



**Elections Code
Associated Students, Incorporated
California State University, Bakersfield**

Section I: Requirements for Running and Holding Office

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).

1.1 Incumbent Unit Load:

Undergraduate incumbents must earn six (6) semester or nine (9) quarter units of credit per term while holding office. Graduate and credential students must earn three (3) semester or four (4) quarter units of credit per term while holding office.

1.2 Incumbent Maximum Allowable Units

Undergraduate students are allowed to earn a maximum of 150 semester 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/ 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.

1.3 Candidate Unit Load

Undergraduate candidates must maintain six (6) semester or nine (9) quarter units per term while running for office. Graduate and credential student candidates must maintain three (3) semester or four (4) quarter units per term while running for office.

1.4 Candidate Residency

Undergraduate candidates for office must have been enrolled on the campus and have completed at least one (1) semester or two (2) quarters prior to the election, earning a total of six (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.

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

1.6 Appeal Process

Under extraordinary circumstances the Campus President (or designee) 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 ASI Executive Director. The Executive Director will review the petition for accuracy and send to the Election Coordinator and to the Vice President of Student Affairs. The VPSA shall make a decision within 2 school days and inform the ASI Executive Director and process a letter of approval or rejection. The Executive Director shall notify the candidate of the letter, which is to be picked up at the ASI Office.

Section II: Elected Officers and Term Limits

2.1 There will be one general election in each academic year, to be held during Spring Quarter.

2.2 The following positions shall be elected by the entire student body:

a. Executive Officers:

- i. President
- ii. Executive Vice President
- iii. Vice President of University Affairs
- iv. Vice President of External Affairs
- v. Vice President of Finance
- vi. Vice President of Programming and Publicity

- b. Position-Specific Directors:
 - i. Director of Corporate Structure
 - ii. Director of Special Projects
 - iii. Director of A.S. Reps. Program
 - iv. Director of Sustainability
 - v. Director of Diversity Affairs
 - vi. Director of Housing
 - vii. Director of Facilities and Commercial Services
 - viii. Director of Community Affairs
 - ix. Director of Alumni Affairs
 - x. Director of Legislative Affairs
 - xi. Director of Clubs/Organization Outreach
 - xii. Director of Budget Management
 - xiii. Director of Campus Pride
 - xiv. Director of Educational Events
 - xv. Director of ASI Relations

- c. Academic School Directors:
 - i. Director of Natural Sciences, Mathematics, & Engineering
 - ii. Director of Social Sciences and Education
 - iii. Director of Business and Public Administration
 - iv. Director of Arts and Humanities
 - v. Director of General Studies
 - vi. Upper Division Director
 - vii. Lower Division Director
 - viii. Graduate Director
 - ix. Antelope Valley Director

2.3 Candidates shall not run for more than one office during an election.

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

2.5 A majority of all votes cast for a position shall be necessary to elect Executive Officers.

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

2.7 No member shall serve more than two (2) consecutive terms in any single elected or single appointed position and no more than a total of six years of elected or appointed service within CSUB ASI.

Section III: Election Administration

3.1 The Associated Students, Inc. election process shall be overseen by an Election Coordinator, with the assistance of an Election Coordinator Assistant.

- a. **The Election Coordinator shall be hired by the Directors within the Student Union. Once the Election Coordinator is approved, the ASI Executive Director will notify the Vice President of Student Affairs.**

3.2 The Election Coordinator shall:

- a. Be hired before the end of March.
- b. Not be a member of the CSUB ASI Board or a former CSUB ASI Board member within two years of leaving office. .
- c. Set the date of the annual Spring Election with advisement from the Associated Students, Inc. Executive Director.

- d. Review the election process with direction from the ASI Executive Director.
- e. Select an Election Coordinator Assistant, which shall appropriately execute responsibilities with the direction of the Election Coordinator.
- f. Enforce the Election Code.
- g. Notify all departments (specifically Housing, Athletics, Facilities) the dates of ASI Elections and get approval/disapproval of posting within the specific department.
- h. Prepare the candidate nomination packet.
- i. Certify through the ASI Executive Director the qualifications of all potential candidates.
- j. Conduct the Election Orientation in conjunction with the ASI Executive Director (or designee) and the Election Coordinator Assistant.
- k. Submit to the student newspaper a complete list of candidates, their perspective offices, and all candidate statements for publication.
- l. Be responsible for all facets of advertising the filing period and election process through all available means of advertising.
- m. Organize and coordinate all election events.
- n. Work with and develop all necessary information with the on-line election company for the purpose of designing the on-line election process.
- o. Act as the Chair of the Elections Grievance Committee to hear all complaints concerning election violations.
- p. Be responsible for maintaining complete documentation and/or all written records pertaining to the election process. Following the election process the records shall be kept and filed within the ASI Office.
- q. Maintain public neutrality in regard to any candidate in the election.
- r. Not run for an office or campaign for any candidate.
- s. Have the right to discuss the election issues in privacy.
- t. 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.
- u. Verify student ID numbers of student endorsements on ASI Election applications.
- v. Collect and certify all income and expense records of candidates.
- w. Be compensated upon satisfactory completion of the entire election period.

3.3 Grievance Committee

- a. In the event of a grievance, a special grievance committee to hear grievances shall be comprised of:
 - i. The Election Coordinator
 - ii. The Election Coordinator Assistant
 - iii. The ASI Executive Director (or designee)
 - iv. The Director of the Student Union and Organizational Governance (or designee)
 - v. Student Conduct Coordinator (or designee)
 - vi. Three student-at-larges (appointed by the Election Coordinator who are not members of ASI)
- b. 5 members of the Grievance Committee must be present to conduct business.
- c. The Grievance Committee shall be called upon by the Election Coordinator and shall vote on all grievances that are submitted to the Committee. The Election Coordinator shall notify the aggrieved candidate and notify the candidate of the decision within one school day.

Section IV: Pre-Election Regulations

4.1 Filing Procedure

- a. The filing period for ASI annual elections shall commence for ten (10) school days during the Spring Quarter or Semester.
- b. Prior to the close of the filing period, each candidate shall:
 - i. Complete an application to run for office with a list of 10 student signatures, along with student ID numbers, supporting the respective candidacy.
 - ii. Sign a statement confirming his or her intention to run and also certifying that the candidate has read and understood the Election Code.

- c. Each candidate must 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.
- d. 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.
 - i. The Election Coordinator shall prepare a candidate list to prepare for verification in the orientation session and send out an email after the close of the session to eligible candidates.

4.2 Mandatory Candidates Orientation Meeting

- a. All candidates shall be required to be present at the orientation meeting immediately following the close of the filing period.
 - i. If a candidate is unable to attend the mandatory candidate orientation because of extenuating circumstances, a make-up meeting will be held by the Election Coordinator. The candidate must notify the Election Coordinator, 48 hours in advance if unable to make the orientation. The candidate must request a make-up meeting 2 school days after the candidate orientation has passed, to be eligible to campaign.
 - ii. Late arrival to, or early departure from, either meeting will result in the candidate's disqualification, unless a justified circumstance, as approved by the Election Coordinator, prevented full attendance. The candidate must make up the portion missed from the session after the candidate orientation within 2 school days.
- b. The agenda of the mandatory and make-up candidates meeting will be:
 - i. Roll Call
 - ii. An explanation of the Election Code with a question and answer period.
 - iii. Collection of the List of Campaign Workers Form
 - iv. Overview of Ethical and Truthful Campaigning
 - v. Clean Campaign Pledge
 - vi. Repeat of Roll Call
 - vii. Formal Adjournment

4.3 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.

- a. Campaigning shall commence for nine (9) school days during the Spring Quarter following the adjournment of the orientation meeting.
- b. 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.
- c. The campaign period will be from the close of the mandatory candidates meeting until the election polls close. If not in attendance at the mandatory candidate meeting, campaigning may begin once the candidate's orientation has been completed. Any campaigning before this time is grounds for disqualification.
- d. 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.
- e. Approval of the campaign material is necessary. If the campaign advertisement is in violation of this Code, the Election Coordinator could rule to remove the material.
- f. 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.
- g. Permitted Campaign Activities
 - i. Candidates may use posters, flyers, banners, buttons, social media or any other form of advertising that is not otherwise prohibited by this Code.

- ii. Every election sign, poster, banner, badge, t-shirt, flier, balloon, etc., must have a candidate's name on it.
- h. Campaign Posting Policy
- i. 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.
 - ii. 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 the candidate(s) responsible will be liable for any resulting damage.
 - iii. Handbills/circulars may not be placed on parking vehicles on campus.
 - iv. Approved Posting Areas:
 - a. 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, and 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.
 - b. 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
 - c. 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.
 - d. Housing Publicity Policy
 1. No postings are allowed in the mailbox area or beyond.
 2. No postings may be placed over existing advertisements or postings, on entrance doors, or on the housing office front desk..
 3. Campaign material must be taken down promptly following elections.
 4. Items **MAY NOT** be posted on the following:
 - Doors of any type (including the door knob),
 - Trash cans
 - Trellises
 5. 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
6. No postings are allowed in the Residence Halls.

4.4 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 cannot be used for campaigning regarding and candidate.
- c. Internet resources may be used if they do not impede the educational process of any students, 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.

4.5 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.

4.6 Prohibited Campaign Activities

- a. Nothing shall be posted as to obscure previously posted or 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 in 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. Candidates may not provide portable electronic devices (i.e. 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 all campus property, all parking lots, residential halls and roads through the campus.
- j. The use of any external audio devices (i.e. Bullhorns) for campaigning shall not be allowed.

4.7 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.
- d. Campaign workers list not updated.
- e. Removing or defacing other candidate's information.
- f. Falsifying or fraudulently reporting campaign receipts.
- g. Failure to submit the Campaign Income and Expense Form by the stated deadline.
- h. Harassing students, candidates or other campaign workers.
- i. Encouraging, aiding, or abetting any student to cast a fraudulent vote.
- j. Sending email or text message blasts using campus information resources.
- k. Making false or slanderous remarks/discussing personal matters of another candidate.
- l. Failure to remove campaign material following elections by the deadline.

m. Other violations deemed by the Election Coordinator/Committee

4.8 Sanctions

The Election Coordinator will review all violation petitions and make recommendations accordingly. If a hearing is deemed necessary, the Election Coordinator will call a hearing of the Election Grievance Committee.

- a. Possible sanctions for proven minor violations could include, but are not limited to, the following:
 - i. Correction of violation.
 - ii. Campaign restrictions such as removing all advertising for 2 school days.
- b. Possible sanctions for proven major violations could 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.

4.9 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.
- b. The Election Coordinator shall review the petition within 24 hours (one school day). Review by the Grievance Committee may be deemed necessary by the Election Coordinator.

4.10 Violation Resolution

The respondent will be informed via telephone, text, and email of the alleged violation within 24 hours (one school day) by the Election Coordinator verifying that the petition is completed.

- a. For a violation allegation s/he will be provided with:
 - i. Details of the alleged violation,
 - ii. Suggested corrections of the violation, and
 - iii. Potential sanctions for the violation.
- b. If a hearing is deemed necessary, the date, time, and place of hearing shall be given. Such hearing shall take place not less than 24 hours, or one school day from the date of the Notice of the Hearing.
- c. The complainant will be informed via telephone, text, and email of the upcoming hearing.

4.11 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.

4.12 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 call immediately following the meeting and then in writing, within 24 hours of the Committee's decision. Written decisions will be emailed to the candidate.
- b. The decision of the Committee will be signed by the Election Coordinator. The Election Coordinator shall then send a copy of the decision to the Vice President of Student Affairs.
- c. After the respondent and the complainant have been notified of the Committee's decision, the decision will be posted on the ASI bulletin board.

4.13 Campaign Expense Limits

- a. 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.

- b. 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.
- c. Any in-kind donation must be listed on the income and expense report form at the retail value of the in-kind donation.
- d. Failure to hand in the income and expense form by the due date can result in disciplinary action, including but not limited to disqualification.

4.14 Campaign Election Forum

- a. The Election Coordinator, with assistance from the Election Coordinator Assistant, shall set the date and time of the Election Forum to take place prior to the election and during the campaign period.
- b. The Election Coordinator shall organize the Election Forum and be present to mediate the forum.
- c. 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. All candidates shall have the same amount of time to answer questions.
- d. 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.
- e. Additional rules and regulations of the debate shall be determined by the Election Coordinator with assistance from the ASI Executive Director and Election Coordinator Assistant..

Section V: Voting

5.0 Election Dates/Times

- a. The annual election shall be held during the 8th and 9th days of the campaign period.
- b. Election dates for Run-Off Election shall be for a minimum of two (2) consecutive school days the week following the general election.
- c. 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.
- d. If unforeseen circumstances require that the election be postponed, then the Grievance Committee shall choose the most appropriate dates for an alternate election.

5.1 Voter Eligibility

- a. Any person duly registered, and currently attending, as a student at California State University, Bakersfield.

5.2 Election Day

- a. Elections will be held online; students must check their preferred email which is on file with the University to vote.
- b. 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.
- c. Candidates may not provide portable electronic devices (ie, laptops, internet capable phones, etc.) for the purpose of soliciting another student to vote on the candidate's device during the voting period.
- d. 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 expulsion from the University.

5.3 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.

- a. Run-off Elections shall:
 - i. Commence on the following Wednesday and Thursday after the General Election
 - ii. Adhere to the same regulations as prescribed by this Code for General Elections.
 - iii. Allow campaigning as is approved for any General Election with an additional campaign expense allowance as is allowed for the General Election.

- B. Referendum/Initiatives
 - a. 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.
 - b. These elections shall be held as needed.
 - c. They shall be held during a regular election whenever possible.
 - d. These elections shall be for a yes/no vote unless otherwise approved by the Board of Directors.
 - e. The result of the ballot referendum/initiative shall be determined by a two-third (2/3) majority vote unless otherwise specified.
 - f. Procedures for establishing or adjusting AS fees by referenda must follow those procedures outlined in CSU Policy.

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

Section 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 election results shall be confirmed with the Vice President of Student Affairs, or designee, for accuracy within 48 hours of the close of the election.
- F. 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.
- G. The names of the winners shall be posted on the ASI bulletin boards and outside the ASI office. The results will include:
 - a. Total votes for each candidate and their respective percentages of votes.
 - b. Designation of winners.
 - c. Signature of the Election Coordinator.
- C. All elections are final and require no Board of Directors' approval.
- D. 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.

Section 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.