medium or any other form of advertising that is not otherwise prohibited by this Code.  
   b. Every election sign, poster, banner, badge, tee-shirt, flier, balloon, etc., must have a candidate's name on it.  
8. Campaign Posting Policy
a. Only thumbtacks or staples may be used to post items on bulletin boards. If another method is used that results in damage to a bulletin board surface, the candidate will be subject to liability for any resulting expenses.
b. Only “Blue” Painters Masking tape may be used for posting on non-bulletin board surfaces. Campaign material that does not utilize the blue painters masking tape is subject to immediate removal and candidates will be liable for any resulting damage.
c. Handbills/circulars may not be placed on parked vehicles on campus
d. Approved Posting Areas
   i. Material **MAY** be posted on the following designated surfaces only:
      1) Bulletin Boards in Dorothy Donohoe Hall and all non-designated bulletin boards within campus buildings
      2) Textured Bulletin Board Walls
      3) Kiosks
      4) From railings in Dorothy Donohoe Hall
      5) From railings in Science Building I
      6) Bulletin Boards in the Physical Education Building (when approved by the Athletics Department office)
      7) Wooden boards located in Admin West, Cafeteria, Admin East
      8) Railings along the east side of the modular buildings
      9) Fences along the entrances to campus, but as not to obstruct vehicle vision
      10) On non-stucco building walls but only with the use of “blue” painters tape and absolutely NO posting on the Science III building.
   ii. Materials **MAY NOT** be posted in/on the following:
      1) Bathrooms
      2) Cars
      3) Trash Cans
      4) Trellises
      5) Windows and mirrors
      6) Doors of any type
      7) Cafeteria - neither inside nor outside, except on the kiosks and wooden board outside the cafeteria.
      8) Employee-related bulletin boards
      9) Trees - Shrubs, etc.
      10) Structures not designated as approved areas
      11) Absolutely no posting to the outside of the Science III building
   iii. Additional Approval Areas (written approval required)
      1) Athletics areas are approved by the Athletics Business Office
      2) Departmental Boards/Mailrooms are approved by the Department’s Office
      3) Business Development Center area is approved by the Dean of Business and Public Administration
      4) Student Health Center is approved by the Health Center
      5) Student Union Bulletin Board is approved by the Student Union Director
   iv. Housing Publicity Policy
      1) All campaign material must be stamped by Housing.
      2) Campaign posters are allowed in the Dining Commons in the front area
      3) No postings are allowed in the mailbox area or beyond
      4) No postings may be placed over existing advertisements or postings, on entrance doors, or on the housing office front desk window
5) Campaign material must be taken down promptly following elections
6) Items MAY NOT be posted on the following: • Windows and mirrors • Doors of any type, including the door knob • Trash cans • Trellises • Exterior wall of any building
7) Materials may NOT be distributed in the following manner: • Slid under doors • Placed in mail boxes • Displayed on signs staked in the ground • Door-to-door solicitation.
8) No postings are allowed in or on the Residence Halls.

9. Digital Campaigning
Digital campaigning is allowed. However, the following rules will apply:
a. Candidates cannot send unsolicited emails/correspondence to individual students, student groups, or student organization members.
b. Campus computing resources e.g. MyCSUB, campus websites, CSUB networks can not be used for campaigning regarding any candidate.
c. Internet resources may be used if they do not impede the educational process of any student, or violate any California Educational Code, CSU Policy, and/or local, state or federal laws, ordinances or regulations.
d. The use of social media is acceptable as long as the posting is related only with regard to the candidate him/herself, and does not discuss another candidate.

10. Campaign Events
a. Candidates are encouraged to be creative with their campaigning, however, all campus procedures must be followed, including but not limited to, reservations, facilities, student resource center, etc.
b. Approval for campaigning events must be given by the Election Coordinator and a copy of approved events must be kept on file. This includes events hosted by the candidate and/or clubs organizations approved by the candidates.
c. No campaigning may take place at a campus event unless it is an approved campaign event.

11. Prohibited Campaign Activities
a. Nothing shall be posted as to obscure previously posted, properly placed materials.
b. A candidate's name may not appear on a sign without his or her permission.
c. ASI employees shall maintain public neutrality in regard to any candidate the election.
d. Advertising or campaigning which interferes with classes (unless with the instructor's permission) or usual university business or endangers persons on campus.
e. No campaigning in the library or in any Computer Lab.
f. Candidates may not use the ASI LED sign
g. Candidate may not use portable electronic devices (ie, laptops, internet capable phones, PDAs, etc. to solicit votes during the voting period.
h. Any form of publicity defacing university property shall be prohibited. Examples of defacing include, but are not limited to, the use of nails and thumbtacks, and paint on walls and buildings.
i. For the purpose of regulating campus elections, campaigning shall not occur outside the limits of the campus, except via internet. The limits of the campus shall include not only the campus property, but also all parking lots, residence halls and roads through the campus.
j. The use of any external audio devices (ie. Bullhorns) for campaigning shall not be allowed.

D. Violations
1. Minor Violations
a. Improper posting/advertising
b. Unsolicited emails or text messages
c. Failure by candidate or their volunteers to correct any violations by the specified time
Campaign workers list not updated
Other violations deemed minor by the Election Coordinator/Committee

2. Major Violations
   a. Removing or defacing other candidates information
   b. Falsifying or fraudulently reporting campaign receipts
   c. Failure to submit the Campaign Income and Expense Form by the stated deadline
   d. Two or more minor violations which include the same violation repeatedly or separate minor violations
   e. Harassing students, candidates or other campaign workers
   f. Encouraging, aiding, or abetting any student to cast a fraudulent vote
   g. Sending email or text message blasts using campus information resources
   h. Making false or slanderous remarks/discussing personal matters of another candidate.
   i. Failure to remove campaign material following election by the deadline.
   j. Other violations deemed major by the Election Coordinator/Committee

3. Sanctions
   The Election Coordinator will review all Violation Petitions and determine if the violation is a minor or major violation and make recommendations accordingly. If a hearing is determined to be necessary, the Election Coordinator will call a hearing of the Election Grievance Committee.
   
a. Possible sanctions for proven minor violations include but are not limited to the following:
      i. Correction of minor violation
      ii. Campaign restrictions such as removing all advertising for 2 school days.
   
b. Possible sanctions for proven major violations include but are not limited to the following:
      i. Campaign restrictions such as: removing all posters for 4 or more school days
      ii. Loss of campaigning privileges for 5 or more school days such as: passing out handbills, hanging posters/flyers, or participating in any Election event.
      iii. Dismissal of a candidate from the election

   c. Should the Election Grievance Committee find a candidate to be culpable of a violation of the Election Code and the candidate does not fulfill the sanction, the candidate may be referred to the Office of the Student Conduct Coordinator for possible violation of the CSUB Student Code of Conduct.

4. Reporting Violations
   Allegations of any violations of the Election Code may be presented to the Election Coordinator by filing a “Violation Petition” at any time during the day up to noon the day following the closing of the election polls.
   
a. Petitions must be completely filled out, signed, and submitted to the Election Coordinator via the ASI Administrative Office.
   b. Petitions will be brought to the immediate attention of the Election Coordinator.
   c. The Election Coordinator will review the petition within 24 hours (one school day). Review by the Student Conduct Coordinator may be deemed necessary by the Election Coordinator.

5. Violation Resolution
   The respondent will be informed via telephone, text, and email of the alleged violation within 24 hours (one school day) of the Election Coordinator verifying that the petition is completed.
   For a minor violation allegation s/he will be provided with:
   
a. Details of the alleged violation
   b. Suggested corrections of the violation if it is a minor violation.
   c. Timeline for violation correction
For a major violation allegation s/he will be provided with:

a. Details of the alleged violation
b. Suggested corrections of the violation
c. Potential sanctions for a major violation
d. If a hearing is deemed necessary, date, time, and place of hearing. Such hearing shall take place not less than 24 hours from the date of the Notice of the Hearing.
e. The complainant will be informed via telephone, text, and email of the upcoming hearing.

6. Hearing Procedures

a. Hearings of the Grievance Committee are open to the public.
b. Deliberations of the Committee shall be conducted in closed session
c. The Committee will vote on the decision regarding complaints in public session.

7. Decisions

a. The respondent and complainant will be notified of the Committee’s decision in person if time permits. However, both will be notified via phone immediately following the meeting and then in writing, within 24 hours of the Committee’s decision. A written decision will be held at the AS Administrative Office for pick up by the candidate.
b. The decision of the Committee will be signed by the Election Coordinator and the Vice President for Student Affairs.
c. After the respondent and the complaint have been notified of the Committee’s decision, the decision will be posted on the AS bulletin board.

8. Appeals Prior to Election Announcement

If the complainant is unsatisfied with the Grievance Committee ruling, s/he can appeal to the Vice President of Student Affairs who will review the ruling. The decision of the Vice President of Student Affairs is final.

E. Campaign Expense Limits

1. All candidates must turn in an income and expense report to the Election Coordinator listing all expenses and donations the day following the final day of the election.
2. A $300.00 limit shall be placed on campaign spending and donations combined for each candidate. Receipts or copies of receipts for each itemized expenditure must be attached to the campaign income and expense report form.
3. Any in-kind donation must be listed on the income and expense report form at the retail value of the in-kind donation.
4. Failure to hand in the income and expense form by the due date can result in disciplinary action including but not limited to disqualification.

F. Campaign Election Forum

1. The Election Coordinator shall set the date and time of the Election Forum to take place prior to the election and during the campaign period.
2. The Election Coordinator shall organize the Election Forum and be present to mediate the forum.
3. The Election Forum shall be held so that all candidates have an opportunity to introduce themselves to the student body and to discuss/debate student-determined issues.
4. The candidates will answer and discuss questions presented by the elections coordinator. Debate questions may be submitted by students via internet or the ASI office.
5. Additional rules and regulations of the debate shall be determined by the elections coordinator with assistance from the ASI Executive Director.
PART V. VOTING

A. Election Dates/Times
   1. The annual election shall be held during the 8th and 9th days of the campaign period.
   2. Election dates for Run-Off Election shall be for a minimum of two (2) consecutive school days the week following the general election.
   3. Polls shall be accessible online for 24 hours each day of the election, beginning at 9:00 AM on the first day continuing until 9:00 PM on the final day.
   4. If unforeseen circumstances require that the election be postponed, then the Grievance Committee shall choose the most appropriate dates for an alternate election.

B. Voter Eligibility
   1. Any person duly registered, and currently attending, as a student at California State University, Bakersfield who has paid the membership fee is a member of the Associated Students of California State University, Bakersfield.
   2. All members shall hold equal voting rights.
   3. All students may vote for only one candidate for each of the positions.

C. Election Day
   1. Elections will be held ONLINE, students must check their preferred email which is on file with the university to vote.
   2. On election days, candidates are permitted to continue campaigning. However, candidates may not campaign in the immediate vicinity of someone who may be voting or about to vote. This includes all campus computer labs.
   3. Candidates may not use portable electronic devices (ie, laptops, internet capable phones, PDAs, etc.) to solicit votes during the voting period.
   4. Any student who attempts to tamper with or defraud the voting process shall be reported to the Office of Student Conduct and will be subject to disciplinary action up to and including expulsion from the University.

D. Run-Off Election
   In the event of a tie vote of two or more candidates for the same elected office, or if no candidate for an executive office receives a majority of the vote, the Coordinator shall publish the date of a Runoff Election between the candidates who received an equal number of ballots or the two candidates who received the most votes.
   Run-off Elections shall:
   1. Commence on the following Wednesday and Thursday after the General Election
   2. Adhere to the same regulations as prescribed by this Code for General Elections.
   3. Allow campaigning as is approved for any General Election with an additional campaign expense allowance as is allowed for the General Election.

E. Referendum/Initiatives
   1. All Referendum or Initiatives to be placed before the student body that affects the Associated Students, Inc. fees, governing or legal structure shall be approved first by Associated Students, Inc. Board of Directors with a two-thirds (2/3) affirmative vote of all eligible voting members of the board.
   2. These elections shall be held as needed.
   3. They shall be held during a regular election whenever possible.
   4. These elections shall be for a yes/no vote unless otherwise approved by the Board of Directors.
5. The result of the ballot referendum/initiative shall be determined by a two-third (2/3) majority vote unless otherwise specified.

6. Procedures for establishing or adjusting ASi fees by referenda must follow those procedures outlined in CSU Policy.

F. Special Elections shall occur after ten (10) percent of the directors' constituency signs a petition requesting a Recall Election. Any executive officer may be subject to recall upon a petition signed by ten (10) percent of the total members of the Association. After the Grievance Committee verifies the names on the petition, the President or ASi Board shall call a special election within fifteen (15) legal days (pursuant to Article VI, Section 2 of the ASI Bylaws).

PART VI. POST ELECTION REGULATIONS

A. Ballots are recorded and counted electronically

B. Ballots or sections of ballots shall be voided if voting instructions are violated

C. Votes shall be tabulated and recorded at the close of the polling process.

D. The election results shall be recorded by the Election Coordinator.

E. The results shall be posted and marked "unofficial" for 48 hours (two school days) or until such time as all election grievances have been resolved.

F. The names of the winners shall be posted on ASI bulletin boards and outside the ASI office. The results will include:
   1. Total votes for each candidate and their respective percentages of votes
   2. Designation of winners
   3. Signature of the Election Coordinator.

G. All elections are final and require no Board of Directors' approval.

H. Candidates are responsible for the removal of all posted campaign materials within 24 hours of the completion of the polling in their respective elections. If campaign material is not removed, sanctions will be imposed including but not limited to facilities management removal and charging the candidate an appropriate rate for removal.

PART VII. APPROVAL AND AMENDMENTS

A. This Code must be approved and amended by an approved two-third (2/3) vote of the Board of Directors before it can become effective.

B. Local, state and federal laws, CSUB policies and the ASI Bylaws shall take precedence in the event of a conflict with this Election Code.

(rev. 3/00; 11/16/01; 4/12/02; 9/04; 3/05; 3/07/08; 4/11/2011; 5/3/2013)